

N99000007140

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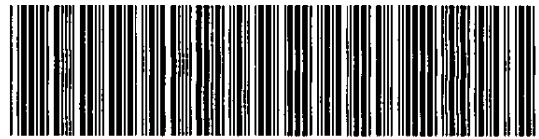
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C.COULLETTE

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EXAMINER



Park Place
311 Park Place Blvd, Suite 250
Clearwater, Florida 33759
Phone: (727) 712-4000 Fax: (727) 796-1484

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September 15, 2009

Reply To:
Tampa Bay
Ellen Hirsch de Haan, J.D.
Direct dial: (727) 712-4000
EdeHaan@becker-poliakoff.com

Florida Department of State
Amendment Section
P.O. Box 1500
Tallahassee, FL 32302-1500

Re: Amendment to the Articles of Incorporation of Tampa Bay Community Association, Inc.

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

Dear Sir/Madam:

Enclosed please find the original Amendment to the Articles of Incorporation of Tampa Bay Community Association, Inc. and a copy of same to be stamped and returned to this office in the enclosed envelope.

Also enclosed, please find check # 1143 in the amount of \$35.00 for the required recording fee.

If you should have any questions, please do not hesitate to contact this office.

Very truly yours,

Ellen Hirsch de Haan, J.D.
For the Firm

EHD/kjd
Enclosures

- U.S. & GLOBAL OFFICES
- NASSAU
- NEW YORK CITY
- PARIS*
- PRAGUE
- TEL AVIV*

ACTIVE: T04339/134111:2687076_1

[Faint, mostly illegible text]

* by appointment only



FLORIDA DEPARTMENT OF STATE
Division of Corporations

September 25, 2009

BECKER & POLIAKOFF, LLP
ELLEN HIRSCH DE HAAN, J.D.
311 PARK PLACE BLVD., STE 250
CLEARWATER, FL 33759

SUBJECT: TAMPA BAY COMMUNITY ASSOCIATION, INC.
Ref. Number: N99000007140

We have received your document for TAMPA BAY COMMUNITY ASSOCIATION, INC. and check(s) totaling \$35.00. However, the enclosed document has not been filed and is being returned to you for the following reason(s):

The date of adoption/authorization of this document must be a date on or prior to submitting the document to this office, and this date must be specifically stated in the document. If you wish to have a future effective date, you must include the date of adoption/authorization and the effective date. The date of adoption/authorization is the date the document was approved.

No one ever called with this so, I am returning it for correction.

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) 245-6903.

Cheryl Coulliette
Regulatory Specialist II

Letter Number: 809A00031429

AMENDMENTS TO
ARTICLES OF INCORPORATION OF
TAMPA BAY COMMUNITY ASSOCIATION, INC.

1. Amendment to Article V, Section 5.01 of the Articles of Incorporation, to read as follows:

5.1 The affairs of the COMMUNITY ASSOCIATION shall be managed by a BOARD consisting of not less than three (3) directors, ~~and which shall always be an odd number.~~ The number of directors shall be determined in accordance with the BYLAWS. In the absence of such determination, there shall be three (3) directors so long as DECLARANT has the right to appoint any director, ~~and thereafter there shall be seven (7) directors.~~

2. Amendment to delete Article V, Section 5.2 of the Articles of Incorporation in its entirety, as follows:

5.2 The directors of the COMMUNITY ASSOCIATION shall be elected ~~by the OWNERS~~ as provided in the BYLAWS, except that DECLARANT shall have the right to appoint the directors of the COMMUNITY ASSOCIATION as follows: . . .

3. Amendment to Article IX, Section 9.3 of the Articles of Incorporation, to read as follows:

9.3 At such meeting, a vote of the OWNERS entitled to vote thereon shall be taken on the proposed amendment. The proposed amendment shall be adopted upon receiving the affirmative vote of a majority two-thirds (2/3) of the votes of ~~the entire membership voting cast~~ in person or by proxy at a meeting of the COMMUNITY ASSOCIATION at which a quorum is present.

PLEASE NOTE: NEW TEXT INDICATED BY UNDERLINING; DELETED TEXT INDICATED BY STRIKE THROUGHES; UNAFFECTED TEXT INDICATED BY "

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**ARTICLES OF AMENDMENT TO ARTICLES OF INCORPORATION OF
TAMPA BAY COMMUNITY ASSOCIATION, INC.
Document No. N44220**

Pursuant to the provisions of section 617.1006, Florida Statutes, this ~~Florida Not For Profit Corporation~~ adopts the following amendments to its Articles of Incorporation:

Article V., Sections 5.1 and 5.2; Article IX., Section 9.3, see attached.

The date of the adoption of the amendment was: Aug 14, 2009.

_____ The amendment was adopted by the members and the number of votes cast for the amendment was sufficient for approval.

x There are no members or members entitled to vote on the amendment. The amendment was adopted by the board of directors.

TOUSA HOMES OF FLORIDA LLP

(SEAL)

BY: Richard Featherer
As: VP operations

Name Printed: Richard Featherer

DATED Aug. 14, 2009

STATE OF FLORIDA
COUNTY OF ~~PASCO~~ HILLSBOROUGH

BEFORE ME, the undersigned authority, personally appeared RICK FEATHERER, to me known to be the VP operations of Tousa Homes of Florida LLP, and he/she acknowledged before me that he/she freely and voluntarily executed the same as such authorized agent, under authority vested in him/her by said corporation. He/She is personally known to me or has produced _____ (type of identification) as identification and did (did not) take an oath.

WITNESS my hand and official seal in the County and State last aforesaid, this 14 day of AUGUST, 2009.

Kathi J. Wise
Notary Public
Printed Name: Kathi J. Wise

My commission expires:

