

N98000002478

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP

☐ WAIT

☐ MAIL

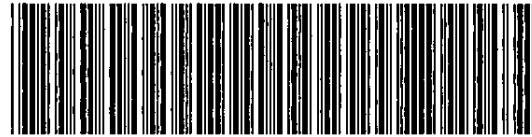
(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

Office Use Only



800224859188

03/16/12--01026--011 **35.00

FILED
12 MAR 16 PM 2:29
RECEIVED
TALLAHASSEE, FLORIDA

MAR 20 2012
C. MUSTAIN



Six Mile Corporate Park
12140 Carissa Commerce Court, Suite 200
Fort Myers, Florida 33966
Phone: (239) 433-7707 Fax: (239) 433-5933

999 Vanderbilt Beach Road, Suite 501
Naples, Florida 34108
Phone: (239) 552-3200 Fax: (239) 514-2146

ADMINISTRATIVE OFFICE
3111 STIRLING ROAD
FORT LAUDERDALE, FL 33312
954-987-7550

WWW.BECKER-POLIAKOFF.COM
BP@BECKER-POLIAKOFF.COM

March 13, 2012

Florida Department of State
Division of Corporations
Corporate Filings
Post Office Box 6327
Tallahassee, FL 32314

Reply To:
Naples
Gregory W. Marler, Esq.
GMarler@becker-poliakoff.com

Re: Island Walk Homeowners Association, Inc.

To Whom It May Concern:

Enclosed please find Articles of Amendment to Articles of Incorporation for the above-referenced Corporation along with check number 003114 in the amount of \$35.00 to cover the cost of filing.

Please return a copy of the filed document to my attention. An extra copy of the document is enclosed herewith for your use.

Thank you for your attention to this matter.

Very truly yours,

Gregory W. Marler
For the Firm

GWM/jcm
Enclosures (as stated)

ACTIVE: 3750426_1

FLORIDA OFFICES
BOCA RATON
FORT MYERS
FORT WALTON BEACH
HOLLYWOOD
HOMESTEAD
KEY WEST*
MELBOURNE*
MIAMI
NAPLES
ORLANDO
PORT ST. LUCIE
SARASOTA
TALLAHASSEE
TAMPA BAY
WEST PALM BEACH

U.S. & GLOBAL OFFICES
RED BANK, NEW JERSEY
NEW YORK, NEW YORK
NASSAU, BAHAMAS
PRAGUE, CZECH REPUBLIC

* by appointment only

**ARTICLES OF AMENDMENT
TO
ARTICLES OF INCORPORATION**

Pursuant to the provisions of Section 617, Florida Statutes, the undersigned corporation adopts the following Articles of Amendment to its Articles of Incorporation.

FIRST: The name of the corporation is Island Walk Homeowners Association, Inc.

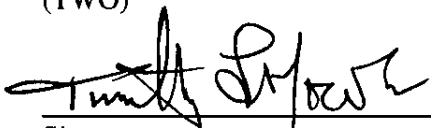
SECOND: The attached Amendments to the Articles of Incorporation were adopted by the membership.

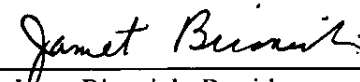
THIRD: The attached Amendments to the Articles of Incorporation were adopted by the required vote of the members through their Voting Members, on the 9th day of April 2012.

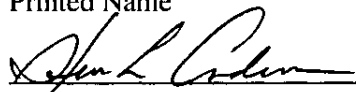
FOURTH: The number of votes cast were sufficient for approval.

WITNESSES:
(TWO)

ISLAND WALK HOMEOWNERS
ASSOCIATION, INC.


Signature
Timothy L. McKown
Printed Name

BY: 
Janet Bicanich, President
Date: 3/12/12


Signature
STEVEN L. ANDERSON
Printed Name

(CORPORATE SEAL)

STATE OF FLORIDA)
) SS:
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 12th day of MARCH, 2012, by Janet Bicanich as President of Island Walk Homeowners Association, Inc., a Florida Corporation, on behalf of the corporation. She/He is personally known to me or has produced (type of identification) _____ as identification.


Notary Public

SANDRA VARIAN
Printed Name



SANDRA VARIAN
MY COMMISSION # DD 782020
EXPIRES: August 23, 2012
Bonded Thru Budget Notary Services

My commission expires: 08-23-2012

AMENDMENTS TO THE ARTICLES OF INCORPORATION

Additions indicated by underlining.

Deletions indicated by ~~striking through~~.

Article III; Articles of Incorporation

ARTICLE III POWERS

The Association shall have the following powers which shall be governed by the following provisions:

3.1 Common Law and Statutory Powers. The Association shall have all of the common law and statutory powers of a corporation not-for-profit, which are not in conflict with the terms of these Articles, the Declaration, or the By-Laws of the Association.

3.2 Necessary Powers. The Association shall have all of the powers and duties set forth in the Declaration, except as limited by these Articles, and all powers and duties reasonably necessary to operate and administer the Properties pursuant to the Declaration, including but not limited to the following:

A. To make and collect assessments against Members to defray the costs and expenses of the Association property.

B. To use the proceeds of assessments in the exercise of its powers and duties.

C. To purchase, own, hold, lease, maintain, repair, replace, improve, operate and convey the property of the Association in accordance with the Declaration, and to maintain and operate the water management system as permitted by the South Florida Water Management District, including all lakes, retention areas, culverts and related appurtenances, if any.

D. To purchase insurance upon the property of the Association and insurance for the protection of the Association and its Members, in the amounts required by the Declaration.

E. To dedicate or to transfer all or any part of the Association's property to any public agency, authority, or utility for such purposes and subject to such conditions as may be approved by CONCUR Representatives representing not less than fifty-one percent (51%) of the ~~Young Members~~ total votes of the Association, and approved by not less than seventy-five (75%) of the institutional mortgagees holding mortgages encumbering Units.

F. To reconstruct the improvements to the Association's property after casualty, and to further improve the Association's properties, as provided in the Declaration.

G. To make and amend reasonable Rules and Regulations regarding the use of the property of the Association in accordance with the requirements set forth in the By-laws.

H. To contract for the management of the Association property and to delegate to such contractors all the powers and duties of the Association except such as are specifically required by the Declaration to have approval of the Board or the Membership. Any such contract may not exceed ~~one (1) year~~ three (3) years , and must provide for termination by either party without cause and without payment of a termination fee on not more than ninety (90) days written notice.

I. To employ personnel for reasonable compensation to perform the services required for proper operation and administration of the Association property.

J. To enforce by legal means the provisions of the Declaration, these Articles, the By-laws, and the Rules and Regulations for the use of the Association's property as same may be promulgated, modified, or amended from time to time by the Association.

K. To pay taxes and assessments, which are liens against any part of the Association's property.

L. To pay the cost of all power, water, sewer, waste collection, and other utility services rendered to the property of the Association, and not billed to Unit Owners.

M. To enter any lot at a reasonable time and upon reasonable notice to make emergency repairs, to avoid waste, or to do such other work reasonably necessary for the proper protection, preservation, or maintenance of Association Property.

N. To grant such permits, licenses, and easements over the Common Areas for utilities, roads, and other purposes reasonably necessary or useful to the Association.

O. To designate portions of the Common Areas for commercial uses; to determine the manner in which commercial portions of the Common Areas are held and operated, as well as the Person or entity to hold, operate, and manage any commercial portions of the Common Areas; and to apply income, if any, from the rental of portions of the Common Areas in a commercial capacity to reduce the Common Expenses of the Association.

P. To do such other things as may be necessary in order to perform the duties and to exercise the powers provided for the Association in the Declaration.

3.3 Funds and Title to Properties. All funds and the titles of all properties acquired by the Association and their proceeds shall be held in trust for the Members in accordance with the provisions of the Declaration, these Articles, and the By-laws.

Article XI; Articles of Incorporation

ARTICLE XI AMENDMENTS

11.1 Amendments Prior to Recording. Prior to the recording of the Declaration amongst the public records of the County, these Articles may be amended only by an instrument in writing signed by all the Incorporators to these Articles and filed in the Office of the Secretary of State of the State of Florida. The instrument amending these Articles shall identify the particular Articles being amended, give the exact language of such amendments, and a certified copy of each such amendment shall always be attached to any certified copy of these Articles.

11.2 Amendments After Recording. After the recording of the Declaration amongst the public records of the County, these Articles may be amended in the following manner:

A. Notice of the subject matter of the proposed amendment shall be included in the notice of any meeting (whether of the Board or of the Membership) at which such proposed amendment is to be considered; and

B. A resolution approving the proposed amendment may be first passed by either the Board or the Membership. After such approval of a proposed amendment by one of said bodies, such proposed amendment must be submitted to and approved by the other of said bodies. Approval by the Membership must be by a vote of a majority of the ~~Voting Members~~ voting interests represented by CONCUR Representatives present at a meeting of the ~~Voting Members~~ CONCUR at which a quorum is present and approval by the Board must be by a majority of the Directors present at which a quorum is present.

11.3. Amendment by Reference to Title. No Article shall be revised or amended by reference to its title or number only. Proposals to amend existing Articles shall contain the full text of the Articles to be amended; new words shall be inserted in the text underlined, and words to be deleted shall be lined through with hyphens. However, if the proposed change is so extensive that this procedure would hinder, rather than assist, the understanding of the proposed amendment, it is not necessary to use underlining and hyphens as indicators of words added or deleted, but instead a notation must be inserted immediately preceding the proposed amendment in substantially the following language: "Substantial re-wording of Article___ for present text." Non-material errors or omissions in the Article amendment process shall not invalidate an otherwise properly promulgated amendment.

11.4. Institutional Mortgagees. Notwithstanding the foregoing provisions of this Article, there shall be no amendment to these Articles which shall abridge, amend or alter the priority of any Institutional Mortgagee, or the validity of any mortgage held by such Institutional Mortgagee without the prior written consent therefor by such Mortgagee.

11.5. Developer. Notwithstanding the foregoing provisions of this Article, there shall be no amendment to these Articles which shall abridge, amend or alter the rights of Developer, including the right to designate, to select, or to approve the selection of the Directors as provided in the Declaration and By-Laws, without the prior written consent of the Developer.