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Mr. Williams-



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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Amend INIC
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COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: EMERALD POND HOMEOWNERS ASSOCIATION INC

DOCUMENT NUMBER: N 0500000 1183

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

Please return all correspondence concerning this matter to the following:

KEITH J WILLIAMS

(Name of Contact Person)

EMERALD POND HOMEOWNERS ASSOCIATION INC

(Firm/ Company)

32618 WEKIVA PINES BLVD

(Address)

SOPRENTO FL 32776

(City/ State/ and Zip Code)

For further information concerning this matter, please call:

KEITH J WILLIAMS

(Name of Contact Person)

at (352) 383 6339

(Area Code & Daytime Telephone Number)

Enclosed is a check for the following amount:

☐ \$35 Filing Fee

☐ \$43.75 Filing Fee &
Certificate of Status

☐ \$43.75 Filing Fee &
Certified Copy
(Additional copy is
enclosed)

☒ \$52.50 Filing Fee
Certificate of Status
Certified Copy
(Additional Copy
is enclosed)

ALREADY
PAID

Mailing Address

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

Street Address

Amendment Section
Division of Corporations
409 E. Gaines Street
Tallahassee, FL 32399



FLORIDA DEPARTMENT OF STATE

Glenda E. Hood
Secretary of State

June 29, 2005

Keith J. Williams
Emerald Pond LLC
32618 Wekiva Pines Blvd.
Sorrento, FL 32776

SUBJECT: EMERALD POND HOMEOWNERS ASSOCIATION INC
Ref. Number: N05000001183

We have received your document for EMERALD POND HOMEOWNERS ASSOCIATION INC and check(s) totaling \$55.00. However, the enclosed document has not been filed and is being returned to you for the following reason(s):

Amendments for nonprofit corporations are filed in compliance with section 617.1006, Florida Statutes. Please see the attached information.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6901.

Susan Payne
Senior Section Administrator

Letter Number: 505A00043896

ARTICLES OF AMENDMENT TO
ARTICLES OF INCORPORATION OF
EMERALD POND HOMEOWNERS ASSOCIATION INC.

Pursuant to the provisions of section 617.1006, Florida Statutes, the undersigned corporation adopts the following Articles of Amendment to its Articles of Incorporation.

FIRST: Amendment adopted:

ARTICLE I - NAME

The name of this corporation is EMERALD POND HOMEOWNERS ASSOCIATION, INC., (hereinafter the "association").

ARTICLE - II

The association is a nonprofit corporation.

ARTICLE III - DURATION

The corporation shall have a perpetual existence, unless dissolved by law or as provided by Chapter 617, Florida Statutes.

ARTICLE IV - PURPOSE

The association is formed for the primary purpose of providing for the maintenance, preservation, and architectural control of the residence lots and common areas/common property within a certain subdivided tract of real property described as follows:

See attached exhibit "A".

And to promote the health, safety, and welfare of the residents within the above described subdivision and such additions thereto as may hereafter be brought within the jurisdiction of the association for purpose.

In addition, the Association shall operate, maintain and manage the surface water or storm water management system(s) in a District permit no. 4-069-96726-1 requirements and applicable District rules, and shall assist in the enforcement of the Declaration of Covenants and restrictions which relate to the surface water or storm water management system.

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TALLAHASSEE, FLORIDA

ARTICLE V – POWERS

In furtherance of the purposes of the association, the association will have the power to:

(a) All of the powers and privileges granted to corporations not for profit under the laws pursuant to which this corporation is chartered, and all of the powers and privileges which may be granted unto said corporation or exercised by it under any other applicable laws of the State of Florida.

(b) Perform all of the duties and obligations of the association as set forth in Declaration of Covenants, conditions, and restrictions (the “declaration”) applicable to the subdivision and to be recorded in the public records of Seminole County, Florida;

(c) Affix, levy, and collect all charges and assessments pursuant to the terms of the Declaration, and enforce payment thereof by any lawful means; and pay all expenses in connection therewith, and all office and other expenses incident to the conduct of the business of the association, including all licenses, taxes, or governmental charges levied or imposes on the property of the association;

The Association shall levy and collect adequate assessments against members of the Association for the cost of maintenance and operation of the surface water or storm water management system;

The assessments shall be used for the maintenance and repair of the surface water or storm water management systems including but limited to work within retention areas, drainage structures and drainage easements;

(d) Acquire (by gift, purchase, or otherwise), own, hold, improve, build on, operate, maintain, convey, sell, lease, transfer, dedicate to public use, or otherwise dispose of real and personal property in connection with the affairs of the association;

(e) Borrow money and, subject to the consent by vote or written instruments of two-thirds of each class of members, mortgage, pledge, convey by deed of trust, or hypothecate any or all of its real or personal property as security for money borrowed debts incurred;

(f) Dedicate, sell, or transfer all or any part of the common areas/common property to any municipality, public agency, authority, or utility for such purposes and subject to such conditions as may be agreed on by the members. No such dedication or transfer will be effective unless an instrument has been signed by two thirds of each class of members, agreeing to such dedication, sale, or transfer;

(g) Participate in mergers and consolidations with other nonprofit corporations organized for the same purposes, or annex additional residential property and common areas, provided that any merger, consolidation, or annexation must have the consent by vote or written instrument of two thirds each class of members;

(h) Have and exercise all powers, rights and privileges that a corporation organized under Chapter 617 of the Florida Statutes by law may now hereafter have or exercise.

(i) Maintaining, repairing, replacing, operating and managing the Common Property of the Association, including the right to reconstruct improvements after casualty and to make further improvement on the common property.

(j) Contracting for maintenance of the common property of the Association.

(k) Making and establishing reasonable rules and regulations governing the use of the Common Property of the Association as said terms may be defined in the Declaration of Covenants and Restrictions.

The Association is organized and will be operated exclusively for the above purposes. The activities of the Association will be financed by assessments on members as provided in the Declaration, and no part of any net earnings will inure to the benefit of any member.

ARTICLE VI – REGISTERED OFFICE AND RESIDENT AGENT

Registered Agent

The street address of the initial registered office of the association is 32618 Wekiva Pine Blvd, Sorrento, Fl 32776, and the name of its initial registered agent at that address is Keith J. Williams.

ARTICLE VII – MEMBERS

Every person or entity who/which is a record owner of a fee or undivided fee interest in any lot which is subject by covenants of record to assessments by the association, including contract sellers, but excluding persons holding title merely as security for performance of an obligation, will be a member of the association. Membership will be appurtenant to and may not be separated from ownership of a lot which is subject to assessment by the association.

ARTICLE VIII – VOTING

The association will have two classes of voting members, which are defined as follows:

Class A. Class A members will include all owners with the exception of the declarant, as that term is defined in the Declaration. Class A members will be entitled to one vote for each lot owned. When more than one person holds an interest in any lot, all of those persons will be members. The vote for such lot will be exercised as such members determine among themselves, but in no event will more than one vote be cast with respect to any lot owned by class A members

Class B. Class B member will be the declarant, as that term is defined in the Declaration. The declarant will be entitled to three votes for each lot owned. The Class B membership will cease and be converted to Class A membership provided in the Declaration.

ARTICLE IX – BOARD OF DIRECTORS

The number of directors constituting the initial board of directors is two, and the names and addresses of the persons who are to serve as the initial directors are:

**Rudolph Rode
32618 Wekiva Pines Blvd.
Sorrento, FL 32776**

**Keith J. Williams
31343 State Road 46
Sorrento, FL 32776**

The method of election of directors is as stated in the bylaws of the corporation. There shall never be fewer than two (2) directors on the Board of Directors.

ARTICLE X – DISSOLUTION

On dissolution, the assets of the association will be distributed to appropriate public agency to be used for purposes similar to those for which the association was created. In the event such as distribution is refused acceptance, nonprofit corporation, association, trust, or other organization organized and operated for such similar purposes.

In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water or storm water management system must be transferred to and accepted by an entity which would comply with Section 40c-42.027, F.A.C., and approved by St. Johns River Water Management District prior to such termination, dissolution or liquidation.

ARTICLE XI – INCORPORATOR

The name and address of each incorporator is:

Rudolph Rode
32618 Wekiva Pines Blvd.
Sorrento, FL 32776

Keith J. Williams
31343 State Road 46
Sorrento, FL 32776

SECOND:

☒ The amendment(s) was (were) adopted by the members and the number of votes cast for the amendment was sufficient for approval.

THIRD: Adoption of Amendment:

The amendment was approved by the shareholders. The number of votes cast for the amendment was sufficient for approval.

DATED: June 20th, 2005.

Emerald Pond Homeowners Association Inc.

By: _____

Rudolph Rode, President.

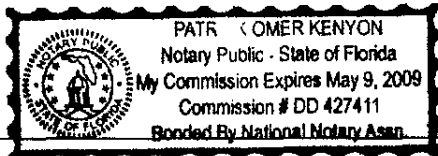
By: _____

Keith J. Williams, Vice President.

State of Florida,
Lake County,

The foregoing instrument was acknowledged before me by KEITH JOHN WILLIAMS and RUDOLPH RODE who are personally known to me, this 23rd day of June, 2005.

(Affix Notary Seal)



Name _____

Notary Public, State of Florida.

JUNE 23, 2005

**CERTIFICATE DESIGNATING PLACE OF BUSINESS DOMICILE
FOR THE SERVICE OF PROCESS WITHIN THIS STATE.
NAMING AGENT UPON WHOM PROCESS MAY BE SERVED:**

EMERALD POND HOMEOWNERS ASSOCIATION, INC.

In pursuance to Chapter §48.091, Florida Statutes, the following is submitted in compliance with said act:

FIRST: That EMERALD POND HOMEOWNERS ASSOCIATION INC., desiring to organize under the laws of the State of Florida, with its principle office, as indicated in the Articles of Incorporation, at 32618 Wekiva Pines Blvd., Fl 32776, has named Keith J. Williams, located at 32618 Wekiva Pines Blvd. Fl 32776, County of Lake, State of Florida, as its registered agent to accept service of process within this State.

ACKNOWLEDGEMENT

Having been named to accept service of process for the above entitled corporation, at place designated in this Certificate, I hereby accept to act in this capacity, and agree to comply with the provisions of said Act relative to keeping open said office.



KEITH J. WILLIAMS

Composite Exhibit "A"

Parcel 1:

Lots 3 and 4 and the North 1/2 of Lots 7 and 8, Block 26, SILVER LAKE ESTATES, according to the plat thereof, recorded in Plat Book 10, page 66 of the public records of Lake County, Florida:

LESS AND EXCEPTING THEREFROM THE FOLLOWING:

1. That part of Lots 3 and 4, conveyed to Lake County by deed recorded in Official Records Book 340, page 988 of the public records of Lake County, Florida;
2. From a 4" by 4" concrete monument at the Northwest corner of Tract "B" EMERALD GREENS PHASE II, according to the plat recorded in Plat Book 30, page 96 of the public records of Lake County, Florida, run South 89° 27' 14" East, along the South line of the right-of-way of Treadway School Road, 587.25 feet to a point of intersection; thence continue along said South right-of-way line, North 89° 38' 45" East, 17.50 feet to the Point of Beginning; thence continue North 89° 38' 45" East, along said South right-of-way line, 442.23 feet; thence South 00° 40' 40" West, 628.13 feet; thence North 89° 55' 48" West, 265.80 feet; thence North 00° 40' 40" East, 253.49 feet; thence North 65° 04' 13" West, 207.40 feet; thence North 00° 29' 22" East, 97.34 feet; thence North 10° 28' 16" East, 78.84 feet; thence North 00° 29' 22" East, 109.27 feet to the Point of Beginning;
3. EMERALD GREENS PHASE III, according to the plat thereof, recorded in Plat Book 47, page 95 public records of Lake County, Florida;
4. Tract C, EMERALD GREENS PHASE II, according to the plat recorded in Plat Book 30, page 96 of the public records of Lake County, Florida.

Parcel 2:

The North 1/2 of Lots 5 and 6, Block 26, REVISED AND CORRECTED PLAT OF SUBDIVISION OF SILVER LAKE ESTATES, according to the plat thereof, recorded in Plat Book 10, page 66 of the public records of Lake County, Florida; LESS the right-of-way of Radio Road and LESS Tract "C", EMERALD GREENS, PHASE II, according to the plat thereof, recorded in Plat Book 30, page 96, inclusive, of the public records of Lake County, Florida.

Parcel 3:

Tract "C", EMERALD GREENS, PHASE II, according to the plat thereof, recorded in Plat Book 30, page 96, inclusive, of the public records of Lake County, Florida.

Parcel 4:

That portion of Tract "B" of EMERALD GREENS PHASE II, according to the plat thereof, recorded in Plat Book 30, page 96, of the public records of Lake County, Florida, more particularly described as follows: Begin at the Northwest corner of the Northeast 1/4 of the Northwest 1/4, run thence South to the Southwest corner of the Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4, Section 14, Township 19 South, Range 25 East, Lake County, Florida, thence East to the Southeast corner of the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4, thence North to the Northeast corner of the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4, thence West to the Point of Beginning, LESS Radio Road and Treadway School Road and LESS that part lying within Tract C of EMERALD GREENS, PHASE II, according to the plat thereof, recorded in Plat Book 30, page 96, inclusive, of the public records of Lake County, Florida. Formerly known as Lot 1, Block 26, REVISED AND CORRECTED PLAT OF SUBDIVISION OF SILVER LAKE ESTATES, according to the plat thereof, recorded in Plat Book 10, page 66 of the public records of Lake County, Florida; LESS roads and LESS Tract "C", EMERALD GREENS, PHASE II, according to the plat thereof, recorded in Plat Book 30, page 96, inclusive, of the public records of Lake County, Florida.