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Amend

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25Q0 North Military Trail suite 490 Bock Raton Florida 33431 Tel: 561-999-9925 FAX: 561-999-9958

EMAIL: JAYSLEVINEPA@AOL.COM



3300 PGA BOULEVARD SUITE 530 PALM BEACH GARDENS FLORIDA 33410 TEL: 561-627-3585 FAX: 561-627-0811

EMAIL: JSLNORTH@AOL.COM

TREASURE COAST BY APPOINTMENT

ATTORNEYS I



PLEASE REPLY TO: BOCA RATON

JAY STEVEN LEVINE, ESQUIRE DEBBIE ALSPACH, CLA

MICHAEL S. FELDMAN, ESQUIRE CHRISTOPHER A. SAJDERA, ESQUIRE

February 16, 2007

Department of State Division of Corporations 409 E. Gaines Street Tallahassee, Florida 32399

RE: <u>AMENDMENT TO ARTICLES OF INCORPORATION - SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC.</u>

Dear Sir or Madam:

Enclosed for filing is original and one copy of Amendments to the Amended and Restated Articles of Incorporation of Southwinds A, a Condominium and Southwinds B, a Condominium by amending the Articles of Incorporation of Southwinds at the Moorings Association, Inc. which is attached as an exhibit. Also enclosed is a check in the amount of \$35.00 for filing fee. Once filed, please return the copy to us in the enclosed self-addressed stamped envelope.

Thank you for your assistance in this matter.

Very truly yours,

Jay Steven Levine

JSL:sh

Enclosures - As Stated

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TALLAHASSEE FLORIDA

PREPARED BY AND RETURN TO: JAY STEVEN LEVINE, P.A. 2500 North Military Trail, Suite 490 Boca Raton, Florida 33431 (561) 999-9925

CERTIFICATE OF AMENDMENT TO THE AMENDED AND RESTATED DECLARATION CONDOMINIUM OF SOUTHWINDS A, A CONDOMINIUM AND SOUTHWINDS B, A CONDOMINIUM BY AMENDING THE ARTICLES OF INCORPORATION OF SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC. WHICH IS AN EXHIBIT TO THE DECLARATION

WHEREAS, the Amended Declaration of Condominium of Southwinds A, a Condominium and exhibits are recorded in Official Record Book 1167, at Page 2286, and amended in its entirety by that Amended and Restated Declaration as recorded in Official Record Book 1431, at Page 0757, Public Records of Indian River County, Florida;

WHEREAS, the Amended Declaration of Condominium of Southwinds B, a Condominium and exhibits are recorded in Official Record Book 1167, at Page 2440, and amended in its entirety by that Amended and Restated Declaration as recorded in Official Record Book 1431, at Page 0757, Public Records of Indian River County, Florida;

WHEREAS, Section 8.3 of the Articles of Incorporation provides that the Articles may be amended by the vote of not less than a majority of the entire membership of the Board of Directors and by not less than 75% of the voting interests of all members of the Association:

WHEREAS, at a Board meeting held Wind 3, 2006, not less than a majority of the entire membership of the Board of Directors voted to approve of the amendment to the Articles of Incorporation as set forth in Exhibit "1" to this certificate:

WHEREAS, at a membership meeting held on Moule 23, 2006, not less than 75% of the voting interests of the members of the Association did vote to approve of the amendment to the Amended and Restated Articles of Incorporation in the particulars as set forth in Exhibit "1".

WHEREAS, the certificate of the amendment to the Amended and Restated Articles of Incorporation shall be filed with the Secretary of State and this certificate and Exhibit "1" shall be filed in the Public Records of Indian River County, Florida.

NOW, THEREFORE, the Amended and Restated Declarations and the Articles of Incorporation shall be amended in the particulars as stated in Exhibit "1" attached hereto; these amendments shall run with the real property known as Southwinds A, a Condominium and Southwinds B, a Condominium, and shall be binding on all parties

having any right, title, or interest in the said real property or any part thereof, their heirs, successors, assigns, tenants, guests and visitors, and except as otherwise amended hereby, shall remain unchanged and in full force and effect.

CERTIFICATE OF ADOPTION OF AMENDMENT

I HEREBY CERTIFY that the amendment attached to this Certificate has been approved by the votes required by the Amended and Restated Articles of Incorporation.

DATED this// day of	cember 2006.	
WITNESSES: Barlaro J. Pelter Print: BARBARA, J PELTIRE MISAN L. IVY	SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC. By: Armas President Print Name:	
STATE OF FLORIDA)) SS: COUNTY OF INDIAN RIVER)	THOMAS F. GARVEY	
I HEREBY CERTIFY that on the day of		
WITNESS my signature and offici Florida, the day and year last aforesaid.	ial seal, in the County of Indian River, State of	
	NOTARY PUBLIC: BARBARA J PELTIER Sign: Barbara J. Peltrer	
	My commission expires: BARBARA J. PELTIER MY CONKLISSION & DD 405557 EXTRES: May 23, 2009 Fonded This State is Notary Sorvices	

Exhibit "1"

CERTIFICATE OF AMENDMENT TO THE AMENDED AND RESTATED ARTICLES OF INCORPORATION OF SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC.

As used herein the following shall apply:

- Words in the text which are lined through with hyphens (---) indicate deletions from the present text.
- B. Words in the text which are underlined indicate additions to the present text.
- 1. Section 3.2.C.2 of the Amended and Restated Articles of Incorporation shall be amended to read as follows:
 - "2. The Association may borrow money with the following limitations: The Association shall have the right to borrow money upon the approval by the Board of Directors alone up to an amount which is 20% of the annual budget, cumulatively in a budget year. However, if the amount of same shall exceed 20% of the annual budget, cumulatively in a budget year, then the loan may not be made unless approved by not less than seventy-five- (75%) sixty (60%) percent of the voting interests of all Members of the Association. The Association may assign its assessment and lien rights in connection with the loan."

CERTIFICATE OF ADOPTION OF AMENDMENT TO THE ARTICLES OF INCORPORATION

THE UNDERSIGNED, being the duly elected and acting president of SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC. hereby certifies that the foregoing was approved by not less than a majority of the entire membership of the Board of Directors on Wach 23, 2006, and was approved by not less than 75% of the voting interests of all members of the Association on 11 arch 23 2006. The number of votes was sufficient for approval.

EXECUTED this , 2006. WITNESSES SOUTHWINDS AT THE MOORINGS ASSOCIATION, INC.

Print Name:

Pre

STATE OF FLORIDA)) SS:
COUNTY OF INDIAN RIVER)
I HEREBY CERTIFY that o	n the <u>//</u> day of <u>December</u> , 2006 before
me personally appeared	as president of
SOUTHWINDS AT THE MOORIN	GS ASSOCIATION, INC., who is personally known to
me and who did not take an oath a	and who executed the aforesaid Certification as
	duly authorized officer; and that the official seal of the instrument is the act and deed of the Corporation.

WITNESS my signature and official seal, in the County of Indian River, State of Florida, the day and year last aforesaid.

NOTARY PUBLIC:

Sign: Boulara & Pelter

My commission expires:

BARBARA J. PELTIER
MY COMMISSION # DD 406557
EXPIRES: May 23, 2009
Braded Thru Burget Modary Services