

LAW OFFICES

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**N15267**

### Florida Offices

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March 13, 2000

Corporate Records Bureau  
Division of Corporations  
Department of State  
P. O. Box 6327  
Tallahassee, Florida 32301

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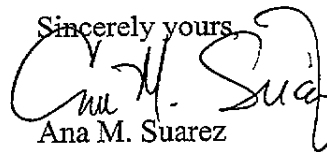
**Re: Harbor Shores Condominium Unit Owners Association, Inc./  
Amendment to Articles of Incorporation**

Dear Sir or Madam:

Enclosed herein please find a Certificate of Amendment to the Articles of Incorporation for Harbor Shores Condominium Unit Owners Association, Inc., as well as a check in the amount of \$35.00 to cover the cost of filing.

Thank you for your attention to this matter.

Sincerely yours,



Ana M. Suarez  
Secretary to Anthony A. Kalliche

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA  
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made 15-00  
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This instrument was prepared by:  
**ANTHONY A. KALLICHE, ESQUIRE**  
BECKER & POLIAKOFF, P.A.  
5201 Blue Lagoon Drive, Suite 100  
Miami, Florida 33126

**ARTICLES OF AMENDMENT  
TO  
ARTICLES OF INCORPORATION  
OF  
HARBOR SHORES CONDOMINIUM UNIT OWNERS ASSOCIATION, INC.**

WHEREAS, the Certificate of Incorporation of Harbor Shores Condominium Unit Owners Association, Inc. (hereinafter the "Association") was issued by the Secretary of State of Florida on the 4th day of June, 1986; and

WHEREAS, at a duly adjourned Annual Meeting of the membership of the Association held on November 30, 1999, the amendments to the Articles of Incorporation as set out in Exhibit "A" hereto were adopted by a vote of the membership in excess of that required by the pertinent provisions of said Articles; and

NOW, THEREFORE, the undersigned hereby certifies that the amendments as set forth in Exhibits "A" attached hereto and incorporated herein are a true and correct copy of the amendment as approved by the membership of the Association as set forth above.

WITNESS my signature hereto this 23<sup>rd</sup> day of February, 2000 at Key West, Florida.

**HARBOR SHORES CONDOMINIUM UNIT  
OWNERS ASSOCIATION, INC.**

BY: *Damaso Santana*  
President  
(Seal)

PRINT: DAMASO SANTANA

ATTEST: *Ky...*

*Abra Palka*  
Witness

*Maria B...*  
Witness

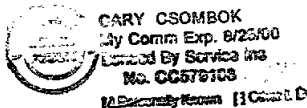
STATE OF FLORIDA

COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of February 2000 by DAMASO SANTANA the \_\_\_\_\_ of Harbor Shores Condominium Unit Owners Association, Inc. a Florida not-for-profit corporation, on behalf of the corporation, who is personally known to me or has produced (\_\_\_\_\_) as identification and who ~~did~~/did not take an oath.

*Cary Csombok* (SEAL)  
NOTARY PUBLIC SIGNATURE  
STATE OF FLORIDA AT LARGE

My commission expires:



*Cary Csombok*  
PLEASE PRINT OR TYPE NOTARY SIGNATURE

AMENDMENT  
TO  
ARTICLES OF INCORPORATION  
OF  
HARBOR SHORES CONDOMINIUM UNIT OWNERS ASSOCIATION, INC.

(Additions shown by underlining; deletions shown by "---")

Amendment to Article V, Section 5.1 of the Articles of Incorporation and to Article IV, Section 4.1 of the By-Laws to provide as follows:

5.1 The affairs of the Association shall be managed by a Board of Directors consisting of 35 Directors. Each Director shall be a member in the Association, ~~except for a Director appointed under Section 5.5 or 5.7 hereof.~~

ARTICLES II - PURPOSE

The purpose for which the Association is organized is the operation of HARBOR SHORES Condominium, which Condominium is created or to be created pursuant to Chapter 718 of the Florida Statutes, and is located at 600 6800 Maloney Avenue, Key West, Florida.

ARTICLE V - DIRECTORS

5.3 ~~Subject to the Developer's right to appoint Directors,~~ Members of the Board of Directors shall be elected at the annual meeting of the Association members in the manner specified in the By-Laws. Such Directors may be removed and vacancies on the Board shall be filled in the manner provided in the By-Laws.

~~5.4 The Initial Directors named herein shall serve at the pleasure of the Developer. They and any Director appointed by the Developer as a replacement may be removed by the Developer with or without cause. The Developer shall have the right to appoint all Directors which the membership is not entitled to elect. The membership shall not be entitled to elect a Director or Directors except as hereinafter provided.~~

~~5.5 Within 60 days after the unit owners other than the Developer are entitled to elect a member or members of the Board of Directors, the Association shall call, and give not less than 30 nor more than 40 days notice of a meeting of the unit owners to elect the Director(s). The meeting may be called and the notice given by any unit owner if the Association fails to do so. Unit owners other than the Developer shall be entitled to elect a Director or Directors as follows:~~

- ~~a) When unit owners other than the Developer own 15% or more of the units, the unit owners other than the Developer shall be entitled to elect one third of the Directors.~~
- ~~b) Unit owners other than the Developer are entitled to elect not less than a majority of the Directors on the first to occur of the following:~~

- ~~1) Three years after the Developer has conveyed 50% of the units in the Condominium; or~~
- ~~2) Three months after the Developer has conveyed 95% of the units in the Condominium; or~~
- ~~3) When all the units that will be operated by the association have been completed, some of the units have been conveyed to purchasers and none of the others are being offered for sale by the Developer in the ordinary course of business; or~~

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STATE OF FLORIDA  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

~~1) When some of the units have been conveyed to purchasers and none of the others are being constructed or offered for sale by the Developer in the ordinary course of business.~~

~~c) Developer is entitled to elect at least one member of the Board of Administration of the Association as long as the developer holds for sale in the ordinary course of business at least 5% of the units.~~

~~5.6 Upon the election of a Director or Directors by unit owners other than the Developer, the Developer shall by letter designate the Developer appointed Director who is to be replaced. Until such time as the letter is received by the Board, the Director(s) elected by unit owners other than the Developer shall have the power to designate an appropriate number of Developer appointed Directors who shall not be entitled to vote at meetings of the Board.~~

The names and addresses of the members of the first Board of Directors, who shall hold office until their successors are elected and have qualified, or until removed, are as follows:

NAME

ADDRESS

NEAL GRAHAM

Lot 24 Harbor Shores Park  
Key West, Florida 33040

WILLIAM HOPKINS

Lot 48 Harbor Shores Park  
Key West, Florida 33040

JAMES LANG

Lot 49 Harbor Shores Park  
Key West, Florida 33040

~~5.8 If the Developer holds units for sale in the ordinary course of business, none of the following actions may be taken without approval in writing by the Developer:~~

- ~~a) Assessment of the Developer as a unit owner for capital improvements.~~
- ~~b) Any action by the Association that would be detrimental to the sale of units by the Developer. However, an increase in assessments for common expenses without discrimination against the Developer shall not be deemed detrimental to the sale of units.~~

ARTICLE VI - OFFICERS

The affairs of the Association shall be administered by the officers designated in the By-Laws. The officers shall be elected by the Board of Directors at its first meeting following the annual meeting of the members of the Association, and they shall serve at the pleasure of the Board of Directors. The names of the officers who shall serve until their successors are designated by the Board of Directors are as follows:

President:

Neal Graham

Secretary/Treasurer:

William Hopkins

ARTICLE VII - REGISTERED OFFICE AND AGENT

The street address of the ~~initial~~ registered office of the Corporation shall be:

~~605 Duval Street, Key West, Florida 33040~~  
6800 Maloney Avenue, Key West, Florida 33040

The name of the Corporation's ~~initial~~ registered agent at such address shall be:

THOMAS J. SIRECI, JR.

The Treasurer or such person as determined by the Board of Directors