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D. COMMER MAR 23 2010

**ON TOP OF THE WORLD  
CONDOMINIUM ASSOCIATION, INC.**  
**A Florida Not-For-Profit Corporation**  
2069 World Parkway Blvd.  
Clearwater, FL 33763

**BOARD OF ADMINISTRATION**

Kenneth D. Colen, Chairman  
Leslee R. Colen, Vice Chairman  
C. Guy Woolbright, Secy-Treas.  
Philip F. Faranda  
Barbara Thomas  
Virgil C. Ratliff  
Sharon Licata

March 15, 2010

CERTIFIED MAIL – RRR

Florida Department of State  
Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32314


**Re: Amended and Restated Articles of Incorporation of On Top of the World  
Condominium Association, Inc., a Florida Not-for-Profit Corporation**

Dear Sir/Madam:

Enclosed please find a check in the amount of \$43.95, which covers the filing fee of \$35 and the fee of \$8.95 for a certified copy of the above-referenced Amended and Restated Articles of Incorporation. Please return the certified copy to my attention in the enclosed self-addressed, stamped envelope.

Please do not hesitate to contact me should you have any questions.

Sincerely,

  
Patty Soriano  
Executive Assistant

Encs.

**CERTIFICATE REGARDING**  
**AMENDED AND RESTATED ARTICLES OF INCORPORATION OF**  
**ON TOP OF THE WORLD CONDOMINIUM ASSOCIATION, INC.**

The undersigned director or officer of On Top of the World Condominium Association, Inc., a Florida not for profit corporation (the "Association"), hereby certifies, pursuant to and in accordance with Section 617.1007 of the Florida Not For Profit Corporation Act, for the purpose of filing its Amended and Restated Articles of Incorporation with the Department of State of the State of Florida, that:

1. The name of the corporation is On Top of the World Condominium Association, Inc.
2. Attached as Exhibit "A" to this Certificate are the Amended and Restated Articles of Incorporation (the "Restated Articles") of the Association.
3. The Restated Articles include amendments to the Association's Articles of Incorporation which required membership approval. The Restated Articles were adopted and approved by the Association's members on March 11, 2010. The number of votes cast were sufficient for approval in the manner prescribed by the Articles of Incorporation and the Florida Not for Profit Corporation Act.

**IN WITNESS WHEREOF**, the undersigned director or officer has executed this Certificate on March 11, 2010.

**ON TOP OF THE WORLD CONDOMINIUM  
ASSOCIATION, INC., a Florida not for profit  
corporation**

By: \_\_\_\_\_

Kenneth D. Colen, as its Chairman

10 MAR 18 PM 3:50  
FILED

**EXHIBIT "A" TO CERTIFICATE**

**AMENDED AND RESTATED ARTICLES OF INCORPORATION OF  
ON TOP OF THE WORLD CONDOMINIUM ASSOCIATION, INC., A FLORIDA  
CORPORATION NOT FOR PROFIT**

**NOTE: THESE AMENDED AND RESTATED ARTICLES OF INCORPORATION APPLY TO ALL OF THE CONDOMINIUM UNITS AT ON TOP OF THE WORLD. THE DECLARATION OF CONDOMINIUM FOR EACH CONDOMINIUM OPERATED BY THE ASSOCIATION IS RECORDED IN THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, AS FOLLOWS:**

No.	Building	O. R. Book	Page	No.	Building	O. R. Book	Page	No.	Building	O. R. Book	Page
1	B-1	3106	571	31	B-32	4068	1390	61	B-64	7447	421
2	B-2	3232	595	32	B-33	4535	816	62	B-65	7724	1283
3	B-3	3551	879	33	B-34	4425	46	63	B-66	6691	2253
4	B-4	2825	70	34	B-36	4583	2120	64	B-67	7810	699
5	B-5	2891	522	35	B-37	4657	402	65	B-68	7830	1687
6	B-6	3012	606	36	B-38	4247	987	66	B-69	7830	1730
7	B-7	3296	19	37	B-39	4349	1984	67	B-70	7830	1773
8	B-8	3171	489	38	B-40	4137	939	68	B-71	7015	1997
9	B-9	3163	784	39	B-41	4147	900	69	B-72	6909	520
10	B-10	3271	98	40	B-42	4151	575	70	B-73	6673	183
11	B-11	3452	308	41	B-43	4142	470	71	B-74	6198	154
12	B-12	3576	785	42	B-44	4157	837	72	B-75	5802	1549
13	B-14	3551	851	43	B-45	4157	933	73	B-76	5967	1095
14	B-15	3512	372	44	B-46	4697	1514	74	B-77	7307	567
15	B-16	3296	51	45	B-47	4660	161	75	B-78	7724	1240
16	B-17	3465	71	46	B-48	4661	255	76	B-79	5687	241
17	B-18	4473	49	47	B-49	4718	1052	77	B-80	5275	3
18	B-18A	4559	2171	48	B-50	4881	1118	78	B-82	6190	1646
19	B-19	4371	2185	49	B-51	4907	964	79	B-83	5362	1434
20	B-21	3663	722	50	B-52	4976	1468	80	B-84	6494	658
21	B-22	3600	522	51	B-53	4798	712	81	B-85	7830	1643
22	B-23	3814	152	52	B-54	4938	1523	82	B-86	5458	1248
23	B-24	3828	558	53	B-55	4985	770	83	B-87	6036	734
24	B-25	3680	542	54	B-56	4849	1623	84	B-88	5586	142
25	B-26	3731	681	55	B-57	5108	1312	85	B-89	5761	1154
26	B-27	3908	75	56	B-58	5045	2009	86	B-90	8416	651
27	B-28	3927	228	57	B-59	5197	2008	87	B-91	8769	1911
28	B-29	4009	1396	58	B-60	5108	1284	88	B-92	8769	2142
29	B-30	3908	103	59	B-61	5197	1975	89	B-94	8981	112
30	B-31	4073	1457	60	B-63	7613	74	90	B-95	10513	1254
								91	B-96	9588	536

**ARTICLE I**  
**NAME**

The name of this corporation is **ON TOP OF THE WORLD CONDOMINIUM ASSOCIATION, INC.** (the "Association").

**ARTICLE II**  
**OFFICE**

The principal office of the Association shall be at 2069 World Parkway Boulevard, Clearwater, Florida 33763, or at such other place as may be subsequently designated by the Board of Administration. The mailing address of the Association shall be at 2069 World Parkway Boulevard, Clearwater, Florida 33763, or at such other place as may be subsequently designated by the Board of Administration.

**ARTICLE III**  
**PURPOSE**

The purpose for which the Association is organized is to provide an entity pursuant to the Florida Condominium Act as it exists on the date hereof (the "Act") for the operation of those certain condominiums as described in the Declarations of Condominium listed on the first page of these Amended and Restated Articles of Incorporation.

**ARTICLE IV**  
**GOVERNING BOARD**

The property, business and affairs of the Association shall be managed by a board (the "Board of Administration") consisting of the number of directors determined in the manner provided by the By-Laws. Directors of the Association shall be elected in the manner determined by and subject to the qualifications set forth in the By-Laws.

**ARTICLE V**  
**55 AND OVER COMMUNITY**

On Top of the World has been designated as housing for persons who are fifty five (55) years of age or older. At least eighty percent (80%) of the units in On Top of the World must be occupied by at least one person who is fifty five (55) years of age or older. In order to ensure that On Top of the World qualifies as housing for persons 55 years of age or older under the Federal Fair Housing Act (42 U.S.C. 3601, et seq.), satisfies the occupancy and age verification requirements of Rule 100.307 of the U.S. Department of Housing and Urban Development (24 C.F.R. 100.307), and complies with the requirements of the Florida Fair Housing Act (Chapter 760, Florida Statutes) and the rules and regulations of the Florida Commission on Human Relations, a survey of the residents of On Top of the World will be conducted and updated by the Association as and to the extent required by applicable law. Each owner shall cooperate with the Association in its efforts to comply with the requirements of the abovementioned acts and rules and regulations, and with all other applicable laws. Such cooperation shall include (but shall not be limited to) providing to the Association, within 10 days after written request, such information (such as but not limited to

identification of whether at least one resident of the unit is fifty five (55) years of age or older and the current age or date of birth of such person) and signed surveys, sworn affidavits, certifications and other reliable, legally sufficient documentation as may be required from time to time by the Association. No child under the age of seventeen (17) years shall be allowed to reside in any unit. A unit owner who owns and occupies his or her own unit may permit one (1) minor only to reside in the unit with him or her, but only if the minor is at least seventeen (17) years of age and a member of that owner's family. The minimum age requirement set forth in the preceding two sentences shall not apply to those residents of On Top of the World who are at least fourteen (14) years of age on June 24, 2004. The test for residency by minors shall be either (a) residency in any unit for any period exceeding one (1) month, accompanied by enrollment in a public or private school or institution located within Pinellas County, Florida, or (b) residency in any unit for a cumulative period of six (6) months or longer. The Association shall have the authority to make any additional capital improvements upon the common elements necessary to provide facilities or services specifically designed to meet the requirements of the Fair Housing Act, as amended, the Americans With Disabilities Act and other applicable laws.

#### **ARTICLE VI** **INDEMNIFICATION**

Every director and every officer of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonably incurred by or imposed upon him or her in connection with any proceeding which he or she may be a party, or in which he or she may become involved, by reason of his or her being or having been a director or officer of the Association, or in any settlement thereof, whether or not he or she is a director or officer at the time such expenses are incurred, provided that in the event of a settlement, the indemnification herein shall apply only when the Board of Administration approves such settlement and reimbursement as being for the best interests of the Association. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which such director or officer may be entitled.

#### **ARTICLE VII** **AMENDMENT**

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

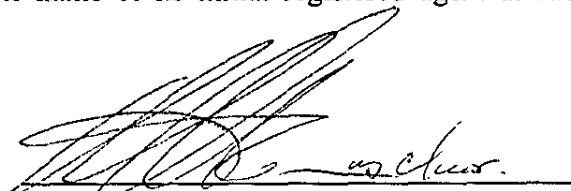
1. Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting at which a proposed amendment is considered.
2. A resolution approving a proposed amendment may be proposed by either the Board of Administration or by the members of the Association.
3. Approval of an amendment must be by not less than a majority of the entire membership of the Board of Administration and by not less than a majority of the votes of the entire membership of the Association.
4. No amendment shall make any changes in the qualifications for membership nor the voting rights of members without approval in writing by all members.

5. A copy of each amendment shall be certified by the Secretary of State and recorded in the public records of Pinellas County, Florida.

**ARTICLE VIII**  
**REGISTERED OFFICE;**  
**ADDRESS AND NAME OF REGISTERED AGENT**

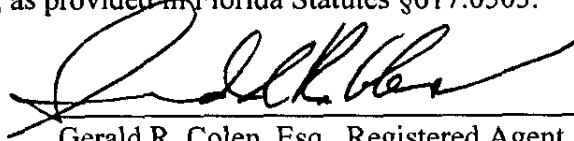
The street address of the Association's registered office is c/o Devito & Colen, 7243 Bryan Dairy Road, Largo, Florida 33777, and the name of its initial registered agent at such office is Gerald R. Colen, Esq.

DATED: March 11, 2010

  
Kenneth D. Colen, Chairman

**ACCEPTANCE OF APPOINTMENT OF REGISTERED AGENT**

The undersigned, having been named the Registered Agent of ON TOP OF THE WORLD CONDOMINIUM ASSOCIATION, INC., hereby accepts such designation and is familiar with, and accepts, the obligations of such position, as provided in Florida Statutes §617.0503.

  
Gerald R. Colen, Esq., Registered Agent

Date: March 11, 2010