

STATE OF ALABAMA
COUNTY OF MADISON



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Fee Amt: \$28.25 Page 1 of 2
Madison County, AL
TOMMY RAGLAND Probate Judge

File **2018-00023994**

**AMENDMENT TO THE BY-LAWS
OF
OVERLAND COVE HOMEOWNERS ASSOCIATION, INC.**

THIS AMENDMENT the (“Amendment”) to the Bylaws of Overland Cove Homeowners Association, Inc. (the “Association”) is made on the date hereinafter set forth, pursuant to Article VI § 6.7 of the Bylaws of the Association (the “Bylaws”).

WHEREAS, Diltina Development Corporation, Inc. (“Declarant”) is the Declarant of the Declaration of Protective Covenants for Overland Cove Subdivision, a Townhome & Garden Home Community (the “Declaration”), as recorded on June 19, 2008 at document no. 20080619000321790, in the Office of the Judge of Probate of Madison County, Alabama,

WHEREAS, Article VI § 6.7(a) of the Bylaws provides that the Bylaws may be amended unilaterally by the Declarant, so long as the Declarant has the right to appoint and remove officers and directors.

WHEREAS, pursuant to the Amendment of Protective Covenants and By-Laws for Overland Cove Subdivision recorded on September 5, 2014 at document no. 20140905000474310 in the Office of the Judge of Madison County, Alabama, Article III § 3.3(a) of the Bylaws provides that Declarant has the right to appoint officers and directors until twelve years after the recording of the Declaration.

NOW THEREFORE, the Bylaws are hereby amended as follows:

ARTICLE III

Board of Directors: Selection, Meetings, Powers

A. Composition and Selection.

3.1. Governing Body: Composition.

The second sentence of this section is amended to read as follows:

“Except with respect to directors appointed by Declarant, the directors shall be Members; provided that if a Lot is owned by multiple Owners, no more than one such Owner may serve on the Board at that same time.”

3.2. Number of Directors.

The second sentence of this section is amended to read as follows:

“Thereafter, the Board shall consist of five (5) directors, as provided in Section 3.5 below.”

3.4 Nomination and Election Procedures.

The first sentence of the second paragraph of this section is amended to read as follows:

“After the Declarant’s right to appoint directors and officers terminates, the Association shall call a special meeting (or take action under Section 2.13 or Section 2.14 in lieu of a meeting) and the Members shall elect five directors as follows: the initial term of three (3) directors shall be fixed at two (2) years, and thereafter successors shall be elected to a term of two (2) years; the initial term of two (2) directors shall be fixed at one (1) year, and thereafter successors shall be elected to a term of two (2) years.”

IN WITNESS WHEREOF, the undersigned has executed this instrument on this the 20th day of ~~March~~ April, 2018.

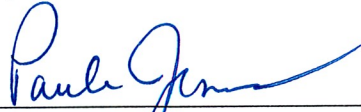
DILTINA DEVELOPMENT CORPORATION, INC.

By: _____
Michael Friday, President

**STATE OF ALABAMA
COUNTY OF MADISON**

I, the undersigned Notary Public in and for said County and State, hereby certify that Michael Friday, whose name is signed to the foregoing conveyance as President of Diltina Development Corporation, and who is known to me, acknowledged before me on this date, that, being informed of the contents of this conveyance, and with full authority, he executed the same voluntarily on the day same bears date.

Given under my hand and seal this the 20th day of ~~March~~ April, 2018.



NOTARY PUBLIC
My Commission Expires 5-14-2019

This instrument prepared by:
Adam C. Dauro ✕
Heard Ary & Dauro, LLC
303 Williams Ave., Ste 921
Huntsville, Alabama 35801

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