

750995

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP

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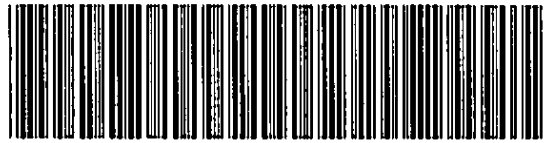
(Business Entity Name)

(Document Number)

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*Amended &  
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STATE OF ARIZONA

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*REV. Form*

SEP 2 8 2021  
A RAMSEY



**VIA REGULAR U.S. MAIL**

July 7, 2021

Florida Department of State  
Division of Corporations – **Amendment Section**  
P.O. Box 6327  
Tallahassee, Florida 32314

**Name of Corporation:** Pelican Place Condominium Association, Inc.  
**Document Number:** 750995  
**Our Matter No:** 10442-002

Dear Sir/Madam:

Enclosed is a signed *Certificate of Amendment to the Articles of Incorporation for Pelican Place Condominium Association, Inc.*, originally filed with the Secretary of State on February 11, 1980, and assigned document number 750995. Please file the Certificate of Amendment to the Articles of Incorporation with the Division of Corporations, State of Florida. Our check in the amount of \$35.00 is enclosed for the cost of doing same.

Please file and return all correspondence concerning this matter to the following:

Rabin Parker Gurley, P.A.  
Attn: Ashley Eames, Paralegal  
28059 U.S. Highway 19 N, Suite 301  
Clearwater, Florida 33761

For further information concerning this matter, please call my paralegal, Ashley Eames, at 727-475-5535.

Sincerely,

Monique E. Parker, Esquire  
MEP/ale  
Enclosures

cc: Pelican Place Condominium Association, Inc.

**Manatee and Sarasota Counties**

8470 Enterprise Circle  
Suite 309  
Lakewood Ranch, Florida 34202  
(941) 306-3964

☐ Reply to this Address

**Pinellas County**

28059 US Highway 19 North  
Suite 301  
Clearwater, Florida 33761  
(727) 475-5535

☒ Reply to this Address

**Hillsborough and Pasco Counties**

3632 Land O' Lakes Boulevard  
Suite 105-7\* (By Appointment)  
Land O' Lakes, Florida 34639  
(813) 946-9964

☐ Reply to this Address



FLORIDA DEPARTMENT OF STATE  
Division of Corporations

FILED  
2021 SEP 13 PM 12:39

July 30, 2021

RABIN PARKER GURLEY, P.A.  
28059 U.S. HIGHWAY 19 N, SUITE 301  
CLEARWATER, FL 33761 US

SUBJECT: PELICAN PLACE CONDOMINIUM ASSOCIATION, INC.  
Ref. Number: 750995

We have received your document for PELICAN PLACE CONDOMINIUM ASSOCIATION, INC. and your check(s) totaling \$35.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

The application/form submitted does not meet the requirements of this office; please complete the attached application/form.

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) 245-6052.

Jalesa S Dennis  
Regulatory Specialist II

Letter Number: 321A00018000

FILED

2021 SEP 13 AM 9:36

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

EXHIBIT "A"

AMENDED AND RESTATED ARTICLES OF INCORPORATION  
OF  
PELICAN PLACE CONDOMINIUM ASSOCIATION, INC.

This document restates, supersedes, replaces and amends, all previously recorded Articles of Incorporation of Pelican Place Condominium Association, Inc., which were originally filed with State of Florida, Department of State, on February 11, 1980 and recorded in Pinellas County, Florida Official Records Book 4986, page 1424.

I.

Name

The name of the corporation shall be PELICAN PLACE CONDOMINIUM ASSOCIATION, INC. For convenience the corporation shall be referred to in this instrument as the Association.

II.

Purpose

2.1 The purpose for which the Association is organized is to provide an entity pursuant to the Florida Condominium Act, which is Chapter 718, Florida Statutes, for the operation of PELICAN PLACE, A CONDOMINIUM, according to Declaration of Condominium now or hereafter recorded in the Public Records of Pinellas County, Florida, located upon lands in Pinellas County, Florida. The Association shall have the power and authority to transact all business necessary and proper in connection with the operation of the condominium property for the mutual benefit of its members; to operate said condominium property for the sole use and benefit of its members; to perform any other act for the well-being of its members; and to perform any other act in maintaining an atmosphere of community and high standard of occupancy by and for its members. The Association shall also have such power and authority to do and perform every act and thing necessary and proper in the conduct of its business for the accomplishment of its purposes as set forth herein and as permitted by Florida Statutes, Chapter 617, the "Florida Not-for-Profit Corporation Act" and the Condominium Act, both as amended from time to time.

2.2 The Association shall make no distributions of income to its members, directors or officers.

III.

Power

The powers of the Association shall include and be governed by the following provisions:

3.1 The Association shall have all of the common law and statutory powers of a corporation not for profit not in conflict with the terms of these Articles.

EXHIBIT "A"

3.2 The Association shall have all of the powers and duties set forth in the Condominium Act except as limited by these Articles and the Declaration of Condominium, and all of the powers and duties reasonably necessary to operate the condominium pursuant to the Declaration as may be amended from time to time, including but not limited to the following:

- a. To make and collect assessments against members as apartment owners to defray the costs, expenses and losses of the condominium, and to account to each member for assessments against that member's apartment.
- b. To use the proceeds of assessments in the exercise of its powers and duties.
- c. The maintenance, repair, replacement and operation of the property of the condominium, including easements.
- d. The purchase of insurance upon the property of the condominium and insurance for the protection of the Association and its members as apartment owners.
- e. The reconstruction of improvements after casualty and the further improvement of the property.
- f. To make and amend reasonable rules and regulations respecting the use of the property in the condominium.
- g. To enforce by legal means the provisions of the Condominium Act, the Declaration of Condominium, these Articles, the Bylaws of the Association and the Regulations for the use of the property in the condominium.
- h. To contract for the management and maintenance of the condominium property and to authorize a management agent to assist the Association in carrying out its powers and duties by performing such functions as the submission of proposals, collection of assessments, preparation of records, enforcement of rules and maintenance, repair and replacement of the common elements with funds as shall be made available by the Association for such purposes. The Association and its officers shall, however, retain at all times the powers and duties granted by the condominium documents and the Condominium Act, including but not limited to the making of assessments, promulgation of rules and execution of contracts on behalf of the Association.
- i. To employ personnel to perform the services required for proper operation of the condominium.
- j. In no event shall the members of a particular condominium be charged with any portion of the expenses for any other condominium, but shall be charged only for the expenses of their particular condominium and their equitable share of the expenses of any common elements, easements, recreational facilities, or other areas used in common by more than one condominium.

#### EXHIBIT "A"

3.3 All funds and titles of all properties acquired by the Association and their proceeds shall be held in trust for the members of the condominium in accordance with the provisions of the Declaration of Condominium, these Articles of Incorporation, and the Bylaws.

#### IV.

##### Members

4.1 The members of the Association shall consist of all the record owners, by deed or otherwise, of condominium apartments in PELICAN PLACE, A CONDOMINIUM, but shall in no event exceed twenty-nine (29) members; and after termination of the condominium shall consist of these who are members at the time of such termination and their successors and assigns.

4.2 Change of membership in the Association shall be established, after receiving approval of the Association required by the Declaration of Condominium, by recording in the Public Records of Pinellas County, Florida, a deed, or other instrument establishing a record title to the apartment in the condominium and the delivery to the Association of a certified copy of such instrument. The owner designated by such instrument thus becomes a member of the Association and the membership of the prior owner is terminated.

4.3 The share of a member in the funds and assets of the Association cannot be assigned, hypothecated and transferred in any manner except as an appurtenance to his apartment.

4.4 The owner of each apartment shall be entitled to one vote as a member of the Association. The manner of exercising voting rights shall be determined by the Bylaws and the Association.

4.5 The terms "apartment" and "apartment owners" or "owners" shall have the same meaning as "unit" or "owner" as same are defined in the Condominium Act.

#### V.

##### Directors

5.1 The affairs of the Association will be managed by a Board consisting of the number of directors determined by the Bylaws, but not less than three directors. Directors need not be members of the Association.

5.2 Directors of the Association shall be elected at the annual meeting of the members in the manner determined by the Bylaws. Directors may be removed and vacancies on the Board of Directors shall be filled in the manner provided in the Bylaws.

## EXHIBIT "A"

### VI.

#### Officers

The affairs of the Association shall be administered by the officers designated in the Bylaws. The officers shall be elected by the Board of Directors at its first meeting following the annual meeting of the members of the Association and shall serve at the pleasure of the Board of Directors.

### VII.

#### Indemnification

Every director and every officer of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonable incurred by or imposed upon him in connection with any proceeding of settlement of any proceeding to which he may be a party or in which he may become involved by reason of his being or having been a director or officer of the Association, whether or not he is a director or officer at the time such expenses are incurred, except when the director or officer is adjudged guilty of willful misfeasance or malfeasance in the performance of his duties; provided that in the event of a settlement the indemnification shall apply only when the Board of Directors approves such settlement and reimbursement as being for the best interest 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.

### VIII.

#### Bylaws

The operation of the Association shall be defined in the Bylaws.

### IX.

#### Amendments

Amendments may be proposed by the Board of Directors or by a petition signed by at least twenty-five percent (25%) of the unit owners, provided that any amendment proposed by unit owners is subject to editing as to form and legality by legal counsel for the corporation. Amendments must be approved by at least two-thirds (2/3) of the eligible voting members who participate in the voting in person or by proxy at a meeting at which a quorum is attained. As to any amendments which are approved, a Certificate of Amendment signed by the president or vice president, with two witnesses and a notary, will be recorded in the public records along with the approved amendments.

EXHIBIT "A"

X.

Term

The term of the Association shall be perpetual.

XI.

Registered Agent

The registered agent of the Association shall be determined by the Board of Directors from time to time, and shall be on file with the Florida Secretary of State.

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END OF AMENDED AND RESTATED ARTICLES OF INCORPORATION



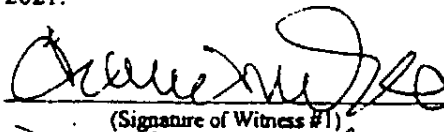
I#.: 2021182108 BK: 21562 PG: 2431, 06/02/2021 at 08:53 AM, RECORDING 6 PAGES  
\$52.50 KEN BURKE, CLERK OF COURT AND COMPTROLLER PINELLAS COUNTY, FL BY  
DEPUTY CLERK: clk103815

Prepared by and return to:  
Monique E. Parker Gurley, Esq.  
Robin Parker, P.A.  
28059 U.S. 19 North, Suite 301  
Clearwater, Florida 33761

CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION  
OF PELICAN PLACE CONDOMINIUM ASSOCIATION, INC.

I hereby certify, in accordance with the requirements of the applicable Florida Statutes and the governing documents of the Association, the Articles of Incorporation of Pelican Place Condominium Association, Inc., recorded in Official Records Book 4986, Page 1424, et seq., in the Public Records of Pinellas County, Florida were amended at a duly called meeting of the members of Pelican Place Condominium Association, Inc., on March 30, 2021. The adopted Amended and Restated Articles of Incorporation of Pelican Place Condominium Association, Inc., are attached hereto as Exhibit "A." The Declaration of Condominium of Pelican Place, a Condominium, was originally recorded in Official Records Book 4986, Page 1406 in the Public Records of Pinellas County.

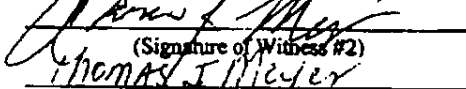
IN WITNESS WHEREOF, the Pelican Place Condominium Association, Inc., has caused this instrument to be signed by its duly authorized officer on this 14 day of May, 2021.



(Signature of Witness #1)

Diana Phares, Vice President

(Printed Name of Witness #1)



(Signature of Witness #2)

Thomas J. Meyer

(Printed Name of Witness #2)

Pelican Place Condominium Association, Inc.

By: 

(Signature)

W. Joy Meyer, President

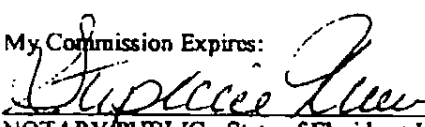
(Printed Name and Title)

STATE OF FLORIDA )  
COUNTY OF PINELLAS )

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 14 day of May, 2021, by as President of Pelican Place Condominium Association, Inc., on behalf of the corporation, and ☒ is personally known to me or ☐ has produced W. Joy Meyer as identification.

STEPHANIE TOWN  
NOTARY PUBLIC  
STATE OF FLORIDA  
NO. GG 943880  
MY COMMISSION EXPIRES FEB. 11, 2024

My Commission Expires:

  
NOTARY PUBLIC - State of Florida at Large