

THE LAW OFFICES OF
BRUDNY & RABIN, P.A.

747773

FILED
99 OCT 18 AM 8:49
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

October 14, 1999

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

RE: Certificate of Amendment to Articles of Incorporation of
The Harbour Condominium Association, Inc.
Corporate No.: 747773

Gentlemen:

Please find enclosed the original of a Certificate of Amendment to the Articles of Incorporation of The Harbour Condominium Association, Inc., which I would appreciate your filing. This firm's check in the amount of \$35.00 is enclosed herewith.

Also enclosed is a copy of the Certificate which I would appreciate your stamping and returning to me for my records.

Thank you for your assistance in this matter, and if you have any questions, please do not hesitate to contact me.

Sincerely,



Bennett L. Rabin

*Amend
10-27-99
BRS*

100003016511--1
-10/18/99--01058--007
*****35.00 *****35.00

BLR/gj
Enclosures

397secretarystate9.o14

Prepared By and Return to:
Michael J. Brudny, Esquire
Brudny & Rabin, P.A.
4830 W. Kennedy Blvd., Suite 985
Tampa, Florida 33609

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

**CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION
OF THE HARBOUR CONDOMINIUM ASSOCIATION, INC.**

This is to certify that at a duly called meeting of the members of The Harbour Condominium Association, Inc. (the "Association") held on September 13, 1999, in accordance with the requirements of the applicable Florida Statutes and the condominium documents, the Amendments to the Articles of Incorporation of The Harbour Condominium Association, Inc., attached hereto as Exhibit A, were duly adopted by the membership. The Declaration of Condominium for The Harbour, a Condominium was originally recorded in Official Records Book 4975, Page 802, Public Records of Pinellas County, Florida, and has been subsequently amended. The Articles of Incorporation are an exhibit to the Declaration.

IN WITNESS WHEREOF, THE HARBOUR CONDOMINIUM ASSOCIATION, INC., has caused this instrument to be signed by its duly authorized officer on this 4th day of ~~September~~, 1999.

THE HARBOUR CONDOMINIUM
ASSOCIATION, INC.

Harold F. Fenton

Signature of Witness #1

HAROLD F. FENTON

Printed Name of Witness #1

Mary G. Barcellona

Signature of Witness #2

MARY G. BARCELLONA

Printed Name of Witness #2

By: Lloyd J. Brown

Signature

LLOYD J. BROWN VICE PRESIDENT

Printed Name and Title

STATE OF FLORIDA)
COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me this 4th day of ~~September~~ OCTOBER, 1999, by ~~Harold F. Fenton~~ LLOYD J. BROWN as VICE PRESIDENT of THE HARBOUR CONDOMINIUM ASSOCIATION, INC., on behalf of the corporation, who acknowledged that he/she executed this document on behalf of the corporation. He She is personally known to me or has produced _____ as identification.

Dorothy Thomas
Notary Public

DOROTHY THOMAS
Printed Name



**ADOPTED AMENDMENTS TO
ARTICLES OF INCORPORATION OF
THE HARBOUR CONDOMINIUM ASSOCIATION, INC.**

1. **To amend Section 3.3 of Article 3 of the Articles of Incorporation as follows:**

3. POWERS

The powers of the Association shall include and be governed by the following provisions:

* * * *

3.3 All funds and the titles to all properties acquired by the Association, and their proceeds, shall be held in trust for the use and benefit of the members in accordance with the provisions of the Declaration of Condominium, these Articles of Incorporation, and the By-Laws of the Association.

* * * *

2. **To amend Section 4.4 of Article 4 of the Articles of Incorporation as follows:**

4. MEMBERSHIP

* * * *

~~4.4 The Developer shall be a member of the Association and shall be allowed one vote for each Unit owned by the Developer.~~

3. **To delete Article 6 in its entirety; said Article 6 will hereafter be intentionally left blank:**
-

4. **To amend Article 7 of the Articles of Incorporation as follows:**

7. OFFICERS

The affairs of the Association shall be administered by a President, a Vice President, and by a Secretary and a Treasurer, or by a Secretary/Treasurer, and such other officers as the Board of Directors may from time to time designate. No person may hold the office of President and Secretary simultaneously. Officers of the Association shall be those set forth herein or elected by the Board of Directors at its

first meeting following the annual meeting of the members of the Association, and shall serve at the pleasure of the Board of Directors.

* * * *

5. To amend Section 8.1 of Article 8 of the Articles of Incorporation as follows:

8. DIRECTORS

8.1 the affairs of the Association shall be managed by a Board of Directors who shall be members of the Association. The Board shall consist of not less than three (3) nor more than five (5) Directors; provided, however, that the Board shall consist of an odd number of members.

* * * *

6. Sections 8.3 and 8.4 of Article 8 of the Articles of Incorporation are deleted in their entirety:

7. To amend Sections 11.2(b) and 11.3 of Article 11 of the Articles of Incorporation as follows:

11. AMENDMENT

These Articles of Incorporation shall be amended in the following manner:

* * * *

11.2 A resolution for the adoption of a proposed amendment may be proposed by the Board of Directors of the Association or by the members of the Association. A member may propose such an amendment by instrument in writing directed to any member of the Board of Directors signed by not less than ten (10%) percent of the membership. Amendments may be proposed by the Board of Directors by action of a majority of the Board at any regularly constituted meeting thereof. Upon an amendment being proposed as herein provided, the President or, in the event of his refusal or failure to act, the Board of Directors, shall call a meeting of the membership to be held not sooner than fifteen (15) days nor later than sixty (60) days thereafter for the purpose of considering said amendment. Directors and members not present in person at the meeting considering the amendment may express their approval in writing provided such approval is delivered to the Secretary at or prior to the meeting. Except as provided herein, such approval must be either by:

(a) Not less than seventy-five (75%) percent of the entire membership of the Board of Directors and by not less than fifty-one (51%) percent of the total voting interests of the entire membership of the Association; or

(b) Not less than fifty-one percent (51%) of the total voting interests of the entire membership of the Association.

11.3 Provided, however, that no amendment shall make any changes in the qualification for membership nor the voting rights of the members, nor any change in Paragraph 3.3, without approval in writing by all members and the joinder of all record Owners of mortgages on the Condominium Units. No amendment shall be made that is in conflict with the Condominium Act or the Declaration of Condominium.