

737131

(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



900081662919

11/14/06--01021--025 **35.00

*Amend
News*

FILED
06 NOV 14 PM 2:20
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

2500 NORTH MILITARY TRAIL SUITE 490
BOCA RATON FLORIDA 33431
TEL: 561-999-9925
FAX: 561-999-9958
EMAIL: JAYSLEVINEPA@AOL.COM

JAY STEVEN LEVINE

ATTORNEYS P.A.



3300 PGA BOULEVARD SUITE 530
PALM BEACH GARDENS FLORIDA 33410
TEL: 561-627-3585
FAX: 561-627-0811
EMAIL: JSLNORTH@AOL.COM

PLEASE REPLY TO: BOCA RATON

JAY STEVEN LEVINE, ESQUIRE
DEBBIE ALSPACH, CLA

TREASURE COAST
BY APPOINTMENT

KENNETH E. SPAHN, ESQUIRE

November 6, 2006

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

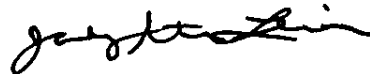
RE: AMENDMENT TO ARTICLES OF INCORPORATION - BANYAN LAKES PROPERTY OWNERS' ASSOCIATION, INC.

Dear Sir or Madam:

Enclosed for filing please find an original and one copy of the Certificate of Amendment with attached exhibit to the Articles of Incorporation of the above-referenced Association. Also enclosed is this firm's check in the amount of \$35.00. Once filed, please return a copy to us in the enclosed self-addressed stamped envelope.

Thank you for your help in this matter.

Very truly yours,



Jay Steven Levine

JSL:sh

Enclosures - As Stated

PREPARED BY AND RETURN TO:
JAY STEVEN LEVINE, P.A.
2500 North Military Trail, Suite 490
Boca Raton, Florida 33431
(561) 999-9925

FILED
06 NOV 14 PM 2:20
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

**CERTIFICATE OF AMENDMENT TO ARTICLES OF INCORPORATION OF
BANYAN LAKES PROPERTY OWNERS' ASSOCIATION, INC.**

WHEREAS, the Fifth Revision to Declaration was recorded in Official Record Book 14208, at Page 0396, Public Records of Palm Beach County, Florida, and was amended thereafter;

WHEREAS, the Articles of Incorporation were recorded in Official Record Book 2635, at Page 163, Public Records of Palm Beach County, Florida;

WHEREAS, pursuant to a combination of F.S. 720.306(1)(b) and F.S. 617.1002, the Articles of Incorporation may be amended by the approval of a majority of the entire membership of the Board of Directors and two-thirds of the voting interests of all members of the Association;

WHEREAS, on Oct 3, 2006, a majority of the entire membership of the Board of Directors did approve of the amendment to the Articles in the particulars as set forth in Exhibit "1" to this Certificate;

WHEREAS, on Oct 3, 2006, not less than two-thirds of the voting interests of all members of Association approved of the amendment to the Articles of Incorporation in the particulars as set forth in Exhibit "1" to these Articles;

NOW, THEREFORE, the Articles of Incorporation shall be amended in the particulars as stated in Exhibit "1" attached hereto; these amendments shall run with the real property known as Banyan Lakes, and shall be binding on all parties having any right, title, or interest in the said real property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof; and except as otherwise amended hereby, the Articles shall remain unchanged and in full force and effect.

CERTIFICATE OF ADOPTION OF AMENDMENTS

I HEREBY CERTIFY that the attached amendments were duly adopted as amendments to the Articles of Incorporation and the required percentage of approval of the

Board of Directors and membership was obtained. The number of votes was sufficient for approval.

DATED this 1st day of November, 2006.

WITNESSES:

Bernard Vito
Print: Bernard Vito
DeVigne
Print: Douglas DeVigne

BANYAN LAKES PROPERTY OWNERS' ASSOCIATION, INC.

By Ruth P. Ivice
Print Name: Ruth P. Ivice President

STATE OF FLORIDA)
COUNTY OF PALM BEACH) SS:

I HEREBY CERTIFY that on the 1st day of November, 2006 before me personally appeared Ruth P. Ivice as President of **BANYAN LAKES PROPERTY OWNERS' ASSOCIATION, INC.** who is personally known to me and who did not take an oath and who executed the aforesaid Certification as his/her free act and deed as such duly authorized officer; and that the official seal of the Corporation is duly affixed and the instrument is the act and deed of the Corporation.

WITNESS my signature and official seal, in the County of Palm Beach, State of Florida, the day and year last aforesaid.

NOTARY PUBLIC:

Sign: Faith L. Kulla
My commission expires:



Faith L. Kulla
Commission # DD475069
Expires November 13, 2009
Bonded Troy Pain - Insurance Inc. 800-385-7019

Exhibit "1"

**ARTICLES OF INCORPORATION OF BANYAN LAKES
PROPERTY OWNERS' ASSOCIATION, INC.**

1. **Article IV.2 of the Articles of Incorporation shall be amended to read as follows:**

"2. The interest of any member in any lot or parcel of Property described in Exhibit "A" attached hereto or in this Corporation cannot be conveyed, assigned, mortgaged, hypothecated or transferred in any manner except as an appurtenance to the said part of the Property owned by them. No person shall be a member of the Corporation after he ceases to be the owner of record of a lot or parcel of property described in Exhibit "A" attached hereto. ~~The directors of the Corporation may, after affording the member an opportunity to be heard, suspend any person from membership in the Corporation during any period of time when there exists a lien or violation of any of the said Covenants and Restrictions (including, but not limited to, the failure to make any payment to the Corporation when due and payable or failure to satisfy a lien placed on a lot or parcel by the Corporation under the terms hereof) with respect to the portion of the Property he owns."~~

2. **Article IX of the Articles of Incorporation shall be amended to read as follows:**

"ARTICLE IX

By-Laws

The By-Laws of the Corporation shall be adopted by the Board of Directors. Amendment, alteration, or rescission of said By-Laws shall be accomplished ~~at a duly constituted membership meeting held for that purpose, provided; however, that no amendment shall take effect unless approved by members representing at least three-fourths of the total votes of the members of the Corporation;~~ as provided for in the By-Laws, and shall be effective upon recordation in the public records of Palm Beach County, Florida."

3. **A new Article XII shall be added to the Articles of Incorporation and shall read as follows:**

"ARTICLE XII

Amendment to Articles of Incorporation

These Articles may be amended at a duly constituted membership meeting for the purpose, provided, however, that no amendment shall take effect

unless approved by the members representing at least two-thirds of the total vote of the members of the Corporation. The amendment shall be filed with the Secretary of State and then recorded in the public records of Palm Beach County, Florida. The amendment shall be considered effective when the Secretary of State considers the amendment filed."