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*Amend*

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I ALBRITTON

Kevin L. Edwards, Esq.  
Shareholder  
Board Certified Specialist, Condominium and  
Planned Development Law  
Phone: (941) 366-8826 Fax: (941) 997-0080  
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# Becker

Becker & Poliakoff  
1819 Main Street  
Suite 905  
Sarasota, Florida 34236

October 30, 2019

**Via U.S. Mail**

Secretary of State  
Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32314

Re: **Articles of Amended Articles of Incorporation  
Cape Haze Resort C 7/9 Condominium Association, Inc.  
Our File No. C16273-319723**

Dear Sir/Madam:

Pursuant to a telephone conversation on Friday, October 18, 2019 between your supervisor, Dariene and my Paralegal, Lenabelle Vanlandingham and your enclosed correspondence, enclosed please find the corrected original and one copy of the Articles of Amended Articles of Incorporation for the above-referenced Association that was previously submitted. It is my understanding that the Division will file with the reference to "2018." It is our understanding that our check for \$35.00 for the filing fee was received and you are holding for processing.

**Please file and return the filed copy to my attention.** A self-addressed stamped envelope is enclosed for your convenience.

Please feel free to call me should you have any questions regarding this matter.

Sincerely,



KEVIN L. EDWARDS  
For the Firm

KLE/lv  
Enclosures

ACTIVE (294886 1



FLORIDA DEPARTMENT OF STATE  
Division of Corporations

October 23, 2019

KEVIN L. EDWARDS  
BECKER & POLIAKOFF  
1819 MAIN STREET - STE. 905  
SARASOTA, FL 34236

SUBJECT: CAPE HAZE RESORT C 7/9 CONDOMINIUM ASSOCIATION, INC.  
Ref. Number: N06000010366

We have received your document for CAPE HAZE RESORT C 7/9 CONDOMINIUM ASSOCIATION, INC. and your check(s) totaling \$35.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

You failed to make the correction(s) requested in our previous letter.

Please entitle your document Articles of Amendment and remove any reference to 2018 Amended Articles of Incorporation.

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) 245-6050.

Irene Albritton  
Regulatory Specialist II

Letter Number: 719A00021878

2019 OCT 23 12:15



FLORIDA DEPARTMENT OF STATE  
Division of Corporations

August 9, 2019

KEVIN L. EDWARDS  
BECKER & POLIAKOFF  
1819 MAIN STREET - STE. 905  
SARASOTA, FL 34236

SUBJECT: CAPE HAZE RESORT C 7/9 CONDOMINIUM ASSOCIATION, INC.  
Ref. Number: N06000010366

We have received your document for CAPE HAZE RESORT C 7/9 CONDOMINIUM ASSOCIATION, INC. and your check(s) totaling \$35.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

Please entitle your document Articles of Amendment.

The date of adoption of each amendment must be included in the document.

Please remove any reference to 2018 Amended Articles of Incorporation throughout the document.

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) 245-6050.

Irene Albritton  
Regulatory Specialist II

Letter Number: 619A00016415

RECEIVED

2019 OCT 21 PM 3:02



**2018 AMENDED ARTICLES OF INCORPORATION  
OF  
CAPE HAZE RESORT C 7/9 CONDOMINIUM ASSOCIATION, INC.**

**(A corporation not-for-profit existing under the laws of the State of Florida)**

These are the 2018 Amended Articles of Incorporation for Cape Haze Resort C 7/9 Condominium Association, Inc. originally filed with the Florida Department of State on October 3, 2006, under Document Number N06000010366.

**ARTICLE I  
NAME OF CORPORATION**

The name of this corporation shall be CAPE HAZE RESORT C 7/9 CONDOMINIUM ASSOCIATION, INC., hereinafter referred to as the "Association." The principal office of the corporation shall be 8401 Placida Road, Placida, Florida 33946 subject to amendment by the board of directors from time to time.

**ARTICLE II  
GENERAL NATURE OF BUSINESS**

The general nature of the business to be conducted by the Association shall be the operation and management of the affairs and property of the condominium known as Cape Haze Resort C 7/9, a condominium, located within Charlotte County, Florida, and to perform all acts provided in the Declaration of Condominium of said condominium and in the Florida Condominium Act, Chapter 718, Florida Statutes, as the same may be amended from time to time.

**ARTICLE III  
POWERS**

The Association shall have all of the condominium law and statutory powers of a corporation not for profit and all of the powers and duties set forth in the Florida Condominium Act and the Declaration of Condominium of said condominium. The Association may enter into lease agreements and may acquire and enter into agreements acquiring leasehold, membership and other possessory or use interests for terms up to and including 99 years (whether or not such interests relate to property contiguous to the lands of a condominium operated by the Association) intended to provide for the enjoyment, recreation, or other use or benefit of the Association members, including but not limited to the lease of recreation areas and facilities. The Association shall be authorized to and charged with the responsibility to operate and maintain the General Common Elements, including the storm water management system and facilities, including (as applicable) detention and retention areas, littoral areas, flow control structures, culverts and related appurtenances.

**ARTICLE IV  
MEMBERS**

All persons owning a vested present interest in the fee title to a Condominium Unit in Cape Haze Resort C 7/9, a condominium, which interest is evidenced by a duly recorded proper instrument in the Public Records of Charlotte County, Florida, shall be members. Membership shall

terminate automatically and immediately as a member's vested interest in the fee title terminates, except that upon the termination of a condominium operated by the Association, the membership of a Unit Owner who conveys a unit to the trustee as provided in the applicable declaration of condominium shall continue until the trustee makes a final distribution of such Unit's share of the funds collected and held by the trustee. In the event a unit is owned by a legal entity other than a natural person, the officer, director, or other official so designated by such legal entity shall exercise its membership rights.

After the Association receives notice of a conveyance of a Condominium Unit as provided in the applicable Declaration of Condominium, the change of membership in the Association shall be evidenced in the Association records by delivery to the Association of a copy of the recorded deed or other instrument of conveyance.

#### **ARTICLE V VOTING RIGHTS**

Each Condominium Unit shall be entitled to one vote at Association meetings, notwithstanding that the same Owner may own more than one Unit or that Units may be joined together and occupied by one Owner. Any person or entity owning more than one Unit shall be entitled to one vote for each Unit owned.

#### **ARTICLE VI INCOME DISTRIBUTION**

No part of the income of the Association shall be distributable to its members, except as compensation for services rendered.

#### **ARTICLE VII EXISTENCE**

The Association shall exist perpetually unless dissolved according to law.

#### **ARTICLE VIII REGISTERED OFFICE AND REGISTERED AGENT**

The registered office of the Association shall be 8401 Placida Road, Placida, Florida 33946 and the registered agent shall be the then current property manager, subject to amendment by the board of directors from time to time.

#### **ARTICLE IX NUMBER OF DIRECTORS**

The business of the Association shall be conducted by a board of directors consisting of at least three (3) persons. The exact number of directors shall be determined in accordance with the Bylaws.

**ARTICLE X  
INDEMNIFICATION OF OFFICERS AND DIRECTORS**

All officers and directors shall be indemnified by the Association against all expenses, liabilities, and attorney's fees (including attorney's fees for appellate proceedings) reasonably incurred in connection with any proceeding or settlement thereof in which they may become involved by reason of holding such office. In no event, however, shall any officer or director be indemnified for his own willful misconduct or knowing violation of the provisions of the Florida Condominium Act. The Association may purchase and maintain insurance on behalf of all officers and directors against any liability asserted against them or incurred by them in their capacity as officers and directors or arising out of their status as such.

**ARTICLE XI  
BYLAWS**

The bylaws of the Association may be altered, amended or rescinded in the manner provided in such bylaws.

**ARTICLE XII  
AMENDMENTS**

The Association reserves the right to amend, alter, change or repeal any provisions contained in these Articles of Incorporation by a simple majority vote of all voting rights of all members of the Association

**ARTICLE XIII  
THE FLORIDA CONDOMINIUM ACT**

In the event of a conflict between the provisions of these Articles of Incorporation and the Florida Condominium Act, the terms and provisions of the Florida Condominium Act shall control and, to that extent, are incorporated by reference herein. As used in this Article XIII, the "Florida Condominium Act" shall mean the provisions of Chapter 718, Florida Statutes (2017) as the same may be amended from time to time.