## N9300005459

		<u>.</u>
(Requestor's Name)		
(Address)		
(Address)		
	ty/State/Zip/Phone #)	
(C)	ty/State/Zip/Pflofie #/	
PICK-UP	☐ WAIT	MAIL
(Bi	usiness Entity Name)	
•	• •	
(LA	ocument Number)	
Certified Copies	Certificates of	Status
Special Instructions to Filing Officer:		
		1
		į
		}

Office Use Only



600029159696

02/26/04--01052--005 \*\*43.75



3/3 dayed

## **AVATAR**

February 25, 2004

## **VIA FEDERAL EXPRESS**

Florida Department of State Secretary of State Division of Corporations 409 E. Gaines Street Tallahassee, Florida 32399

Re: Harbor Islands Property Owners' Association, Inc.

Dear Sirs:

Enclosed is a check in the amount of \$43.75 to cover the filing fee and a certified copy of the Certificate of First Amendment to Amended and Restated Articles of Incorporation of Harbor Islands Property Owners' Association, Inc.

Your immediate attention to this matter will be sincerely appreciated.

Very truly yours,

AVATAR HOLDINGS INC.

Juanita I. Kerrigan

Vice President and Secretary

Juanita e. Kerrigan

JIK/ga Enclosure - Check

## CERTIFICATE OF FIRST AMENDMENT TO AMENDED AND RESTATED ARTICLES OF INCORPORATION OF HARBOR ISLANDS PROPERTY OWNERS' ASSOCIATION, INC.

(A Florida corporation not for profit)
Pursuant to Section 617.1002 of the Florida Not For
Profit Corporation Act

We, DENNIS S. GETMAN and JUANITA E: KELRIGAN, as President and Secretary, respectively, of HARBOR ISLANDS PROPERTY OWNERS' ASSOCIATION, INC., a Florida corporation not for profit ("Association"), do hereby certify under the seal of the Association as follows:

- 1. The Association was originally incorporated on DECEMBER 6,1993, Charter Number N9300005459, under Chapter 617 of the laws of the State of Florida;
- 2. Avatar Development Corporation, a Florida corporation, is the "Declarant," as defined in the Articles.
- 3. Pursuant to Article 9.5.1 of the Articles, Declarant has reserved the right to amend the Articles without the joinder of any Member.
- 4. The Declarant wishes to amend the Articles as provided below and joins in such amendment.

NOW, THEREFORE, the Articles are hereby amended as follows:

- 1. A new Article 9.5.3 is hereby added to the Articles to read as follows:
  - 9.5.3 No amendment to or modification of the Articles of Incorporation which in any manner materially and adversely affects the rights, privileges, interests, easements and other matters established in the Declaration or in these Articles of Incorporation for the benefit of the "Owner(s)" of the "Marina Parcel" and/or the "Yacht Club Parcel," the "Marina Association" or the "Marina Members," as such terms are defined in the Declaration, shall be effective without the written joinder of such Owner(s) or, to the extent all or any portion of such property is owned and/or administered by the Marina Association, the Marina Association, which joinder shall not be unreasonably withheld or delayed.

IN WITNESS WHEREOF, this Certificate of Amendment has been executed by the Association, this 25 day of Febluary 2004.		
WITNESSES:  HARBOR ISLANDS PROPERTY OWNERS' ASSOCIATION, INC., a Florida not-for-profit corporation		
Print Name: Jan German DENNIS J. GETMAN President		
Print Name: Mario Fishoea		
Print Name: 4nn Getman JUNITA I. KERRIGAN Secretary		
Print Name: Mario Fiflora (Corporate Seal)		
STATE OF FLORIDA  ) SS:  COUNTY OF Mani-Dado		
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by DENNIS J. GETMAN and JUANITH I. KERRICAN, as President and Secretary, respectively of HARBOR ISLANDS PROPERTY OWNERS'		
ASSOCIATION, INC., a Florida not-for-profit corporation, freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation. Plones I between is personally known to me or has produced		
as identification. Tranifat Lerryan is personally known to me or has produced as identification.		
WITNESS my hand and official seal in the County and State last aforesaid this 25 day of		
Notary Public  COMMISSION NUMBER DD162220  WCCMMSSION EXPRES  NOV. 42006  Typed, printed or stamped name of Notary Public		
My Commission Expires: Monember 4, 2006		

FTL:1138794:2

	JOINED IN BY DECLARANT:	
WITNESSES:	•	
••	AVATAR DEVELOPMENT CORPORATION, a Florida corporation	
Print Name: Lyan Getman  Mario Ereller  Print Name: Mario F.ELDER	By: Helman Executive Vice President	
Print Name: Lynn Getman	Attest: Franka l. Kerrigan, Secretary	
Print Name: Mario Fizhoga	(Corporate Seal)	
STATE OF FLORIDA  ) SS:  COUNTY OF MIAMI-DADE  I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by DENNIS J. GETMAN and JUANITA I. KERRIGAN, as Executive Vice President and Secretary, respectively, of AVATAR DEVELOPMENT CORPORATION, a Florida corporation, freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation. DENNIS J. GETMAN is personally known to me or has produced		
KERRIGAN is personally known to me or identification.	r has produced as	
COMMISSION NULIBER NO	tary Public  Anio Fierwer  ped, printed or stamped name of Notary Public	
My Commission Expires: November 4,	2006	
my commission sapiros. To remuce ()	-	