

N16000002060

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(City/State/Zip/Phone #)

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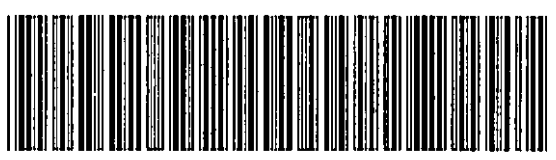
(Business Entity Name)

(Document Number)

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# WOODWARD, PIRES & LOMBARDO, P.A.

ATTORNEYS AT LAW

December 14, 2021

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*Via Federal Express No. 8171 9184 3683*

Division of Corporations  
Florida Department of State  
Amendment Section  
2415 N. Monroe Street, Suite 810  
Tallahassee, FL 32303

Re: Amendment to the Articles of Incorporation  
Mystique at Waterpark Place Condominium Association, Inc.

Dear Sir or Madam:

Enclosed are the original and one copy of the Amendment to the Articles of Incorporation for the referenced corporation together with a check in the amount of \$35.00 to cover the fees for filing the amended Articles.

After filing, please return a date-stamped copy of the Articles to our office. Should you have any questions, do not hesitate in contacting me.

Sincerely yours,

Mark J. Woodward

REPLY TO:

3200 TAMiami TRAIL N.  
SUITE 200  
NAPLES, FL 34103  
239-649-6555  
239-649-7342 FAX

606 BALD EAGLE DRIVE  
SUITE 500  
P.O. BOX ONE  
MARCO ISLAND, FL 34146  
239-394-5161  
239-642-6402 FAX

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MJW/nah  
Enclosures as stated

This Instrument Prepared By:  
Mark J. Woodward, Esq.  
Woodward, Pires & Lombardo, P.A.  
3200 Tamiami Trail North, Suite 200  
Naples, Florida 34103

FILED  
2021 DEC 15 PM 2:54  
SECRETARY OF STATE  
FLORIDA

**AMENDMENT  
TO THE ARTICLES OF INCORPORATION  
OF MYSTIQUE AT WATERPARK PLACE  
CONDOMINIUM ASSOCIATION, INC.**

BE IT HERE KNOWN THAT Mystique at Waterpark Place Condominium Association, Inc., a duly registered corporation not-for-profit organized under the laws of the State of Florida ("Association"), being officially registered February 26, 2016, under Document Number IN16000002060, files the following amendment to its Articles of Incorporation:

**WITNESSETH:**

WHEREAS, pursuant to Section 6.4 of the Declaration of Condominium of Mystique at Waterpark Place, a condominium (the "Declaration"), recorded in Official Records Book 5629, Page 3418, et seq., of the Public Records of Collier County, Florida, the Developer reserved the right (as long as the Developer owns at least one Unit), to unilaterally amend the Articles of Incorporation and the Bylaws of the Mystique at Waterpark Place Condominium Association, Inc. without requiring the consent of any Board member or Unit Owners, except as provided therein; and

WHEREAS, the Developer owns at least one Unit as set forth in Section 6.4 of the Declaration; and

WHEREAS, the Amendment made by the Developer to the Articles of Incorporation and Bylaws was recorded November 12, 2021 in Official Records Book 6040, Page 3846, of the Public Records of Collier County, Florida,

NOW THEREFORE, Consistent with the foregoing Amendment, the Association amends the Articles of Incorporation as follows [Additions indicated by underlining; Deletions indicated by ~~strike through~~]:

**Article 5, titled "POWERS", Section 5.2 subsection (g) and (h), of the Articles of Incorporation are hereby amended to read as follows:**

**5.2 Enumeration.** The Condominium Association shall have all of the powers and duties set forth in the Act, except as limited by these Articles, the By-Laws and the Declaration of Condominium (to the extent that they are not in conflict with the Act), and all of the powers and duties reasonably necessary to operate the Condominium pursuant to the Declaration of Condominium and as more particularly described in the By-Laws, as they may be amended from time to time, including, but not limited to, the following:

(Section (a) through Section (g) Remain Unchanged, Except as Provided Below)

(g) The power to adopt and amend rules and regulations concerning the details of the operation and use of ~~the Common Elements and the Condominium Association~~ Property and any Association Property.

(h) The power to acquire, convey, lease and encumber real and personal property. Personal property shall be acquired, conveyed, lease or encumbered upon a majority vote of the Board of Directors, subject to Article ~~40~~ 8 of the Declaration of Condominium. Real property (including, without limitation, any of the Units) shall be acquired, conveyed, leased or encumbered upon a majority vote of the Board of Directors alone; provided that the requirements of Article ~~40~~ 8 of the Declaration pertaining to the Unit Owners' approval of costs in excess of the threshold amount stated therein (including the proviso regarding the debt incurred) shall also apply to the acquisition of real property, including Units; provided, further, however, that the acquisition of any Unit as a result of a foreclosure of the lien for Assessments (or by deed in lieu of foreclosure) shall be made upon the majority vote of the Board, regardless of the price for same and the Condominium Association, through its Board, has the power to hold, lease, mortgage or convey the acquired Unit(s) without requiring the consent of Unit Owners. The expenses of ownership (including the expense of making and carrying any mortgage related to such ownership), rental, membership fees, taxes, Assessments, operation, replacements and other expenses and undertakings in connection therewith shall be Common Expenses.

**Article 10, titled "DIRECTORS" Section 10.1 of the Articles of Incorporation is hereby amended to read as follows:**

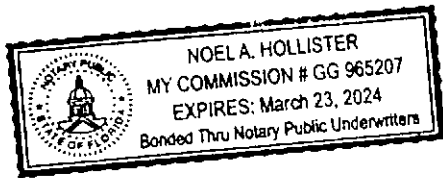
**10.1 Number and Qualification.** The property, business and affairs of the Condominium Association shall be managed by a board consisting of the number of directors determined in the manner provided by the By-Laws, but which shall initially consist of three (3) directors and ~~may~~ shall be expanded to five (5) persons at ~~or after~~ the Turnover Meeting.

Pursuant to Article 13, Section 13.4 of the Articles of Incorporation, this Amendment was made by the Developer on November 9, 2021 and the Association does hereby amend the Florida Secretary of States records accordingly.

By:   
\_\_\_\_\_  
Mark J. Woodward, Secretary

STATE OF FLORIDA  
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 14<sup>th</sup> day of December, 2021, by Mark J. Woodward, as Secretary of Mystique at Waterpark Place Condominium Association, Inc., a Florida corporation, on behalf of the corporation. He  is personally known to me or  has produced \_\_\_\_\_ as identification.



Noel A. Hollister  
Print Name: \_\_\_\_\_  
Notary Public  
Commission No. \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

(SEAL)