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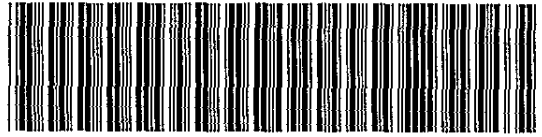
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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

193000001341
Ann 2-10-03
*Out copy
7/13

Irish Pines
Homeowners Association

26910 Nicki J. Ct.
Bonita Springs, Florida 34135
239-949-2969

January 10, 2003

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

Re: Not For Profit Corporation
Document Number N93000001341

Subject: Amendments

To Whom Concerned,

Per our Phone inquiry as to the requirements for recording the amendments to the original Articles of Incorporation for Irish Pines Homeowner's Association, Inc.. We are enclosing the amendments which have been approved by the members, along with the signed form declaring the amendments having been passed by the required number of votes, and a check in the amount of \$43.75 for the filing fee and a certified copy of the documents. The certified copy may be returned to our secretary Richard VanDaele, at the address listed above. Should any additional information be required, please contact us at the phone number also listed above.


Richard VanDaele
Secretary \ Treasurer



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

February 3, 2003

RICHARD VANDAELE
26910 NICKI J. CT.
BONITA SPRINGS, FL 34135

SUBJECT: IRISH PINES HOMEOWNERS' ASSOCIATION, INC.
Ref. Number: N93000001341

We have received your document for IRISH PINES HOMEOWNERS' ASSOCIATION, INC. and your check(s) totaling \$43.75. However, the enclosed document has not been filed and is being returned for the following correction(s):

Please entitle your document Articles of Amendment.

If there are NO MEMBERS ENTITLED TO VOTE on a proposed amendment, the document must contain: (1) a statement that there are no members or members entitled to vote on the amendment and (2) the date of adoption of the amendment by the board of directors.

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) 245-6916.

Carol Mustain
Document Specialist

Letter Number: 303A00007078

**ARTICLES OF AMENDMENT
OF
IRISH PINES HOMEOWNERS' ASSOCIATION, INC.**

Pursuant to Section 617.013, Florida Statutes (1993), these articles of Incorporation having been created by FLAVIO FILIPETTO, 26960 Villanova Court, Bonita Springs, Florida 33923, as sole incorporator, for the purposes set forth below.

The votes cast by the Board of Directors and by the Membership was sufficient for approval and on January 10, 2003, the **Articles of Amendment** were approved by the Board of Directors.

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SECRETARY OF STATE
ALLIANCE FOR FLORIDA

ARTICLE I

NAME: The name of the association is **IRISH PINES HOMEOWNERS' ASSOCIATION, INC.**, sometimes hereinafter referred to as the "**Association.**"

CORPORATE SEAL: The seal of the Association shall bear its name, the word "**Florida**", the words "**Corporation not for profit**" and the year of incorporation.

ARTICLE II

PRINCIPLE OFFICE: The principle office of the corporation shall be that of the Secretary/Treasurer, who shall be elected from time to time. The members shall be informed of the current principle address by way of the first written communication put forth following the annual meeting.

ARTICLE III

PURPOSE AND POWERS: This Association will not permit pecuniary gain or profit nor distribution of its income to its members, officers or directors. It is a nonprofit corporation formed for the purpose of establishing a corporate residential neighborhood homeowners association which will, subject to a Declaration of Restrictions (hereinafter the "Declaration") to be recorded in the Public Records of Lee County, Florida, have the specific purposes and powers described below:

A. PURPOSES:

1. To provide for the operation and maintenance of the property and structures placed under the jurisdiction of this Association, and to provide for architectural control and regulation of all improvements erected on or otherwise located within the properties.
2. To promote the health, safety and welfare of the residents of the residential community known as IRISH PINES located in Lee County, Florida.

EXHIBIT "A"

3. To fulfill all of the purposes listed above and to exercise all of the powers listed below with respect to all additional properties which may be brought under the jurisdiction of this Association through recorded amendment or amendments to the aforesaid Declaration.

B. POWERS: The Association shall have all of the common law and statutory powers of a Florida corporation not for profit consistent with these Articles and with said Declaration of Restrictions, and shall have all of the powers and authority reasonably necessary or appropriate to the operation and regulation of a residential community subject to the said recorded Declaration, as it may from time to time be amended, including but not limited to, the power to:

1. Fix, levy, collect and enforce payment by any lawful means all charges or assessments and assessment liens pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the corporation, including all license fees, taxes or governmental charges levied or imposed against the property of the corporation;
2. Enforce any and all covenants, conditions, restrictions and agreements applicable to the residential community known as IRISH PINES;
3. Pay taxes, if any, on the common properties and facilities;
4. Acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the corporation;
5. Borrow money, and with the assent of two-thirds (2/3) of the voting interests, to mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;
6. Dedicate, sell or transfer all or any part of the common areas to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument has been signed by the Declarant and by two-thirds (2/3) of the voting interests, agreeing to such dedication, sale or transfer;
7. Purchase policies of insurance upon Association property and for Association liabilities, and use the proceeds from such policies to effectuate its purpose;

8. Exercise any and all powers, rights and privileges which a corporation organized under Chapter 617 of Florida Statutes may now or hereafter have or exercise; subject always to the Declaration as amended from time to time; and
9. To sue and be sued.

C. MEANING: All terms defined in the Declaration of Restrictions for IRISH PINES shall have the same meaning herein as therein.

ARTICLE IV

MEMBERSHIP: Every person or entity who is a record owner of a fee simple, or a fractional undivided fee simple, interest in any lot which is subject, by covenants of record, to the jurisdiction and powers of the Association, shall be a member of the Association. The forgoing is not intended persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any lot; and, as used in these Articles of Incorporation, the word "lot" means and refers only to residential lots which are subject to the said jurisdiction and powers of the Association. All membership rights and duties shall be subject to and controlled by the said Declaration, which is to be in the form of covenants running with the land.

ARTICLE IV

VOTING RIGHTS: The Association shall from this point forward, have only one class of voting membership and shall be referred to as class "A" membership for the purpose of this section. The class "B" voting membership referred to in the original Articles of Incorporation is hereby removed from these Articles of Incorporation.

CLASS A: Class A members shall be all lot owners. However, when more than one person holds an interest in any lot, all such persons shall be members, but only a single vote for such lot shall be exercised as they among themselves determine, and in no event shall more than one vote be cast with respect to any lot owned by class A members.

For the purpose of counting class A votes, the neighborhood shall be deemed to contain fourteen (14) Lots.

ARTICLE VI

TERM: The term of the Association shall be perpetual.

ARTICLE VII

BY-LAWS: The By - Laws of the Association may be altered, amended, or rescinded in the manner thereon.

ARTICLE VIII

AMENDMENTS: Amendments to these Articles shall be proposed and adopted in the following manner:

- A. PROPOSAL.** Amendments to these Articles shall be proposed by a majority of the Board or upon petition of the owners of one-fourth (1/4) of the lots by instrument, in writing, signed by them.
- B. NOTICE.** Upon any Amendment or Amendments to these Articles being proposed by said Board or unit owners, such proposed Amendment or Amendments shall be transmitted to the President of the Association, or other officer of the Association in the absence of the President, who shall there upon determine which of the methods shown in (C) below shall be used in voting. The appropriate notices and copies of the proposed Amendments shall be mailed to the members within thirty (30) days after transmittal to the President.
- C. VOTE REQUIRED.** Except as otherwise required by Florida Law, these Articles of Incorporation may be amended by the vote of a majority of the voting interests at any annual or special meeting, or by approval in writing of a majority of the voting interests without a meeting, provided that notice of any proposed amendment has been given to the members of the Association, and that the notice contains a fair statement of the proposed amendment.
- D. EFFECTIVE DATE.** An amendment shall become effective upon filing with the Secretary of State and recording a certified copy in the Public Records of Lee County, Florida.

ARTICLE IX

DIRECTORS AND OFFICERS:

- A.** The affairs of the Association will be administered by a Board of Directors consisting of the number of Directors determined by the By -Laws, but not less than three (3) Directors, and in the absence of such determination shall consist of three (3) Directors.
- B.** The Officers of the Association shall be a President, a Vice President and a Secretary/Treasurer and these three (3) Officers shall also be members of the Board of Directors as set forth in "A" above, and shall be elected by the members in the manner determined by the By -Laws. Directors/Officers may be removed, and vacancies created by said removal shall be filled in the manner provided by the By- Laws.

- C. The business of the Association shall be conducted by the Officers/Directors designated in the By –Laws. The Officers/Directors shall be elected by the members of the Association in the manner provided for in the By –Laws and shall serve at the pleasure of the members.

ARTICLE X

INDEMNIFICATION:

The Association shall indemnify every Director and every Officer of the Association against all expenses and liabilities including attorney's fees, actually and reasonably incurred by or imposed on him or her in connection with any legal proceeding (or settlement or appeal of such proceeding) to which he or she may be a party because of his or her having been a Director and/or Officer of the Association. The foregoing right of indemnification shall not apply to:

- (1) Gross negligence or willful misconduct in office by any Director and/or Officer.
- (2) Any criminal action, unless the Director and/or Officer acted in good faith and in a manner he or she reasonably believed was in, or not opposed to, the best interest of the Association, and had no reasonable cause to believe his or her action was unlawful.

To the extent that a Director and/or Officer has been successful on the merits or otherwise in the defense of any action, suit, or proceeding referred to in subsection (1) or subsection (2), or in defense of any claim, issue, or matter therein, he or she shall be indemnified against expenses (including attorney's fees) actually and reasonably incurred by him or her in connection therewith.

The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which such Director and/or Officer may be entitled.

WHEREFORE, The Board of Directors/Officers of the **IRISH PINES HOMEOWNERS' ASSOCIATION, INC.**, pursuant to and having complied with the requirements set forth in **ARTICLE VIII** paragraph "A" of the original Articles of Incorporation, hereby **Amend** said Articles of Incorporation as set forth herein and cause these presents to be executed this 22nd day of January, 2003.

Thomas Slater

Thomas Slater – Director/President

Robert Davy

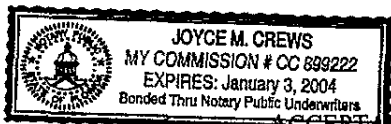
Robert Davy – Director/Vice President

Richard VanDaele

Richard VanDaele – Director/Secretary Treasurer

STATE OF FLORIDA; COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this 22nd day of January, 2003, by Thomas Slater, Robert Davy and Richard VanDaele, who are personally known to me or who have produced a driver's license as identification and who did take an oath.



Joyce Crews
JOYCE CREWS (print name)
NOTARY PUBLIC – STATE OF FLORIDA

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office, this 22nd day of January, 2003.

Having been named to accept service of process for **IRISH PINES HOMEOWNERS' ASSOCIATION, INC.**, at the place designated in these Articles of Incorporation, I hereby accept the appointment to act in this capacity and agree to comply with the Laws of the State of Florida in keeping open said office.

Richard VanDaele

Richard VanDaele – Director/Secretary Treasurer
(Registered Agent)