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Amendment
LHJ
2-13-04

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ARTICLES OF AMENDMENT
TO
ARTICLES OF INCORPORATION
OF
THE FAIRWAYS OF BOCA LAGO CONDOMINIUM
ASSOCIATION, INC.

Pursuant to the provisions of section 617.1006, Florida Statutes, the undersigned do hereby make, subscribe, acknowledge and file with the Secretary of State these Articles of Amendment in accordance with the vote of not less than two-thirds of the entire voting interests of the association at a duly called meeting of the members on January 14th, 2004.

The Articles of Incorporation of THE FAIRWAYS OF BOCA LAGO CONDOMINIUM ASSOCIATION, INC., are, and shall hereby be, amended in accordance with the Amendment to the Articles of Incorporation attached hereto as Exhibit A and by reference made a part hereof.

IN WITNESS WHEREOF, THE FAIRWAYS OF BOCA LAGO CONDOMINIUM ASSOCIATION, INC., has caused these Articles of Amendment to be executed in accordance with the authority hereinabove expressed this 4th day of February, 2004.

THE FAIRWAYS OF BOCA LAGO
CONDOMINIUM ASSOCIATION, INC.

ATTEST:

Irwin Weiner
Irwin Weiner, Secretary

By: Richard Fishbein
Richard Fishbein, President

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 4th day of February, 2004, by Richard Fishbein, as President of The Fairways of Boca Lago Condominium Association, Inc., a Florida not-for-profit corporation.

Personally Known X OR
Produced Identification _____

Type of Identification _____

NOTARY PUBLIC, STATE OF FLORIDA

Sign MaryAnn Guilliano
Print MaryAnn Guilliano

My Commission expires:



Amendment to Article VIII of the
Articles of Incorporation of the Fairways of Boca Lago Condominium Association, Inc.
(new language is underlined; deleted language is ~~stricken~~)

Article VIII of the Articles of Incorporation is amended as follows:

Article VIII Directors

1. ~~The affairs of the Condominium Association shall be directed by a Board of Directors. The number of Directors on the first Board of Directors (the "First Board") shall be three (3). The number of Directors subsequent to the First Board shall be as provided hereinafter in this Article VIII. No Director need be a member. The Board of Directors shall consist of seven (7) Directors who need not be members of the Association.~~

2. ~~The names and addresses of the persons who are to serve the First Board are as follows:~~

~~JACK TOPKIS 8665 Juego Way
Boca Raton, Florida 33433~~

~~CHARLES N. GILBERT 8665 Juego Way
Boca Raton, Florida 33433~~

~~GERALD CRUTCHER 8665 Juego Way
Boca Raton, Florida 33433~~

~~Developer reserves the right to designate successor Directors to serve on the Board for so long as the First Board is to serve as hereinafter provided:~~

3. ~~Sixty (60) days after the conveyance by the Developer of fifteen percent (15%) or more to the Units that will be operated by the Condominium Association to owners other than Developer, the First Board shall be succeeded by the "Initial Elected Board." The number of Directors on the Initial Elected Board and all subsequent Boards shall be five (5). Members other than the Developer ("Purchaser Members") shall be entitled to elect two (2) Directors and the Developer shall designate and select the remaining three (3) Directors. The Purchaser Members shall elect their two (2) Directors at a special meeting to be called by the Condominium Association for such purpose (the "Initial Election Meeting", and the Developer shall designate the remaining three (3) Directors at such Initial Election Meeting. The Initial Elected Board shall succeed the First Board upon their election or designation. Subject to the provisions of Paragraph 4 of this Article VIII, the Initial Elected Board shall serve until the next Annual Members Meeting (as defined in the By-laws), whereupon the members of the Board of Directors shall be elected or designated in the same manner as the Initial Board, to wit: two (2) by Purchaser Members and three (3) by the Developer.~~

4. ~~Sixty (60) days after the "Turnover Date" (as hereinafter defined), one of the Developer's three (3) DESIGNATED Directors shall be succeeded by a Directors elected by the Purchase Members. The "Turnover Date" is the earliest to occur of the following:~~

~~A. Three (3) years after fifty percent (50%) of the Units that will be operated ultimately by the Condominium Association have been conveyed by Developer to Owners other than Developer, which conveyances shall be evidenced by the recording of instruments of conveyance to the respective Purchaser Members in the Public Records of Palm Beach County, Florida; or~~

~~B. Three (3) months after ninety percent (90%) of the Units that will be operated ultimately by the Condominium Association have been conveyed by Developer to Owners other than Developer, which conveyances shall be evidenced by the recording of instruments of conveyances to the respective Purchaser Members in the Public Records of Palm Beach County, Florida; or~~

- ~~C. When all of the Units that will be operated ultimately by the Condominium Association have been completed as evidenced by the issuance of a certificate of Occupancy for all of the same) and none are being offered for sale by the Developer in the ordinary course of business.~~

~~Within the sixty (60) days after the Turnover Date, the Board of Directors shall call a special meeting of the Members (the "Majority Election Meeting") for the purpose of the election by the Purchaser Members of the Directors to succeed one of the Developer's designated Directors so that the Directors elected by the Purchaser Members shall comprise a majority of the Board of Directors.~~

- ~~5. Until the time set forth in Paragraph 6 of this Article VIII, at each Annual Members Meeting held subsequent to the Majority Election Meeting, three of the Directors shall be designated by the Developer.~~

- ~~6. Upon the earlier to occur of the following events (Developer's Resignation Event"), the Developer shall cause all of its designated Directors to resign:~~

~~A. When the Developer no longer holds for sale any Unit in the ordinary course of business; or~~

~~B. The voluntary resignation of all of the designated Directors.~~

~~Upon the Developer's Resignation Event, the members of the Board of Directors elected by Purchaser Members shall elect successor Directors to fill the vacancies caused by the resignation or removal of the Developer's designated Directors. These successor Directors shall serve until the next Annual Members Meeting and until their successors are elected and qualified.~~

- ~~7. At each Annual Members Meeting held subsequent to the year in which the Developer's Resignation Event occurs, all of the Directors shall be elected by the Members of the Condominium Association.~~