

718546

**Park City
Homeowner's Association, Inc.
8640 S.W. 20th Street
Ft. Lauderdale, Florida 33324**

Rose Preseau
1931 S.W. 83 Terr.
Davie, FL. 33324

January 14, 2002

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Ms. Susan Payne, Senior Section Administrator
Division of Corporations
Florida Department of State
P.O. Box 6327
Tallahassee, FL 32314

Dear Ms. Payne:

Following our conversation this date, I am enclosing Articles of Amendment form, copy of Amendments to our Articles of Incorporation, Minutes of our General Meeting of November 28, 2001 at which meeting the Amendments were approved by our members and copy of your letter of January 7.

The Amendments became effective as of November 28, 2001. Members of the Board of Directors had previously approved these Amendments.

Our check for \$43.75 is also enclosed which covers the filing fee and for certified copies.

I sincerely trust I have met all requirements. Should you have any questions, I can be reached at 954-473-6892, and thank you again for your assistance today.

Sincerely,
Rose Preseau
Rose Preseau, Chairperson
Encl. (5)

Witnessed and Approved:
William J. Schwab
William J. Schwab, President
Park City Homeowners Association, Inc.

Per Rose
change
name as
reflected on
letter head.

SP

*Amendment
Spayne
1/18/02*

"AN OVER 55 YEARS OF AGE COMMUNITY"

FILED
02 JAN 17 PM 4:04
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

RECEIVED
02 JAN 17 AM 11:27
DIVISION OF CORPORATIONS



FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State

January 7, 2002

Rose Preseau
1931 SW 83rd Terr.
Davie, FL 33324

SUBJECT: PARK CITY HOME OWNERS ASSOCIATION, INC.
Ref. Number: 718546

We have received your document for PARK CITY HOME OWNERS ASSOCIATION, INC. . However, the enclosed document has not been filed and is being returned to you for the following reason(s):

Amendments for a nonprofit corporation are filed pursuant to section 617.1006, Florida Statutes. A form is enclosed for your convenience.

The fee to file articles of amendment is \$35. Certified copies are optional and are \$8.75 for the first 8 pages of the document, and \$1 for each additional page, not to exceed \$52.50.

Please return a copy of this letter along with your document to ensure proper handling.

If you have any questions concerning this matter, please either respond in writing or call (850) 245-6901.

Susan Payne
Senior Section Administrator

Letter Number: 402A00000744

ARTICLES OF AMENDMENT
to
ARTICLES OF INCORPORATION
of

FILED

02 JAN 17 PM 4: 04

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

PARK CITY HOME OWNERS ASSOCIATION, INC.

(present name)

718546

(Document Number of Corporation (If known))

Pursuant to the provisions 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: (INDICATE ARTICLE NUMBER(S) BEING AMENDED, ADDED OR DELETED.)

The following are Amendments to our Articles of Incorporation:

Article I	By-Laws	Article XII	Legal Fund (Added)
Article II	Committees	Article XIII	Dissolution(Added)
Article III	Fiscal Year		
Article IV	Dues/Membership		
Article V	Meetings		Change corporate name to: PARK CITY
Article VI	Quorum		HOMEOWNER'S ASSOCIATION, INC.
Article VII	Board of Directors		
Article VIII	Duties of Officers		
Article IX	Recall		
Article X	Elections		
Article XI	Policy		

SECOND: The date of adoption of the amendment(s) was: November 28, 2001

THIRD: Adoption of Amendment (CHECK ONE)

- ☒ The amendment(s) was(were) adopted by the members and the number of votes cast for the amendment was sufficient for approval.
- ☐ There are no members or members entitled to vote on the amendment. The amendment(s) was(were) adopted by the board of directors.

Rose Preseau

Signature of Chairman, Vice Chairman, President or other officer

Rose Preseau, Committee Chairperson

Typed or printed name

January 14, 2002

Title

Date

ARTICLES OF INCORPORATION

PARK CITY HOMEOWNERS ASSOCIATION, INC.

AN OVER 55 YEARS OF AGE COMMUNITY

PROLOGUE

1. The Association as a whole will never be any better than its individual members. The value of its members lies in his or her sincere and enthusiastic support of Association functions and the Association officers.
2. We will deport ourselves and conduct the Association functions in such a manner as to reflect credit upon the Association and its membership.
3. We will conform to all respects to the By-Laws of the Association and the policies promulgated from time to time by its members and Executive Board of Directors.
4. There are many instances in an organization as it grows and expands which may cause momentary irritations, but no organization can have a better reputation than that composed of a group of good members, who inherently maintain good fellowship with each other.
5. We will not use our membership in the Association for personal gain.
6. We are a nonprofit organization; organized for good fellowship among our members.
7. We will not permit the introduction of political, religious, or controversial issues in the affairs of the Association.

ARTICLE I - BY-LAWS

SECTION 1. The By-Laws of this Association will be adopted by the membership at a regular meeting following the reading of same and voted for adoption. Vote for adoption will be a majority of the members present.

SECTION 2. AMENDMENTS - The By-Laws may be amended in the following manner: A proposed amendment must be submitted in writing and read at a regular meeting of the Association. If approved by a majority vote, the amendment will be processed as follows: Said proposed amendment(s) will then be printed in a notice which will be in the hands of the membership at least seven (7) days prior to the March or November meeting, whichever comes first, at which time the amendment(s) will be put to a vote and will be adopted by a simple majority of members present.

ARTICLE II - COMMITTEES

SECTION 1. Any and all committees deemed essential or necessary for the effective functioning of the Association may be designated by the President.

ARTICLE III - FISCAL YEAR

SECTION 1. The fiscal year of the Association will begin on the first day of January and end with the last day of December, coinciding with the calendar year.

ARTICLE IV - DUES/MEMBERSHIP

SECTION 1. Dues will be an amount set by the Executive Board of Directors and approved by a majority of the members present at the next General Meeting. Current dues are two dollars (\$2.00) per person, per home, per year. Owners of multiple dwellings will be entitled to only one (1) vote each. This will allow a maximum of two members who are joint owners. Any person who applies for membership must have their name on the property deed.

SECTION 2. All members with membership cards dated January 1, 2001 will be grandfathered in upon adoption of By-Law changes. Only person(s) whose names appear on the property deed after January 1, 2001 will be eligible for membership in the Association.

SECTION 3. Members who fail to pay their delinquent dues by December 31 of the current fiscal year will be dropped from the active membership roll.

SECTION 4. A person becoming a member at any time during the fiscal year will pay dues for the full fiscal year.

SECTION 5. Renters are not considered property owners under any circumstances.

ARTICLE V - MEETINGS

SECTION 1. All regular meetings of the Homeowner's Association will be held on the fourth (4th) Wednesday of each month at a place designated by notice in the weekly publication, and/or posted on the bulletin boards.

SECTION 2. Members must show a current membership card to attend meetings.

SECTION 3. The Executive Board of Directors, for the purpose of business and agenda meetings of the Association, will meet as required, and at a place designated beforehand by the President.

SECTION 4. Special board meetings may typically be called by the President or by a majority of the board members to consider items of business specified in the call of the meeting.

ARTICLE VI - QUORUM

SECTION 1 - Fifty (50) members in good standing, appearing at a place of meeting at the time announced for the convening of such meeting, will constitute a quorum for business, except for the election of officers, or a change in these By-Laws, or amendments to the Articles of Incorporation, when at least seventy-five (75) members in good standing must be present. A decision will be made by a simple majority.

SECTION 2. A majority of the Executive Board of Directors will constitute a quorum for the transaction of any business whatsoever properly to come before that body.

ARTICLE VII - BOARD OF DIRECTORS

SECTION 1. The Executive Board of Directors will consist of nine (9) elected officers as follows: President, Vice-President, Secretary, Treasurer and five (5) Directors.

SECTION 2. The five (5) Directors serving on the Executive Board will consist of either four (4) full-time residents and one (1) Director designated as a six-month resident, or five (5) full-time residents. If no six-month resident is nominated, the position will revert to a full-time position on the Executive Board. These Directors will be elected annually.

SECTION 3. The Executive Board of Directors will be elected at the regular Annual Meeting in January, to serve for a term as provided in Article X, and will be deemed and declared elected upon receiving a plurality of the votes cast by the eligible members present at the election meeting.

SECTION 4. The President can fill a vacancy in the Executive Board of Directors with the approval of a two-thirds (2/3) vote of approval of the entire Executive Board. Such appointee will serve until the next election.

SECTION 5. All board members are required to vote on matters before the board except in cases of an asserted conflict of interest, where the board member may abstain from voting.

SECTION 6. The Board of Directors shall approve all expenditures of the Association, authorizing payment by the Treasurer. If there is a tie vote on matters of finance, the President shall cast a vote to break the tie.

ARTICLE VIII - DUTIES OF OFFICERS

SECTION 1. **PRESIDENT:** The President will, after election to office, appoint the Chairmen of each Standing Committee: Membership and Liaison. He/she will appoint Special Committees and all other appointments deemed necessary and appropriate, subject to the approval of a majority of the Executive Board of Directors. This is to take place prior to the next regular meeting at which time appointments will be announced. It will be the duty of the President to call all meetings to order and preserve decorum. He/she will call for reports from Chairmen of Standing Committees, is empowered to appoint special committees not otherwise provided for and all other appointments

ARTICLE VIII - DUTIES OF OFFICERS (continued)

with the approval of the Executive Board, to put to a vote all motions properly introduced and seconded, to decide all questions of order according to these By-Laws and in accordance with Robert's Rules of Order. In circumstances not provided for in the By-Laws, he/she will cause all votes to be counted and declare the results thereof. He may cast a vote on motions and in elections when a tie is recorded.

SECTION 2. VICE-PRESIDENT: The Vice-President, in the absence of the President, will exercise all the functions of the office as though he/she were the duly elected President.

SECTION 3. SECRETARY: It is the duty of the Secretary to record the minutes of the Executive Board and General Meetings. A copy of these minutes will be given to the President at least five (5) days prior to the next Executive Board Meeting. In addition, a copy will be retained in the Homeowners Association filing cabinet, where designated. In the absence of the President and Vice-President, the Secretary will call the meeting to order and conduct any business, or until a President pro-tem may be appointed, even adjourning the meeting, whichever comes first. The Secretary may be assigned other duties in the absence of a Corresponding Secretary. The Secretary will surrender all correspondence and records to the duly appointed successor when the latter assumes office.

SECTION 4. TREASURER: The Treasurer will receive all monies payable to the Association and keep an accounting of same. Expenses of one hundred dollars (\$100.00) or less per invoice, will be paid with the approval of the Executive Board of Directors from the Park City Homeowners Association General checking account. Expenses more than one hundred dollars (\$100.00) will be paid only with the approval of the members at a General Meeting. All checks of the Association will be signed by two (2) officers, the President and Treasurer, or other officers so approved to sign checks. The Treasurer will deposit all funds in a bank approved by the Executive Board of Directors. The Treasurer will give a full report of the financial status of the Association and its bank accounts at each monthly meeting, showing receipts, expenditures and balances which have been verified at the Executive Board of Directors Meeting. The Treasurer will surrender all financial records, funds, and passbooks to the duly appointed successor when the latter assumes office. An Auditing Committee will be appointed by the President with Executive Board approval to audit the books of the Treasurer for the periods ending June 30 and December 31. A Petty Cash fund of one hundred dollars (\$100.00) will be established for any expenses approved by the Executive Board.

ARTICLE IX - RECALL

SECTION 1. Any officer or member of the Executive Board of Directors of this Association will be subject to recall. The recall may be initiated by a petition requesting such recall, signed by at least seventy-five (75) members in good standing, and stating the reason for recall. The petition will be presented at a regular meeting of the Association, and if the individual designated for recall does not voluntarily submit his/her resignation, the petition will be voted upon not later than the second regular meeting after presentation. Voting will be by secret ballot and will require two-thirds (2/3) of the votes of the members present. If the petition is upheld, the office will be declared

ARTICLE IX - RECALL (continued)

vacant. If the individual recalled is an officer, an election to fill the vacancy will be held at the next General Meeting. Nominations for the vacancy will be made from the floor, with a majority vote required as in all elections of the Association. If the individual recalled is a Director, then provisions of Article VII, Section 4 will apply.

ARTICLE X - ELECTIONS

SECTION 1. Election of officers and members of the Executive Board of Directors will take place from 2:00 p.m. to 7:00 p.m. on the day of the Annual Meeting in January of each year. Officers elected will serve a term of one (1) year or until their successors are elected. Directors will serve in accordance with Article VII, Section 2, or until successors have been elected and qualified. Officers have been deemed and declared elected upon receiving a plurality of the votes cast by members present at the election meeting.

SECTION 2. At the October meeting, the President will appoint a Nominating Committee consisting of not less than three (3) but not more than five (5) qualified members, other than Officers or members of the Board of Directors.

SECTION 3. The Nominating Committee will post their proposed slate on the three bulletin boards and list it in the Park City publication not less than one week prior to the regular December meeting and submitted to the President, to be read to the members. The President will then ask whether there are any further nominations from the floor. If there are nominations from the floor, a revised slate will be posted on all bulletin boards and listed in the Park City publication weekly until the election. In all instances, prior consent to serve must be obtained from all nominees. Full-time residents nominated to serve must attend no less than eight (8) Executive Board Meetings a year and a six-month resident nominated to serve must attend no less than five (5) Executive Board Meetings a year, unless there is good and reasonable cause for further absence as deemed acceptable by the Executive Board. Violation of the attendance requirement will subject the offender to immediate dismissal from the Executive Board of Directors.

SECTION 4. Where there is more than one (1) nominee for any office, voting will be by secret ballot. Proxy or absentee voting is not permitted.

SECTION 5. At the December General Meeting, the President will appoint a Chairperson to handle the vote/ballot procedure. The President will appoint five (5) members to supervise the counting of ballots and any opposing slate can appoint five (5) members to supervise the counting of ballots. The sign-in sheets and ballots cast will be given to the Secretary and retained for one year.

ARTICLE XI - POLICY

SECTION 1. The Association will be subject to all rules and regulations contained in the Park City

ARTICLE XI - POLICY (continued)

Homeowner's Association Charter, By-Laws and Statement of Policy adopted and promulgated from time to time, and will adopt no inconsistent rule or policy therewith. Therefore, there will be nothing construed by Management or any of its employees that this Association, its officers or members, will endeavor to enforce any of the regulations of the Covenants and Agreements as published by Management. It is the responsibility of Management and/or its employees to enforce and correct violations of the Covenants and Agreements that may be brought to their attention by a Committee of this Association for the benefit of all Park City residents.

ARTICLE XII - LEGAL FUND

SECTION 1. Monies contributed by members of the Association and Park City Homeowner's Association to this fund are to be used for legal purposes only. In addition:

- a. Only members who contributed to this fund and are current members of the Homeowner's Association will have the right to voice an opinion on legal expenditures and will have the right to vote on the disbursement of these funds.
- b. Any expenditure of funds must be brought to the legal membership for approval at the next General Meeting in the following manner:
 1. Reason for the money expenditure and amount needed.
 2. Members are to be notified that a vote will be taken to spend monies from the Legal Fund. Posting of such a notice will be on all bulletin boards and in the Park City publication. The vote will be taken at the next Regular Meeting of the Homeowner's Association. Legal members must be current members of the Association to vote.
 3. Expenditures of Legal funds must be approved by a simple majority of the Legal Fund members present at the next General Meeting.
 4. Any invoices paid out of the Legal Fund will be available for inspection by Legal Fund members.
- c. In the event a home is sold or ownership changes, the Legal Fund membership cannot be transferred to the new owner. To become a member of the Legal Fund, the new owner must pay the required legal fees and membership dues.

SECTION 2. The highest amount of indebtedness or liability to which the Corporation may at any time commit itself for legal fees will not be more than the amount on deposit in the Legal Fund Bank Account. The duties of the Treasurer will be to receive all monies contributed to the Legal Fund of the Association. The Treasurer should keep an accurate accounting of same. All disbursement checks should be signed by the President and Treasurer, or other officer so approved to sign checks.

ARTICLE XII - LEGAL FUND (continued)

The Treasurer will deposit all Legal Fund contributions in a bank approved by the Executive Board of Directors. The Treasurer will give a full report of the financial status of the Legal Fund at each monthly meeting showing receipts, disbursements and balances.

SECTION 3. If, at any time, the Legal Fund Committee, with the approval of the Executive Board of Directors, decides there is no longer a need for the Legal Fund, the remaining balance will be returned to all Legal Fund members, who are current dues paying members of the Association, and/or living in Park City at the time of dissolution of the exact amount of their contributions, with the remaining balance transferred to the Association's General Fund, subject to the approval of the Legal Fund members.

SECTION 4. A decision of the Executive Board of Directors to dissolve the Legal Fund must be approved by a two-thirds (2/3) majority of the Legal Fund contributors present at a Regular Meeting.

ARTICLE XIII - DISSOLUTION

SECTION 1. In the event of the dissolution of this Corporation, or in the event it ceases to carry out the objectives and purposes herein set forth, all the property and assets of the Corporation will be distributed in accordance with the provisions of the By-Laws pertaining thereto to all members then in good standing, provided however that the Executive Board of Directors first makes adequate provision for the payment of all outstanding legal obligations of the Corporation.

REVISED NOVEMBER 2001