

764596

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NEW FILINGS

- ☐ Profit
☐ Not for Profit
☐ Limited Liability
☐ Domestication
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OTHER FILINGS

- ☐ Annual Report
☐ Fictitious Name

AMENDMENTS

- ☐ Amendment
☐ Resignation of R.A., Officer/Director
☐ Change of Registered Agent
☐ Dissolution/Withdrawal
☐ Merger

REGISTRATION/QUALIFICATION

- ☐ Foreign
☐ Limited Partnership
☐ Reinstatement
☐ Trademark
☐ Other

*Amend
1-10-01
PMS*

Examiner's Initials

This instrument was prepared by
and should be returned to:
Louis Caplan, Esq.
SACHS, SAX & KLEIN, P.A.
Post Office Box 810037
Boca Raton, Florida 33431-0037

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01 JAN -4 PM 3:32

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

**ARTICLES OF AMENDMENT
TO THE
ARTICLES OF INCORPORATION OF
PARKSIDE AT BOCA TRAIL COMMUNITY ASSOCIATION, INC.**

THESE ARTICLES OF AMENDMENT TO THE ARTICLES OF INCORPORATION OF
PARKSIDE AT BOCA TRAIL COMMUNITY ASSOCIATION, INC. ("Association") are made this
11th day of December, 2000, by the President and Secretary of the Association.

WITNESSETH:

WHEREAS, the Articles of Incorporation of the Association have been filed with the
Florida Secretary of State on August 18, 1982 (Document Number 764596); and

WHEREAS, Article X of the Articles of Incorporation provides that the Articles of
Incorporation may be amended by the Members by two-thirds (2/3) of the votes of all the
Members present in person or by proxy at a duly called meeting of the Membership; and

WHEREAS, the Association desires that the Amendments to the Articles of
Incorporation (attached hereto as Exhibit "1"), be certified of record as notice to all current and
future members of the Association of the contents of said Amendments.

NOW, THEREFORE, the President and Secretary of the Association hereby certify that:

1. On November 8, 2000, a Special Meeting of the Members was conducted for
the purpose of adopting the Amendments to the Articles of Incorporation, attached hereto as
Exhibit "1". At said Members' meeting, a number greater than two-thirds (2/3) of the votes of
all the Members of the Association present in person or by proxy approved and adopted the
Amendments to the Articles of Incorporation attached hereto as Exhibit "1."
2. The number of votes cast in favor of the Amendments to the Articles of
Incorporation is sufficient for approval to amend the Articles of Incorporation.
3. The adoption of the Amendments to the Articles of Incorporation appears in the

minutes of the Association and said approval is unrevoked.

IN WITNESS WHEREOF, the undersigned have set their hand and seal this 11th day of DECEMBER, 2000.

Witnesses (as to both):

David Haag
Signature
DAVID HAAG
Print Name

Donald B. White
Signature
DONALD B. WHITE
Print Name

**PARKSIDE AT BOCA TRAIL
COMMUNITY ASSOCIATION, INC.**

By: James C. Daniel
James C. Daniel, President

Attest: Dorothy M. Conde
Dorothy M. Conde Secretary

STATE OF FLORIDA)
): SS:
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me this 11th day of DECEMBER, 2000, by James Daniel and James C. Daniel, as President and DOROTHY M. CONDE Secretary, respectively, of PARKSIDE AT BOCA TRAIL COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation, on behalf of the Corporation. They are personally known to me or have produced _____ as identification.

Florence M. Smith
NOTARY PUBLIC, State of Florida

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FLORENCE M. SMITH
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # CC966689
EXPIRES 9/18/2004
BONDED THRU ASA 1-688-NOTARY1

EXHIBIT "1"

**AMENDED ARTICLES OF INCORPORATION
OF
PARKSIDE AT BOCA TRAIL COMMUNITY ASSOCIATION, INC.
a not-for-profit Florida corporation**

ARTICLE I

NAME

The name of this Corporation is:

PARKSIDE AT BOCA TRAIL COMMUNITY ASSOCIATION, INC.

The Corporation is hereinafter sometimes referred to as the Association.

ARTICLE II

PURPOSES

The Corporation does not contemplate pecuniary gain or profit, direct or indirect, to its Members. The purpose for which it is formed is to promote the health, safety and welfare of the property Owners in that certain subdivision in the County of Palm Beach, according to the Plat thereof, recorded in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida in Plat Book 44, Page 140-141, and such additions thereto as may hereafter be provided in Article XI herein, all of which is hereinafter referred to as The Properties; and for these purposes to:

(A) own, acquire, build, operate and maintain streets, roads and lighting facilities incident thereto, and recreation facilities, all for the benefit of the Owners of The Properties, including but not limited to: parks, playgrounds, lakes, swimming pools, open spaces, streets, bicycle paths and footways (including buildings, structures and personal properties incident thereto), hereinafter referred to as the Common Properties described in the Plat of The Properties; and

(B) fix assessments to be levied against The Properties and/or the Owners of The Properties; and

(C) enforce any and all covenants, restrictions and agreements applicable to The Properties; and

(D) pay taxes, if any, and insurance on the Common Properties and any other portions of The Properties provided for in the Declaration applicable to The Properties; and

(E) supplement municipal services; and

(F) insofar as permitted by law, to do any other thing that, in the opinion of the Board of Directors, will promote the common benefit and enjoyment of the residents of The Properties.

ARTICLE III

POWERS

The powers of the Association shall include the following:

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.

2. The Association shall have all the powers and duties set forth in the Declaration recorded against The Properties in addition to all of the powers and duties reasonably necessary to own, operate, maintain, repair and replace the Common Properties and to provide such services as are required for the benefit of the Owners of Lots and Living Units contained in The Properties from time to time including, but not limited to, the following:

(A) To establish, levy and assess, and collect such assessments as may be necessary to operate the Association and carry on its activities, and to create such reserves for extraordinary expenditures as may be deemed appropriate by the Board of Directors.

(B) To purchase insurance upon the Common Properties and for the protection of the Association and its Members;

(C) To reconstruct improvements after casualty and to make additional improvements to the Common Properties;

(D) To promulgate and amend reasonable regulations respecting the use of the Common Properties;

(E) To enforce by legal means the provisions of the Declaration recorded against The Properties, these Articles, the By-Laws of the Association and the Rules and Regulations of the Association;

(F) To contract for the management of The Properties and to delegate to such contractor all powers and duties of the Association except such as are specifically required by the Declaration recorded against The Properties to have approval of the Board of Directors or the Membership of the Association;

(G) To contract for the management or operation of portions of The Properties susceptible to separate management or operation;

(H) To employ personnel to perform the services required for proper operation of The Properties;

(I) To adopt and establish By-Laws for the operation of the Association; and

(J) To contract with public or utility companies, including cable television service, for purposes of providing utility services to The Properties.

3. The powers of the Association shall be subject to and shall be exercised in accordance with and the Declaration recorded against the Properties and the By-Laws of the Association.

ARTICLE IV

MEMBERSHIP

1. Every person or entity who is or shall become a record Owner of a fee or undivided fee interest in any Lot or Living Unit (as such terms are defined in the Declaration hereinafter described) which is or shall be subject to the Declaration recorded against The Properties shall be a Member of this Association from the date such Member acquires record title to its Lot or Living Unit, provided that any such person or entity which holds such interest merely as a security for the performance of an obligation shall not be a Member.

2. A change in Membership in the Association shall be established by recording in the Public Records of Palm Beach County, Florida, a deed or other instrument establishing record title to a Lot or Living Unit in The Properties. Upon the delivery to the Association of a recorded copy of such instrument, the Owner designated by such instrument shall thereby become a Member of the Association, and the Membership of the prior Owner shall at that time be terminated.

3. The interest of any Member in the Common Properties or in the funds and assets of the Association cannot be conveyed, assigned, mortgaged, hypothecated in any manner, except as authorized by the Declaration, these Articles, or the By-Laws of the Association.

ARTICLE V

TERM

This Corporation shall have perpetual existence.

ARTICLE VI

OFFICERS

The Officers shall be a President, a Vice President, a Secretary and a Treasurer, all of whom shall be Members of the Board of Directors. The officers shall be chosen by a majority vote of the Directors as provided in the By-Laws. All officers shall hold office at the pleasure of the Board of Directors. No individual may hold more than one office except that the same individual may hold the offices of Secretary and Treasurer.

ARTICLE VII

BOARD OF DIRECTORS

The affairs of the Corporation shall be managed by a Board consisting of five Directors, who must be Members of the Association. Members of the same family, as that term is defined in Article I, Section (X) of the Declaration, shall not be permitted to serve simultaneously on the Board. The Board of Directors as of the effective date of these Amended Articles of Incorporation shall consist of the then serving Directors who shall hold office until the election of their successors or until their removal or resignation, as provided in the ByLaws.

ARTICLE VIII

BY-LAWS

The By-Laws of the Corporation may be made, altered, amended or rescinded as provided therein.

ARTICLE IX

AMENDMENT TO THE ARTICLES OF INCORPORATION

These Articles may be amended by the Members by two-thirds (2/3) of the votes of all the Members present in person or by proxy at a duly called meeting of the Membership.

Written notice setting forth the purpose of the meeting shall be mailed to all Members at least thirty (30) days in advance.

ARTICLE X

VOTING RIGHTS

The Association shall have one class of voting Membership:

Members shall be those Owners as defined in Article IV hereof. Members shall be entitled to one vote for each Lot or Living Unit in which they hold the interest required for Membership by Article IV. When more than one person holds such interest in any Lot or Living Unit, all such persons shall be Members, and the vote for such Lot or Living Unit shall be exercised as they among themselves determine; but in no event shall more than one vote be cast with respect to any such Lot or Living Unit.

ARTICLE XI

ADDITIONS TO PROPERTIES

Additions to the Properties may be made only in accordance with the provisions of the Declaration. Such additions, when properly made under the Declaration, shall extend the jurisdictional functions, duties and Membership of this Corporation to such properties. Where the Declaration requires that certain additions be approved by this Corporation, such approval must have the assent of two-thirds (2/3) of the votes of all Members who are voting in person or by proxy at a meeting duly called for this purpose. Written notice setting forth the purpose of the meeting shall be mailed to all Members at least thirty (30) days in advance.

ARTICLE XII

MERGER AND CONSOLIDATIONS

Subject to the provisions of the Declaration applicable to The Properties, and to the extent permitted by law, the Corporation may participate in mergers and consolidations with other non-profit corporations organized for the same purposes, provided that any such merger or consolidation shall have the assent of two-thirds (2/3) of the votes of all Members who are voting in person or by proxy at a meeting duly called for this purpose. Written notice setting forth the purpose of the meeting shall be mailed to all Members at least thirty (30) days in advance.

ARTICLE XIII

QUORUM FOR ANY ACTION GOVERNED BY ARTICLES VIII, IX, XI, AND XII OF THESE ARTICLES

The quorum required for any action governed by Articles VIII, IX, XI and XII of these Articles shall be as follows:

At the first meeting duly called for such purpose, as provided in the notice of such meeting, the presence in person or by proxy of Members entitled to cast forty percent (40%) of all votes shall constitute a quorum. If the required quorum is not forthcoming at such meeting, another meeting may be called, subject to the fourteen (14) day notice requirement set forth in the By-Laws, and at the subsequent meeting, the presence in person or by proxy of Members entitled to cast twenty-five percent (25%) of votes of the Membership shall constitute a quorum; provided that no subsequent meeting shall be held more than sixty (60) days following the preceding meeting.

ARTICLE XIV

QUORUM FOR OTHER ACTIONS

Except as provided in Article XIII hereof, the presence at the Meeting of Members entitled to cast twenty-five (25%) of the votes of Membership shall constitute a quorum for any action governed by the Declaration, Articles of Incorporation or by the By-Laws of this Corporation.

ARTICLE XV

DEDICATION OF PROPERTIES OR TRANSFER OF FUNCTION TO PUBLIC AGENCY OR UTILITY

The Corporation shall have power to dispose of The Properties to which it has title only as authorized under the Declaration applicable to The Properties.

ARTICLE XVI

DISPOSITION OF ASSETS UPON DISSOLUTION

Upon dissolution of the Corporation, the assets, both real and personal, of the Corporation shall be dedicated to an appropriate public agency or utility to be devoted to purposes as nearly as practicable the same as those to which they were required to be devoted by the Corporation. In the event that such dedication is refused acceptance, such assets shall be

granted, conveyed and assigned to any non-profit Corporation, Association, Trust, or other organization to be devoted to purposes as nearly as practicable the same as those to which they were required to be devoted by the Corporation. No such disposition of the Association's properties shall be effective to divest or diminish any right or title to any Member vested in him under the Declaration applicable to The Properties unless made in accordance with the provisions of such Declaration.

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