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04 DEC 27 AM 9:18
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Amend.

Q: Complete

JAN 05 2005

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December 23, 2004

Florida Division of Corporations

Attn: Amendment Section

PO Box 6327

Tallahassee, Florida 32314

Re: Recording Articles of Amendment for Southbay Yacht & Racquet Club Owners Association, Inc.

Dear Division folks:

Enclosed are:

1. Original executed Articles of Amendment, and one copy
2. Check for \$35 payable to Secretary of State

Please file and return to me. Call if there are any questions or if you need additional information.
Thank you.

Very truly yours,



Chad M. McClenathen

**ARTICLES OF AMENDMENT
TO ARTICLES OF INCORPORATION
OF SOUTHBAY YACHT AND RACQUET CLUB OWNERS ASSOCIATION, INC.**

FILED
04 DEC 27 AM 9:19
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

The undersigned officers of Southbay Yacht and Racquet Club Owners Association, Inc., a not for profit corporation organized and existing under the laws of the State of Florida, hereby certify that the following amendment to the Articles of Incorporation was approved by the members of the corporation at duly noticed and convened membership meetings held on November 22, 2004. The number of votes cast in favor of the adoption of the amendment was sufficient for approval under the terms of the Articles of Incorporation of the Association, and applicable law.

(Additions indicated by underlining, deletions by ---, omitted, unaffected language by ...)

ARTICLE IX

AMENDMENT OF ARTICLES OF INCORPORATION: These Articles may be amended as follows:

- (a) when the voting interest present at a duly called membership meeting is between ~~484~~108 and ~~250~~200 inclusive, then at least ~~125~~101 affirmative votes cast in person or by ballot proxy shall amend the Articles of Incorporation;
- (b) when the voting interest present at a duly called membership meeting is greater than ~~250~~200, then at least an affirmative vote of a majority of the votes cast in person or by ballot proxy shall amend the Articles of Incorporation.

In witness whereof, Southbay Yacht and Racquet Club Owners Association, Inc., has caused these Articles of Amendment to be executed in its name this _____ day of December, 2004.

Mary M. Biernat

Witness Signature

MARY M. BIERNAT
Printed Name

Sammy E Austin

Witness Signature

SAMMY E AUSTIN
Printed Name

**SOUTHBAY YACHT AND RACQUET
CLUB OWNERS ASSOCIATION, INC.**

Don Rutter, President
BY: DON RUTTER, PRESIDENT

Betty A. Lehn Secretary
ATTEST: BETTY LEHN, SECRETARY

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 21st day of December, 2004, by Don Rutter, as President, and by Betty Lehn, as Secretary, of Southbay Yacht and Racquet Club Owners Association, Inc., a Florida corporation, on behalf of the corporation. They are personally known to me or have produced the following identification _____. If no type of identification is indicated, they are personally known to me.



Sammy E Austin
My Commission DD000639
Expires March 15, 2005

Sammy E Austin
Notary Public - State of
Sammy E Austin
Notary Print Name
My Commission Expires: