

730203

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

PICK-UP     WAIT     MAIL

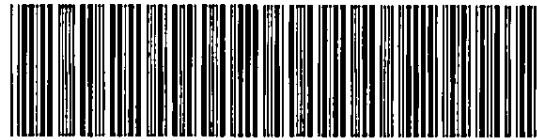
(Business Entity Name)

(Document Number)

Certified Copies \_\_\_\_\_ Certificates of Status \_\_\_\_\_

Special Instructions to Filing Officer:

Office Use Only



300355235933

RECEIVED  
NOV 23 2020

11/24/20--01006--026 \*\*35.00

NOV 23 11:11:24

*Amended  
to started*

JAN 10 2021  
ALBRITTON

**COVER LETTER**

TO: Amendment Section  
Division of Corporations

NAME OF CORPORATION: Belleview Biltmore Villas-Bayshore II, Inc.

DOCUMENT NUMBER: 730203

The enclosed *Articles of Amendment* and fee are submitted for filing.

Please return all correspondence concerning this matter to the following:

Bennett L. Rabin, Esquire

(Name of Contact Person)

Rabin Parker Gurley, P.A

(Firm/ Company)

28059 U.S. Hwy North, Suite 301

(Address)

Clearwater, Florida 33761

(City/ State and Zip Code)

smuffley@condominiumassociates.com

E-mail address: (to be used for future annual report notification)

For further information concerning this matter, please call:

Cheryl Morrell, FRP or Ashley Eames, Legal Assistant

727-475-5535

at

(Name of Contact Person)

(Area Code) (Daytime Telephone Number)

Enclosed is a check for the following amount made payable to the Florida Department of State:

- |   |  |   |  |
|---|--|---|--|
| <input checked="" type="checkbox"/> \$35 Filing Fee | <input type="checkbox"/> \$43.75 Filing Fee &<br>Certificate of Status | <input type="checkbox"/> \$43.75 Filing Fee &<br>Certified Copy<br>(Additional copy is<br>enclosed) | <input type="checkbox"/> \$52.50 Filing Fee<br>Certificate of Status<br>Certified Copy<br>(Additional Copy is<br>Enclosed) |
|---|--|---|--|

**Mailing Address**

Amendment Section  
Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32314

**Street Address**

Amendment Section  
Division of Corporations  
The Centre of Tallahassee  
2415 N. Monroe Street, Suite 810  
Tallahassee, FL 32303

FILED 11/24

Prepared by and return to:  
Monique E. Parker Gurley, Esq.  
Robin Parker, P.A.  
28059 U.S. 19 North, Suite 301  
Clearwater, Florida 33761

CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION OF BELLEVIEW BILTMORE VILLAS-BAYHORE II, INC.

I hereby certify, in accordance with the requirements of the applicable Florida Statutes and the governing documents of the Association, the Articles of Incorporation of Belleview Biltmore Villas-Bayshore II, Inc., recorded in Official Records Book 4196, Page 1986, et seq., in the Public Records of Pinellas County, Florida were amended at a duly called meeting of the members of Belleview Biltmore Villas-Bayshore II, Inc., on October 6, 2020. The adopted Amended and Restated Articles of Incorporation of Belleview Biltmore Villas-Bayshore II, Inc. are attached hereto as Exhibit "A." The Declaration of Condominium of Belleview Biltmore Villas - Bayshore II, A Condominium, was originally recorded in Official Records Book 4196, Page 1963 in the Public Records of Pinellas County.

IN WITNESS WHEREOF, the Belleview Biltmore Villas-Bayshore II, Inc., has caused this instrument to be signed by its duly authorized officer on this 26<sup>th</sup> day of October, 2020.

Ana Maria Schweitzer  
(Signature of Witness #1)  
ANA MARIA SCHWEITZER  
(Printed Name of Witness #1)  
Christina  
(Signature of Witness #2)  
CHRISTINA  
(Printed Name of Witness #2)

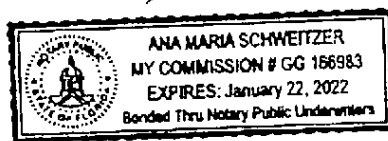
BELLEVIEW BILTMORE VILLAS-BAYSHORE II, INC.  
By Peter A. Musante  
(Signature)  
PETER A. MUSANTE, SP, Pres.  
(Printed Name and Title)

STATE OF FLORIDA )  
COUNTY OF PINELLAS )

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 26<sup>th</sup> day of October, 2020, by Peter Musante, as PRES of Belleview Biltmore Villas-Bayshore II, Inc., on behalf of the corporation, and  is personally known to me or  has produced as identification.

My Commission Expires:  
Jan 22, 2022

Ana Maria Schweitzer  
NOTARY PUBLIC - State of Florida at Large



FILED  
JUL 24 1974

EXHIBIT "A"

AMENDED AND RESTATED  
ARTICLES OF INCORPORATION OF  
BELLEVIEW BILTMORE VILLAS-BAYHORE II, INC.  
(a corporation not for profit)

*Substantial rewording of the Articles of Incorporation.  
Please see existing Articles of Incorporation for present text.*

This document restates, supersedes, replaces and amends, all previously recorded Articles of Incorporation of Belleview Biltmore Villas-Bayhore II, Inc., which were originally filed with State of Florida, Department of State, on July 15, 1974, and recorded in recorded as Exhibit B of the Declaration of Condominium of Belleview Biltmore Villas-Bayhore II, a Condominium, recorded in Pinellas County, Florida Official Records Book 4196, page 1986.

ARTICLE 1. NAME AND ADDRESS. The name of this corporation is Belleview Biltmore Villas-Bayhore II, Inc., hereinafter "Association." The principal place of business shall be designated from time to time by the Board of Directors.

ARTICLE 2. DEFINITIONS. The terms used herein shall be as defined in Chapter 718 of the Florida Statutes, hereinafter referred to as the "Condominium Act," and the Declaration of Condominium of Belleview Biltmore Villas-Bayhore II, a Condominium.

ARTICLE 3. PURPOSE. The purpose for which the Association is organized is to provide an entity for the operation of the condominium property known as Belleview Biltmore Villas-Bayhore II, created pursuant to the Condominium Act; to transact all business necessary and proper in connection with the operation of the condominium property for the mutual benefit of its members; to operate said condominium property for the sole use and benefit of its members; to perform any other act for the well-being of its members; and to perform any other act in maintaining an atmosphere of community and high standard of occupancy by and for its members. The Association shall also have such power and authority to do and perform every act and thing necessary and proper in the conduct of its business for the accomplishment of its purposes as set forth herein and as permitted by Florida Statutes, Chapter 617, the "Florida Not-for-Profit Corporation Act" and the Condominium Act, both as amended from time to time. The Association shall not be operated for profit, no dividends shall be paid, and no part of the income of the Association shall be distributed to its members, directors, or officers.

ARTICLE 4. POWERS. The corporation shall have all of the common law and statutory powers of a corporation not-for-profit, and all of the powers of condominium associations under the Condominium Act, and all of the powers reasonably necessary to implement the purposes of the corporation, which are not in conflict with the terms of these Articles, the Declaration of Condominium, and the Bylaws of this corporation, all as amended from time to time.

ARTICLE 5. EXISTENCE. The Association shall have perpetual existence.

ARTICLE 6. BOARD OF DIRECTORS.

6.1 The affairs of the Association shall be managed by a Board of Directors. The number of Directors shall be as set forth in the Bylaws of the Association.

6.2 The Board of Directors shall be elected at the annual meeting of members in the manner determined by the Bylaws of the Association and applicable Florida Statutes.

ARTICLE 7. INDEMNIFICATION. Every director and every officer of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonably incurred by or imposed upon such director or officer in connection with any proceeding or the settlement of any proceeding to which such director or officer may be a party, or may be involved by reason of being or having been a director or officer of the Association, whether or not such individual is a director or officer at the time such expenses are incurred, except when the director or officer is adjudged guilty of gross negligence or willful misfeasance in the performance of his or her duties, or in such cases where the proceeding arose out of actions taken outside the scope of the duties or office of the person involved. In the event of a settlement, the Board of Directors is entitled to make the determination of whether indemnification taken under this section is appropriate. The foregoing right of indemnification shall be in addition to and exclusive of all other rights and remedies to which such director or officer may be entitled.

#### ARTICLE 8. MEMBERS.

8.1 The members of the Association shall consist of all owners of units within the Belleview Biltmore Villas-Bayhore II Condominium.

8.2 Membership shall be acquired by recording in the Public Records of Pinellas County, Florida, a deed or other instrument establishing record title to a condominium unit. The unit owner(s) designated in such deed or other instrument shall thereupon become member(s) of the Association, and the membership of the prior owner(s) of the unit shall be terminated.

8.3 The share of a member in the funds and assets of the Association cannot be assigned, hypothecated, or transferred in any manner except as an appurtenance to a unit.

8.4 The total number of votes ("voting interests") is equal to the total number of units in the Belleview Biltmore Villas-Bayhore II condominium.

8.5 Voting. Unit owners are entitled to one (1) vote for each unit owned. If a unit is owned by one (1) natural person, individually or as trustee, the right to vote shall be established by the record title to the unit. If a unit is owned jointly by two (2) or more persons, that unit's vote may be cast by any of the owners provided only one (1) vote shall be cast. If multiple owners of a unit cannot agree how to vote, and attempt to cast votes which are in conflict with those cast by another owner, the vote for that unit will not be counted. The vote of a unit owner who is not a natural person, shall be cast by any officer of a corporation, or any partner or managing agent of another type of entity.

8.6 There shall be no cumulative voting.

8.7 Any matter of controversy or dispute between members or between a member and the Association shall be settled in accordance with applicable Florida Statutes.

8.8 The members of this Association shall be subject to all of the covenants, conditions, and restrictions contained in the Declaration of Condominium, these Articles of Incorporation, the Bylaws of the Association, and rules and regulations, as may be amended from time to time.

ARTICLE 9. BYLAWS. The operation of the Association shall be defined in the Bylaws.

ARTICLE 10. AMENDMENTS. Unit owners may propose an amendment to these Articles of Incorporation by instrument in writing directed to the president or secretary of the Board of Directors signed by not less than twenty percent (20%) of the total eligible voting interests in the condominium. Amendments may also be proposed by the Board of Directors by action of a majority of the Board of Directors at any regularly constituted meeting thereof. Any proposed amendments shall be subject to editing as to form and legality by the Association's legal counsel. Amendments must be approved by at least two-thirds (2/3) of those members voting in person or by proxy at a membership meeting, provided that a majority of all members must participate in the voting in order for the vote to be valid.

ARTICLE 11. REGISTERED AGENT. The registered agent of the Association shall be determined by the Board of Directors from time to time, and shall be on file with the Florida Secretary of State.

---

END OF AMENDED AND RESTATED ARTICLES OF INCORPORATION