

Siegfried · Rivera · Hyman · Lerner
De La Torre · Mars · Sobel

SRHL

S R H L - L A W . C O M

ROBERTO C. BLANCH
RBLANCH@SRHL-LAW.COM

REPLY TO CORAL GABLES OFFICE

November 6, 2013

VIA FEDERAL EXPRESS

Secretary of State
Amendment Section
Division of Corporations
2661 Executive Center Circle
Tallahassee, FL 32301

Re: Monterra Community Association, Inc. ("Association")

Dear Sir/Madam:

Enclosed please find the Articles of Amendment for the Association's Articles of Incorporation, which were filed on January 21, 2010. In addition, enclosed please find check made payable to the Florida Department of State, in the amount of \$43.75, representing the fee for filing the Articles of Amendment and obtaining a certified copy of same. Please mail a certified copy of the Articles of Amendment in the enclosed self-addressed stamped envelope.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact our office.

Sincerely yours,

SIEGFRIED, RIVERA, LERNER,
DE LA TORRE & SOBEL, P.A.

Roberto C. Blanch

RCB:cla
cc: Nicole Luaces, Property Manager

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ARTICLES OF AMENDMENT TO
ARTICLES OF INCORPORATION FOR
MONTERRA COMMUNITY ASSOCIATION, INC.

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

1. **CC Broward Property, LLC, CC Broward Property II, LLC and CC Broward Property VII, LLC**, each a Florida limited liability company, (collectively the "Declarant") is the developer of **Monterra Community Association, Inc.**, a Florida corporation not-for-profit (the "Association").
2. The Articles of Incorporation of the Association, created pursuant to Chapter 617, Florida Statutes, were filed on January 21, 2010.
3. Pursuant to the provisions of Section 617.1006, Florida Statutes, the Declarant adopts the following Articles of Amendment to the Association's Articles of Incorporation.
4. Section 4.2 of Article 4 of the Declaration entitled "Residential Parcel(s)" is hereby amended as follows:

New Language is indicated by underscoring type.

Deleted language is indicated by ~~struck-through~~ type.

Class A. Class A Members shall be all those Owners as defined in Section 4.1 with the exception of the Declarant (as long as the Class B Membership shall exist, and thereafter, the Declarant shall be a Class A Member to the extent it would otherwise qualify). On all matters upon which the membership is entitled or required to vote, with the exception of the election of the Community Association's directors, the Class A Members will be represented exclusively by a representative (the "Voting Representative"). There will be one Voting Representative for each Residential Parcel. Such Voting Representatives will be designated ~~by the Owners of Residential Units within each such Residential Parcel pursuant to the procedures established in the Community Association's By-Laws.~~ Each Voting Representative will be entitled to cast one (1) vote on behalf of the Residential Parcel which he or she represents. ~~In determining the Voting Representative for each Residential Parcel, the Community Association will be entitled to rely upon written certification signed by (i) the Declarant or the Builder of such Residential Parcel until such time as the Declarant or Builder, as applicable, no longer owns any Residential Units within such Residential Parcel, or (ii) if the Declarant or Builder no longer owns any Residential Units within such Residential Parcel, the president, vice president or other executive officer of the Residential Association administering the affairs of such Residential Parcel, or (iii) if the Declarant or Builder no longer owns any Residential Units in such Residential Parcel and such Residential Parcel is not subject to a Residential Declaration, fifty one percent (51%) of the Owners of Residential Units within such Residential Parcel, and such certification will be dispositive of the authority of the Voting Representative and remain in effect until a subsequent and contrary certification is received by the Community Association.~~

5. Section 7.2 of Article 7 of the Articles entitled "Election of Board of Directors" is hereby amended as follows:

New Language is indicated by underscoring type.

Deleted language is indicated by ~~struck-through~~ type.


Prior to the Turnover Date, all of the Directors will be appointed by the Class B Member. The Class B Member shall have the right to appoint the Directors by written notice to such effect or by an announcement reflected in the minutes of the Annual Member's Meeting (as defined in the Bylaws). From and after the Turnover Date, the Directors shall be

be elected by Voting Representatives representing the Members at the Annual Member's Meeting as provided in the Bylaw, in accordance with the procedures established established in the Community Association's Bylaws. The Bylaws shall provide for the method of voting in the election and for removal from office of Directors. All Directors must must be Members of the Community Association and reside in the Community Property or or such Directors, may be authorized representatives, officers, or employees of corporate corporate Members of the Community Association, or designees of the Class B Member. Notwithstanding the foregoing, the Class B Member shall be entitled at any time to waive in waive in writing its right to appoint Directors prior to the Turnover Date as set forth herein herein and thereafter to vote in elections for Directors in the same manner as other Owners Owners of Residential Units, if applicable.

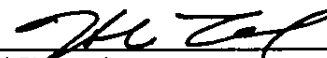
6. Pursuant to Section 9.1 of Article 9 of the Articles, the Declarant has the right to amend the Articles prior to the Turnover Date without the joinder or consent of any other person or entity. As such, no members are entitled to vote on this amendment and this amendment has been adopted by the Association's Board pursuant to their joinder hereto on the date of this instrument.

IN WITNESS WHEREOF, the undersigned have executed this Certificate of Amendment on the date and year first above written.


CC BROWARD PROPERTY, LLC, a Florida limited liability company

BY: 
Harold Eisenacher
Title: Vice President

CC BROWARD PROPERTY II, LLC, a limited liability company ("Declarant")

BY: 
Harold Eisenacher
Title: Vice President

CC BROWARD PROPERTY VII, LLC, a limited liability company ("Declarant")

BY: 
Harold Eisenacher
Title: Vice President

MONTERRA COMMUNITY ASSOCIATION, INC., a Florida corporation ("Association")

BY: 
TITLE: President