

THIS INSTRUMENT PREPARED BY:  
**SCOTT D. WEISS, ESQ., CCAL**  
Ortale Kelley Law Firm  
CMT Building  
330 Commerce Street, Suite 110  
Nashville, Tennessee 37201  
(Prepared from information provided  
by and at the direction of Gates of Peninsula  
Homeowners Association, Inc.)

10:23  
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|--------------------------|-----------------------|
| Holly Hemmrich, Register |                       |
| Sumner County Tennessee  |                       |
| Rec #: 1102168           | Instrument #: 1442721 |
| Rec'd: 25.00             | Recorded              |
| State: 0.00              | 2/16/2023 at 10:23 AM |
| Clerk: 0.00              | in Record Book        |
| Other: 2.00              | 6113                  |
| Total: 27.00             | PGS 865-869           |

**AMENDMENT TO THE BY-LAWS  
OF  
GATES OF PENINSULA HOMEOWNERS ASSOCIATION, INC.**

**THIS AMENDMENT** to the By-Laws of Gates of Peninsula Homeowners Association, Inc. ("Amendment") is made and entered into by the Members of the Gates of Peninsula Homeowners Association, Inc. ("Gates of Peninsula" or "Association") in accordance with Article XIII, Section 1 of the By-Laws of Gates of Peninsula Homeowners Association Amended October 26, 2014 ("First Amended By-Laws"), of record in Record Book 4107, Pages 346-364 in the Register's Office for Sumner County, Tennessee; the said First Amended By-Laws amend the original By-Laws of Gates of Peninsula Homeowners Association, Inc. ("By-Laws") which are attached to the Declaration of Covenants, Conditions and Restrictions of Gates of Peninsula, Phase I, A Planned Unit Development ("Declaration"), of record in Book 47, Page 216 in the said Register's Office.

**WITNESSETH:**

**WHEREAS**, all capitalized terms not otherwise defined herein shall have the meanings set forth in Article I of the Declaration and Article I of the By-Laws; and,

**WHEREAS**, pursuant to Article XIII, Section 1 of the First Amended By-Laws, the By Laws may be amended at a regular or special meeting of the Members, by a vote of a majority of a quorum of Members present in person or by proxy; and,

**WHEREAS**, all Meetings of the Association whether annual, special or otherwise, shall be called in accordance with Article III of the By-Laws; and,

**WHEREAS**, as evidenced by their signatures below, the President and Secretary of Gates of Peninsula Homeowners Association, Inc., certify that a special meeting of the Members was held on April 12, 2022 where a quorum of Members, present in person or by proxy, made a motion which was seconded and carried by the affirmative vote of a majority of a quorum of Members present in person or by proxy at such meeting, that this

Amendment to the By-Laws of Gates of Peninsula Homeowners Association, Inc., shall be adopted.

**NOW, THEREFORE,** by these presents, Section 1, Section 2, Section 3, Section 4 and Section 5 of Article II of the First Amended By-Laws are hereby deleted in their entirety, appropriately adjusting the corresponding Article designations of the remainder of the First Amended By-Laws.

**NOW, THEREFORE,** by these presents, Article IV, Section 1 of the First Amended By Laws is hereby deleted in its entirety and replaced with the following:

Section 1. Number. The affairs of this Association shall be managed by a Board of either three (3) or five (5) Directors. The increasing or decreasing of the number of Board members shall be voted upon by the current Board not less than thirty (30) calendar days prior to the mailing of notice of the annual meeting where the vote for the Board of Directors will take place. Members of the Board must be members of the Association. Spouses and co-owners of any Lot shall not be eligible to serve on the Board at the same time.

**NOW, THEREFORE,** by these presents, Article IV, Section 3 of the First Amended By Laws is hereby deleted in its entirety and replaced with the following:

Section 3. Removal & Temporary Non-Voting Board Members.

- (a) Removal. Any director may be removed from the Board, with or without cause, by a majority vote of the members of the Association. In the event of death, resignation or removal of a director, their successor shall be selected by the remaining members of the Board and shall serve for the unexpired term of their predecessor.
- (b) Temporary Non-Voting Board Member. If the Board consists of five (5) Directors and one (1) Directors resigns or is removed, the Director whose date of election or appointment is the most recent, shall become a non-voting member of the Board of Directors until the vacated fifth Director position is filled either by election thereto by the Members, or filled in accordance with part (a) hereinabove.

**NOW, THEREFORE,** by these presents, Article VII, Section 1, parts (a) and (b) of the First Amended By-Laws are hereby deleted in their entirety and replaced with the following:

Section 1. Powers.

The Board of Directors shall have power to:

(a) **Adopt and publish rules and regulations governing the use of the Common Area, facilities, and the Lots, and the personal conduct of the Members and their guests thereon, and to establish penalties for the infraction thereof. Rule and regulations adopted by the Board to enforce violations of parking restrictions can be enforced by towing or booting.**

(b) **Suspend the voting rights and right to use the recreational facilities of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed sixty (60) calendar days for infraction of published rules and regulations.**

**NOW, THEREFORE, by these presents, the new Article XI, entitled Assessments, of the First Amended By-Laws is hereby deleted in its entirety, and the remaining Article designations of the First Amended By-Laws shall be adjusted accordingly.**

**NOW, THEREFORE, by these presents, the new Article XII, entitled Rentals, is hereby deleted in its entirety, and the remaining Article designations of the By-Laws shall be adjusted accordingly.**

**NOW, THEREFORE, by these presents, Article XIV of the By-Laws, entitled Miscellaneous, is hereby amended by deleting Sections: 3, 4, 5, 6, 7 in their entirety.**

**Only the changes and amendments made by this Amendment to the By-Laws of Gates of Peninsula Homeowners Association shall be changed. All other terms, conditions, restrictions and provisions of the By-Laws, shall survive and continue to remain in full force and effect.**

**[Signature pages to follow]**



IN WITNESS WHEREOF, the undersigned have executed this instrument as of this the  
6<sup>th</sup> of January, 2023.

**GATES OF PENINSULA  
HOMEOWNERS' ASSOCIATION, INC.**

Diana Bain  
By: Diana Bain  
Its: President

STATE OF TENNESSEE)  
COUNTY OF SUMNER)

Before me, a Notary Public in and for the State and County aforesaid, personally appeared Diana Bain with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon her/his oath, acknowledged herself/himself to be the President of Gates of Peninsula Homeowners Association, Inc., and that she/he as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the Association by herself/himself as such President.

Witness my hand and official seal at Regions Bank Sumner County, Tennessee, this  
6 day of January, 2023.

Devon R. Dodd  
Notary Public

My Commission Expires: 10-20-2026



My Commission Expires Oct. 20, 2026

**AFFIDAVIT OF AFFIRMATIVE VOTE FOR AMENDMENT  
BY  
SECRETARY OF GATES OF PENINSULA HOMEOWNERS ASSOCIATION, INC.**

The undersigned, Norma Lucia Castrejon A., Secretary of Gates of Peninsula Homeowners Association, Inc., certifies and affirms that in accordance with Article XIII, Section 1 of the By-Laws of Gates of Peninsula Homeowners Association, Amended October 26, 2014, a special meeting of the Members was held on April 12, 2022 where a quorum of Members, present in person or by proxy, made a motion which was seconded and carried by the affirmative vote of a majority of a quorum of the Members that this Amendment to the By-Laws of Gates of Peninsula Homeowners Association, Inc. shall be adopted.

GATES OF PENINSULA  
HOMEOWNERS ASSOCIATION, INC.

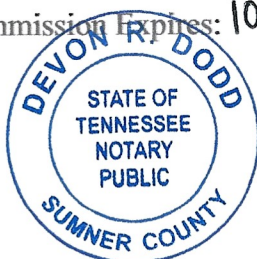
[Signature]  
By: Norma Lucia Castrejon Ayala  
Its: Secretary

STATE OF TENNESSEE)  
COUNTY OF SUMNER)

Before me, a Notary Public in and for the State and County aforesaid, personally appeared Norma Lucia Castrejon A. with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon her/his oath, acknowledged herself/himself to be the Secretary of Gates of Peninsula Homeowners Association, Inc., and that she/he as such Secretary, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the Association by herself/himself as such Secretary.

Witness my hand and official seal at Regions Bank Sumner County, Tennessee, this 10 day of January, 2023.

My Commission Expires: 10-20-2026



My Commission Expires Oct. 20, 2026

[Signature]  
Notary Public