

770434

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP

☐ WAIT

☐ MAIL

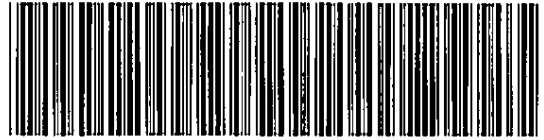
(Business Entity Name)

(Document Number)

Certified Copies \_\_\_\_\_ Certificates of Status \_\_\_\_\_

Special Instructions to Filing Officer:

Office Use Only



200387879722

05/25/22--01015--001 ++43.75

FILED  
2022 AUG 29 AM 8:48  
CLERK OF STATE  
TALLAHASSEE, FLORIDA

AUG 30 2022

S. PRATHER

COVER LETTER

TO: Amendment Section  
Division of Corporations

NAME OF CORPORATION: THE CAPRI OF SINGER ISLAND CONDOMINIUM ASSOCIATION  
INC.

DOCUMENT NUMBER: \_\_\_\_\_

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

Please return all correspondence concerning this matter to the following:

JOSEPH Vitulli

(Name of Contact Person)

The CAPRI OF SINGER ISLAND

(Firm/ Company)

5250 NORTH OCEAN DRIVE

(Address)

SINGER ISLAND, FLORIDA 33404

(City/ State and Zip Code)

CAPRI CONDOMINIUM@GMAIL.COM

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

For further information concerning this matter, please call:

TERESA FREDRICKS

(Name of Contact Person)

at (561) 842-0293

(Area Code) (Daytime Telephone Number)

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

☐ \$35 Filing Fee

☐ \$43.75 Filing Fee &  
Certificate of Status

☒ \$43.75 Filing Fee &  
Certified Copy  
(Additional copy is

enclosed  
Paid Previously

ch# 4979

☐ \$52.50 Filing Fee

Certificate of Status  
Certified Copy  
(Additional Copy is  
Enclosed)

Mailing Address

Amendment Section  
Division of Corporations  
P.O. Box 6327

Street Address

Amendment Section  
Division of Corporations  
The Centre of Tallahassee



FLORIDA DEPARTMENT OF STATE  
Division of Corporations

July 29, 2022

THE CAPRI OF SINGER ISLAND CONDOMINIUM ASSOCIATION, INC  
5250 NORTH OCEAN DRIVE  
SINGER ISLAND, FL 33404

SUBJECT: THE CAPRI OF SINGER ISLAND CONDOMINIUM ASSOCIATION,  
INC.  
Ref. Number: 770434

We have received your document for THE CAPRI OF SINGER ISLAND CONDOMINIUM ASSOCIATION, INC. and your check(s) totaling \$43.75. However, the enclosed document has not been filed and is being returned for the following correction(s):

You would need to use our forms and only complete the sections of which are being amended, however the entire packet/forms must be submitted for processing

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) 245-6939.

Stacy Prather  
Regulatory Specialist III

Letter Number: 222A00017053

RECEIVED

2022 AUG 29 PM 1:07

FILED

2022 AUG 29 AM 8:48

CLERK OF DISTRICT COURT  
PALM BEACH COUNTY, FLORIDA

**CORPORATE RESOLUTION / CERTIFICATE OF AMENDMENT**

**TO THE DECLARATION OF CONDOMINIUM OF THE CAPRI OF SINGER ISLAND CONDOMINIUM  
ASSOCIATION, INC., A FLORIDA CORPORATION NOT FOR PROFIT**

WHEREAS, THE Declaration of Condominium of the Capri of Singer Island, a Condominium has been duly recorded in the Public Records of Palm Beach County, Florida, in Official Records Book 4519, page 1164; and

WHEREAS, the By-laws of the Capri of Singer Island Condominium Association, Inc, are attached as exhibit thereto; and

WHEREAS, on February 23<sup>rd</sup>, 2022, a duly called and noticed meeting of the membership of the Capri of Singer Island Condominium Association, Inc., was convened for the purpose of having the members vote on the passage of the proposed amendments to the Articles of Incorporation to the aforementioned Declaration, and proposed amendments to the aforementioned By-Laws.

WHEREAS, at the properly noticed meeting on February 23<sup>rd</sup>, 2022, a quorum of the members was obtained, and the amendments to the aforementioned Articles of Incorporation that was proposed by the Board of Directors, a true and correct copy of which is attached hereto, was approved by at least sixty-six percent (66%) of the total votes of members, the required number of votes pursuant to the Declaration.

WHEREAS, at the properly noticed meeting on February 23<sup>rd</sup>, 2022, a quorum of the members was obtained, and the amendments to the aforementioned By-Laws that were proposed by the Board of Directors, the amendments, true and correct copies of which are attached hereto, were approved by not less than sixty-six percent (66%) of the total available votes of the entire membership, the required number of votes as required pursuant to the By-Laws.

NOW THEREFORE, the undersigned hereby certify that the following amendments to the Articles of Incorporation and By-Laws, attached hereto, are a true and correct copy of the amendments to the Articles of Incorporation and By-Laws as approved and amended by the membership pursuant to said Declaration and By-Laws and Florida Statutes.

AMENDMENT to DECLARATION of THE CAPRI OF SINGER ISLAND

(Additions indicated by underlining; Deletions indicated by ~~striketrough~~)

7.11 EFFECT OF NON-PAYMENT OF ASSESSMENT: REMEDIES OF THE ASSOCIATION. Should any assessment not be paid within ten (10) days from the date it is due, the Association shall be entitled to assess against the owner a late fee of ~~TWENTY FIVE Dollars (\$25.00)~~ THE GREATER OF ONE HUNDRED AND FIFTY DOLLARS (\$150.00) OR FIVE (5%) PERCENT OF THE AMOUNT OF EACH INSTALLMENT PAST DUE to partially compensate the Association for its additional bookkeeping, administration and collection activities with regard to said late assessment payment. All sums, including late fees unpaid after fifteen (15) days from the due date shall bear interest thereof at the rate of eighteen percent (18%) from the date when due until paid. All payments upon account shall first be applied to interest and then to the late charge and then to the assessment payment first due. Should any assessment not be paid within thirty (30) days from the due date thereof, the Association may upon five (5) days notice, declare due and payable all assessments applicable to that unit for the year in which the delinquency occurs. The Association may bring an action at law against the owner personally obligated to pay same without waiving any claim of lien it may have against the unit, or after first perfecting its lien as stated elsewhere herein, foreclose the lien against said owner's unit. The lien for unpaid assessment shall also secure the interest and reasonable attorney's fees and costs incurred by the Association incident to the collection of such assessment or enforcement of such lien.

No unit owner may waive or otherwise escape liability for the assessment of the Association by no use or partial use of the Common Areas he (she) is entitled to use or claim offset against the Association, or abandonment of his (her) unit. Each owner by his (her) acceptance of a deed to his (her) unit, consents to jurisdiction of the Courts of Palm Beach

## AMENDMENT to DECLARATION of THE CAPRI OF SINGER ISLAND

(Additions indicated by underlining; Deletions indicated by ~~striketrough~~)

### 15. MORTGAGEE'S RIGHTS

15.1 If an owner shall give, or shall have given a mortgage or mortgages upon his unit, ~~then the mortgagee shall not have the full right at its option to exercise the rights of its mortgagor as a unit owner hereunder, and, in addition, but, the mortgagee shall~~ have the right to add to the outstanding balance of such mortgage any amounts paid by the mortgagee for repairs hereunder and not reimbursed to said mortgagee by the unit owner. The lien of the assessments provided for in this Declaration shall not be, to the extent provided by law, be subordinate to the lien of any first mortgage recorded prior to the time of recording the claim of lien provided for herein by the Association.

15.2 All mortgagees of the unit shall specifically have a complete right of access to all of the Common Areas for the purpose of ingress and egress to any and all units upon which they have a mortgage loan, as determined and authorized by the Association.

15.3 When an Institutional Mortgagee or other purchaser of a unit obtains title to the unit as a result of foreclosure of the mortgage or by deed taken in lieu of foreclosure, such acquirer of title, his successor and assigns, shall ~~not~~ be liable for any delinquent assessments of the former unit owner which became due prior to the acquisitions of title as a result of the foreclosure or by a deed taken in lieu of foreclosure to the extent provided by law. ~~Such unpaid assessments shall be deemed to be a common assessment, collectible from all of the unit owners.~~ Whenever title is acquired as stated aforesaid, such acquirer shall be responsible for all assessments whatsoever ~~from that date forward~~, until title to the unit is transferred from such acquirer.

AMENDMENT to ARTICLES OF INCORPORATION OF THE CAPRI OF SINGER ISLAND  
CONDOMINIUM ASSOCIATIONS INC.

(Additions indicated by underlining; Deletions indicated by ~~striketrough~~)

7.12 MORTGAGEE'S LIABILITY FOR ASSESSMENTS. In the event of foreclosure of an Institutional First Mortgage encumbering a unit, the mortgagee, to the extent provided by law, the purchaser at such sale, his successor or assigns, shall not be liable for the share of assessments pertaining to such unit chargeable to the former owner of such unit which became due prior to the foreclosure sale of such unit. Such unpaid share of the assessment shall be deemed to be Common Expenses collectible from all of the unit owners, including the purchaser, his successors or assigns. The foregoing provision shall also be applicable to the conveyance of a unit to the holder of an Institutional First Mortgage by a deed in lieu of foreclosure. ~~The foregoing exemption for payment of assessment is in addition to and in no way restrictive of the additional exemptions granted herein to mortgagee.~~ The Association shall have all rights to claim a lien for the past due assessments of the unit owner, and such claim shall relate back to the date of the filing of the declaration including any amendments thereto, and the claim takes priority over intervening mortgages.

AMENDMENT to ARTICLES OF INCORPORATION OF THE CAPRI OF SINGER ISLAND  
CONDOMINIUM ASSOCIATIONS INC.

(Additions indicated by underlining; Deletions indicated by ~~striketrough~~)

ARTICLE III  
REGISTERED AGENT AND REGISTERED OFFICE

~~BENNETT S. COHN~~ The PROPERTY MANAGER is hereby appointed the initial registered agent of this Association, and his the address which is ~~3767 Lake Worth Road, Suite 100, Lake Worth, Florida 33461~~ Main Office located at 5250 North Ocean Drive, Singer Island, Florida 33404 is designated as the initial registered office of the Association.



The date of each amendment(s) adoption: FEBRUARY 23, 2022, if other than the date this document was signed.

**Note:** If the date inserted in this block does not meet the applicable statutory filing requirements, this date will not be listed as the document's effective date on the Department of State's records.

☒ The amendment(s) was/were adopted by the members and the number of votes cast for the amendment(s) was/were sufficient for approval.

☐ There are no members or members entitled to vote on the amendment(s). The amendment(s) was/were adopted by the board of directors.

Dated August 23, 2020

Signature Joseph Vitulli, President  
(By the chairman or vice chairman of the board, president or other officer-if directors have not been selected, by an incorporator - if in the hands of a receiver, trustee, or other court appointed fiduciary by that fiduciary)

JOSEPH VITULLI  
(Typed or printed name of person signing)

PRESIDENT  
(Title of person signing)

RECORDED  
2022 AUG 29 AM 8:48  
TALLAHASSEE, FLORIDA