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Reply to
Lisa M. Moore, CLA
Legal Assistant
E-Mail: lisa.moore@henlaw.com

September 1, 2004

Secretary of State
Division of Corporations
Attention Amendment Section
Post Office Box 6327
Tallahassee, FL 32314

Re: Amendment to Articles of Incorporation for Bonita Springs Utilities, Inc.

Dear Sir:

Please find enclosed Articles of Amendment to Articles of Incorporation of Bonita Springs Utilities, Inc., together with this firm's check in the amount of \$43.75 (\$35 for the filing fee and \$8.75 for a certified copy of the amendment). For your convenience, I have also included a self-addressed stamped envelope for the return of same.

If you have any questions, please call.

Sincerely yours,

A handwritten signature in cursive script that reads "Lisa M. Moore".

Lisa M. Moore, CLA
Certified Legal Assistant

/lmm

Enclosure

cc: Fred Partin, Executive Director

ARTICLES OF AMENDMENT
to
ARTICLES OF INCORPORATION
of
BONITA SPRINGS UTILITIES, INC.

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Pursuant to the provision of section 617.1006, Florida Statutes, the undersigned Florida nonprofit corporation adopts the following articles of amendment to its articles of incorporation.

FIRST: Amendment(s) adopted:

Article XI is hereby deleted in its entirety and amended to read as follows:

ARTICLE XI

The assets and income of this non-profit corporation shall be utilized to promote its purposes. Reasonable compensation may be paid to the directors and officers of this corporation, and nothing herein shall prevent the hiring of employees or engaging of others to perform services for this corporation or to prevent the reimbursement of any person who makes outlays for the reasonable expenses of the corporation. In the event of dissolution or liquidation, either voluntarily or pursuant to order of a court of competent jurisdiction, and after the payment of all outstanding liabilities, each member shall be repaid capital credits without priority on a pro rata basis to the extent assets are available to make such payments. To the extent that assets remain following payment of all outstanding liabilities and capital credits, distribution shall be made without priority to the members and former members in the proportion to which the patronage of each member or former member from and after January 1, 1988, bears to the total patronage of all members from and after such date, to the date of such dissolution. A plan of distribution of excess capital prior to dissolution shall be set forth in the corporation's By-Laws.

SECOND: The date of the adoption of the amendment(s) was: February 17, 1998

THIRD: Adoption of Amendment

The amendment was approved for a vote by the members by the board of directors on January 6, 1998.

The amendment was placed before a vote of the membership. The number of votes cast for the amendment was sufficient for approval by the members entitled to vote on the amendment which results were presented at Annual Board Meeting on February 17, 1998.



Robert Bachman

Robert Bachman, President

September 1, 2004

Date