

739900

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FLORIDA STATE
TALLAHASSEE, FLORIDA

Amended
Restated

JUN 16 2021

BRITTON

FLORIDA CAPITAL COURIER SERVICES, INC
2330 CLARE DRIVE
TALLAHASSEE, FL 32309
(850) 524-5437
(850) 524-6243

(OFFICE USE ONLY)

Corporation Name & Document Number, (if known):

1. 736 Island Way Association, INC.

(Business Name)

Document #

___ Walk in

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___ Photocopy

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NEW FILINGS

___ Profit

___ Not for Profit

___ Limited Liability

___ Domestication

___ Other

___ **CORP**

AMMENDMENTS

X Amendment

___ Resignation of R.A. Officer/Director

___ Change of Registered Agent

___ Dissolution/Withdrawal

___ Merger

___ **Conversion**

OTHER FILINGS

___ Annual Report

___ Fictitious Name

___ APOSTIL () _____
Country

REGISTRATION/QUALIFICATIONS

___ Foreign filing

___ Limited Partnership

___ Reinstatement

___ Other

EXAMINER'S INITIALS: _____

COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: 736 ISLAND WAY ASSOCIATION, INC.

DOCUMENT NUMBER: 739900

The enclosed *Articles of Amendment* and fee are submitted for filing.

Please return all correspondence concerning this matter to the following:

ANNE M. HATHORN, ESQ

(Name of Contact Person)

ANNE HATHORN LEGAL SERVICES, LLC

(Firm/ Company)

150 2ND AVENUE NORTH, SUITE 1270

(Address)

ST PETERSBURG FL 33701

(City/ State and Zip Code)

ANNE@ANNEHATHORN.COM

E-mail address: (to be used for future annual report notification)

For further information concerning this matter, please call:

ANNE HATHORN

727

895-5060

at

(Name of Contact Person)

(Area Code)

(Daytime Telephone Number)

Enclosed is a check for the following amount made payable to the Florida Department of State:

- | | | | |
|---|--|---|--|
| <input checked="" type="checkbox"/> \$35 Filing Fee | <input type="checkbox"/> \$43.75 Filing Fee &
Certificate of Status | <input type="checkbox"/> \$43.75 Filing Fee &
Certified Copy
(Additional copy is
enclosed) | <input type="checkbox"/> \$52.50 Filing Fee
Certificate of Status
Certified Copy
(Additional Copy is
Enclosed) |
|---|--|---|--|

Mailing Address

Amendment Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Street Address

Amendment Section
Division of Corporations
The Centre of Tallahassee
2415 N. Monroe Street, Suite 810
Tallahassee, FL 32303

Prepared By and Return To:
Anne M. Hathorn, Esq.
Anne Hathorn Legal Services, LLC
150 2nd Avenue North, Suite 1270
St. Petersburg, FL 33701

FILED
2021 JUN 16 PM 1:24
CLERK OF DISTRICT COURT
PINELLAS COUNTY, FLORIDA

**CERTIFICATE OF RECORDING THE AMENDED AND RESTATED
ARTICLES OF INCORPORATION OF 736 ISLAND WAY ASSOCIATION, INC.**

WE HEREBY CERTIFY THAT the attached true and correct copy of the Amended and Restated Articles of Incorporation of 736 Island Way Association, originally recorded as Exhibit C to the Declaration of Condominium of 736 Island Way, a Condominium, in Official Records Book 4341, Page 2054, of the Public Records of Pinellas County, Florida; was duly adopted in the manner provided in the Governing Documents, by owner vote at a membership meeting initially held on March 3, 2021, recessed and reconvened on March 31, 2021.

IN WITNESS WHEREOF, we have affixed our hands this 7th day of June, 2021, in Pinellas County, Florida.

WITNESSES:

736 ISLAND WAY ASSOCIATION, INC.

Charlotte Toth
Printed Name: CHARLOTTE Toth

By: Mark Nixon
Mark Nixon, President

Anne Hathorn
Printed Name: ANNE HATHORN

STATE OF FLORIDA
COUNTY OF PINELLAS

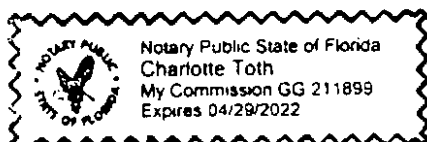
The foregoing instrument was acknowledged before me in person this 7th day of June, 2021, by Mark Nixon, as President on behalf of 736 Island Way Association, Inc. He is personally known to me ☒ or has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid, this 7th day of June, 2021.



Charlotte Toth
Notary Public, State of Florida at Large

Printed Name: Charlotte Toth
My Commission Expires: 4/29/2022



736 Island Way Association, Inc.

AMENDED AND RESTATED **ARTICLES OF INCORPORATION** OF 736 ISLAND WAY ASSOCIATION, INC.

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FILED
2021 JUN 16 PM 1:24
CLERK OF SUPERIOR COURT
COUNTY OF LOS ANGELES

We, the undersigned, hereby associate ourselves together for the purpose of becoming incorporated under the laws of the State of Florida applicable to corporations not for profit under the following proposed charter:

ARTICLE I NAME

The name of the corporation shall be 736 ISLAND WAY ASSOCIATION, INC. and it is to be located at 736 Island Way, Clearwater, Pinellas County, Florida 33767.

ARTICLE II OBJECT

The general nature or object of the corporation shall be to operate and administer condominium apartment building to be known as 736 ISLAND WAY, a condominium located in Clearwater, County of Pinellas, State of Florida.

ARTICLE III POWERS

The powers of the corporation shall include the following:

1. To have all of the common law and statutory powers of a corporation not for profit under the laws of the State of Florida.
2. To operate and administer condominium apartment buildings and appurtenances in compliance with the laws of the State of Florida.
 - a. To make and collect assessments against members to defray the costs of the condominium.
 - b. To use the proceeds of assessments in the exercise of its powers and duties.
 - c. To provide for the maintenance, repair, replacement, and operation of the Condominium Property.
 - d. To provide for the reconstruction of improvements after casualty and the further improvement of the property.
 - e. To make and amend reasonable regulations with regard to the use of the property in the condominium as set forth in the By-Laws of the corporation.

- f. To approve or disapprove of proposed purchasers, lessees and mortgagees of condominium apartments.
 - g. To enforce by legal means the provisions of the condominium documents, these Articles of Incorporation, the By-Laws of the corporation, and the rules and regulations for the use of the property in the condominium.
 - h. To contract for the management of the condominium and to delegate to such contractor all powers and duties of the corporation except as are specifically required by the condominium documents to have the approval of the Board of Directors or membership of the corporation.
- 4. All funds and the titles of all properties acquired by the corporation and the proceeds thereof shall be held in trust for the members in accordance with the provisions of the condominium documents.
 - 5. The powers of the corporation shall be subject to and shall be exercised in accordance with the provisions of the Declaration of Condominium, which governs the use of the land therein described.

ARTICLE IV MEMBERSHIP

The qualifications of members, the manner of their admission and voting by members shall be as follows:

- 1. All Owners of apartments in the condominium shall be members of the corporation and no other persons or entities shall be entitled to membership.
- 2. Membership in the corporation shall be established by the recording in the Public Records of Pinellas County, Florida of a deed or other instrument establishing a change of record title to an apartment in the condominium and the delivery to the corporation of a certified copy of such instrument, the new owner designated by such instrument thereby becoming a member of the corporation. Membership of any prior owner shall be thereby terminated.
- 3. The share of a member in the funds and assets of the corporation cannot be assigned, hypothecated, or transferred in any manner except as an appurtenance in an Apartment in the Condominium.
- 4. Members of the corporation shall be entitled to one (1) vote for each apartment owned by them. Voting rights shall be exercised in the manner provided in the By-Laws.

ARTICLE V
TERM

This corporation shall have perpetual existence.

ARTICLE VII
BOARD OF DIRECTORS

The affairs of the corporation will be managed by a Board of Directors as set forth in the By-Laws of seven Directors.

The Directors of the corporation shall be appointed or elected at the annual meeting of the members of the corporation in the manner provided in the By-Laws. The Directors may be removed and vacancies in the Board of Directors may be filled in the manner provided in the By-Laws.

The names and addresses of the members of the first Board of Directors, who shall hold office until their successors are elected and have qualified, or until removed, are as follows:

Charles Curtis	736 Island Way, Apt 205,	Clearwater FL 33515
Freeman Teuton	736 Island Way, Apt 606,	Clearwater FL 33515
Wilbur Cannon	736 Island Way, Apt 305,	Clearwater FL 33515
Linda McNutt	736 Island Way, Apt 1202,	Clearwater FL 33515
Elvin L. Harmon	736 Island Way, Apt 803,	Clearwater FL 33515
Fred Reiche	736 Island Way, Apt 505,	Clearwater FL 33515
Charles R. Wisler	736 Island Way, Apt 806,	Clearwater FL 33515

ARTICLE VII
OFFICERS

The affairs of the corporation shall be administered by Officers elected by a Board of Directors at its first meeting following the annual meeting of the members of the corporation, which Officers shall serve at the pleasure of the Board of Directors.

The names and addresses of the Officers who shall serve until their successors are designated by the Board of Directors are as follows:

President	Freeman Teuton	736 Island Way, Apt 606, Clearwater FL 33515
Vice-President	Fred Reiche	736 Island Way, Apt 505, Clearwater FL 33515
Treasurer	Wilbur Cannon	736 Island Way, Apt 305, Clearwater FL 33515
Secretary	Charles R. Wisler	736 Island Way, Apt 806, Clearwater FL 33515

ARTICLE VIII INDEMNIFICATION

Each and every Director and each and every Officer of the corporation shall be indemnified by the corporation against all expenses and liabilities, including counsel fees, reasonably incurred by or imposed upon him/her in connection with any proceeding to which he/she may become involved by reason of his/her being or having been a Director or Officer of the corporation or any settlement thereof, whether or not he/she is a Director or Officer at the time such expenses are incurred, except in such cases where the Director or Officer is adjudged guilty of willful misfeasance or malfeasance in the performance of his/her duties, provided that, in the event of a settlement, the indemnification herein shall apply only when the Board of Directors approves such settlements and reimbursement as being for the best interest of the corporation. 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 IX BY-LAWS

The By-Laws of the corporation shall be adopted, altered, amended, or rescinded by the Board of Directors and the members in a manner as provided by the By-Laws under the provisions of Florida's Condominium Act.

ARTICLE X AMENDMENTS

Amendments to the 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 for the adoption of a proposed amendment may be proposed either by the Board of Directors or by the members of the association. Directors and members not present in person or by proxy at the meeting, considering the amendment may express their approval in writing, providing such approval is delivered to the secretary at or prior to the meeting at which said amendment is to be considered.

Such approval must be by not less than seventy-five (75%) of the votes cast by Members at a meeting where a quorum is present either in person or by proxy.

3. No amendment shall be made that is in conflict with the Condominium Act or the Declaration of Condominium.

4. A copy of each amendment shall be certified by the Secretary of State and recorded in the Public Records of Pinellas County, Florida.

ARTICLE XI ASSOCIATION POWERS

In addition to the duties, powers and responsibilities heretofore granted to this corporation, the corporation shall have the power to enter into agreements, to acquire leaseholds, memberships and other possessory or use interest in lands or facilities such as country clubs, golf courses, marinas, and other recreation facilities. It shall have this power whether or not the lands or facilities are contiguous to the lands of the condominium if they are intended to provide enjoyment, recreation or other use or benefit to the unit owners. The By-Laws may provide that the rental, membership fees, operations, and other expenses are common expenses and may impose covenants and restrictions concerning their use and may contain other provisions not inconsistent with Florida's Condominium Act.

ARTICLE XII SUBSCRIBERS

The names and addresses of the subscribers of these Articles are as follows:

A. W. Leafe	736 Island Way, Apt 203, Clearwater FL 33515
Freeman E. Teuton	736 Island Way, Apt 606, Clearwater FL 33515
Elvin L. Harmon	736 Island Way, Apt 803, Clearwater FL 33515