

N00000008559

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SECRETARY OF STATE
DIVISION OF CORPORATIONS
08 JAN 29 AM 8:00

Amend

G. Ouellette JAN 29 2008

ROSSWAY MOORE & TAYLOR

ATTORNEYS AND COUNSELORS AT LAW

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*ALSO ADMITTED IN
THE DISTRICT OF COLUMBIA
**ALSO ADMITTED IN CALIFORNIA
***ALSO ADMITTED IN LOUISIANA

THE OAK POINT PROFESSIONAL CENTER
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December 28, 2007

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OF COUNSEL

Secretary of State
State of Florida
Division of Corporations
Florida Department of State
409 East Gaines Street
Tallahassee, FL 32399

RE: The Polo Grounds at Pointe West Property Owners' Association, Inc.

Ladies and Gentlemen:

In regard to the above, please find enclosed the Articles of Amendment of The Polo Grounds at Pointe West Property Owners' Association, Inc. for filing with the Secretary of State's Office.

This firm's check in the amount of \$87.50 is also enclosed to cover your filing fee (\$35.00) and the certified copy fee (\$52.50).

Thank you for your assistance and for mailing the Certificate of Filing and certified copy of the Articles of Amendment to this office in the enclosed, self-addressed, stamped envelope.

Sincerely,



Venkata S. Paturi

VSP:sms\F:\Taylor\Real Estate\Clients\Polo Grounds, LLC, The\SecState-AmendArtInc.L.doc

Encs.

CC: George A. Kahle, III, Manager, The Polo Grounds, L.L.C. w/encs.



FLORIDA DEPARTMENT OF STATE
Division of Corporations

January 7, 2008

ROSSWAY MOORE & TAYLOR
VENKATA S. PATURI
5070 NORTH HWY. A-1-A, STE. 200
VERO BEACH, FL 32963

SUBJECT: THE POLO GROUNDS AT POINTE WEST PROPERTY OWNERS'
ASSOCIATION, INC.
Ref. Number: N00000008559

We have received your document for THE POLO GROUNDS AT POINTE WEST PROPERTY OWNERS' ASSOCIATION, INC. and check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned to you for the following reason(s):

If there are MEMBERS ENTITLED TO VOTE on a proposed amendment, the document must contain: (1) the date of adoption of the amendment by the members and (2) a statement that the number of votes cast for the amendment was sufficient for approval.

If there are NO MEMBERS OR MEMBERS ENTITLED TO VOTE on a proposed amendment, the document must contain: (1) a statement that there are no members or members entitled to vote on the amendment and (2) the date of adoption of the amendment by the board of directors.

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) 245-6903.

Cheryl Coulliette
Regulatory Specialist II

Letter Number: 808A00001180

2008 JAN 28 AM 8:00
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: The Polo Grounds At Pointe West Property
Owners' Association, Inc.

DOCUMENT NUMBER: N00000008559

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

Please return all correspondence concerning this matter to the following:

Venkata S. Paturi, Esq.

(Name of Contact Person)

Rossway Moore & Taylor

(Firm/ Company)

5070 North Highway A-1-A, Suite 200

(Address)

Vero Beach, FL 32963

(City/ State and Zip Code)

For further information concerning this matter, please call:

Venkata S. Paturi, Esq.

(Name of Contact Person)

at (772)

231-4440

(Area Code & Daytime Telephone Number)

Enclosed is a check for the following amount:

☐ \$35 Filing Fee

☐ \$43.75 Filing Fee &
Certificate of Status

☐ \$43.75 Filing Fee &
Certified Copy
(Additional copy is
enclosed)

☐ \$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
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301

Articles of Amendment
to
Articles of Incorporation
of

The Polo Grounds At Pointe West Property Owners' Association, Inc.
(Name of corporation as currently filed with the Florida Dept. of State)

N00000008559

(Document number of corporation (if known))

Pursuant to the provisions of section 617.1006, Florida Statutes, this *Florida Not For Profit Corporation* adopts the following amendment(s) to its Articles of Incorporation:

NEW CORPORATE NAME (if changing):

(must contain the word "corporation," "incorporated," or the abbreviation "corp." or "inc." or words of like import in language; "Company" or "Co." may not be used in the name of a not for profit corporation)

AMENDMENTS ADOPTED- (OTHER THAN NAME CHANGE) Indicate Article Number(s) and/or Article Title(s) being amended, added or deleted: **(BE SPECIFIC)**

Article IV of the Articles of Incorporation amended by

adding paragraph 4.7. See attached.

(Attach additional pages if necessary)
(continued)

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
08 JAN 29 AM 8:00

The date of adoption of the amendment(s) was: December 23, 2007

Effective date if applicable: _____
(no more than 90 days after amendment file date)

Adoption of Amendment(s) (CHECK ONE)

- ☐ The amendment(s) was (were) adopted by the members and the number of votes cast for the amendment was sufficient for approval.
- ☒ There are no members or members entitled to vote on the amendment. The amendment(s) was (were) adopted by the board of directors.

Signature George A. Kahle III
(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.)

George A. Kahle, III

(Typed or printed name of person signing)

Manager

(Title of person signing)

FILING FEE: \$35

**ARTICLES OF AMENDMENT TO
THE ARTICLES OF INCORPORATION
OF
THE POLO GROUNDS AT POINTE WEST PROPERTY OWNERS'
ASSOCIATION, INC.,**

WHEREAS, it is in the best interest of the Corporation, whose name is **THE POLO GROUNDS AT POINTE WEST PROPERTY OWNERS' ASSOCIATION, INC.**, ("Corporation"), to amend its Articles of Incorporation; and

WHEREAS, St. Johns River Water Management District ("SJRWMD") issued a District Permit Number 40-061-58408-1 ("Permit") for The Polo Grounds at Pointe West; and

WHEREAS, SJRWMD has, pursuant to its statutory authority under Chapter 373 of the Florida Statutes and Section 40C-40.302 of the Florida Administrative Code, and pursuant to the Permit, mandated certain amendments to the Articles of Incorporation for the Corporation; and

WHEREAS, in order to comply with SJRWMD's mandates, the Articles of Incorporation must be modified and amended; and

WHEREAS, pursuant to Paragraph 4.6 of the Articles of Incorporation, "The Powers of the Association shall be subject to, and shall be exercised in accordance with, the . . . Declaration,[and] the Supplemental Declaration . . ."; and

WHEREAS, pursuant to Paragraph 11(b) of the Supplemental Declaration of Covenants, Conditions, Easements and Restrictions for The Polo Grounds at Pointe West, Vero Beach Polo, LLC, as the Polo Property Owner of The Polo Grounds at Pointe West ("Polo Property Owner"), has the right to ". . . unilaterally amend this Supplemental Declaration at any time . . . if [it] is necessary to bring any provision . . . into compliance with any applicable governmental statutes, rule, requirement or regulation, or judicial determination. . ."; and

WHEREAS, on March 4, 2002, Vero Beach Polo, LLC changed its name to The Polo Grounds, L.L.C.

BE IT RESOLVED, therefore, that the Articles of Incorporation, are hereby modified and amended, as follows:

Article IV of the Articles of Incorporation in its present form is hereby amended to add the following paragraph

4.7 Purpose and Powers of the Association: The Association shall operate, maintain and manage the surface water or stormwater management system(s) in a manner consistent with the St. Johns River Water Management District permit no. 40-061-58408-1 requirements and applicable District rules, and shall assist in the enforcement of the Declaration of Covenants and Restrictions which relate to the surface water or stormwater management system. The Association shall levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the surface water or stormwater management system.

In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water or stormwater management system must be transferred to and accepted by an entity which would comply with Section 40C-42.027, F.A.C., and be approved by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.


Existence of the Association shall commence with the filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The Association shall exist in perpetuity.

Notwithstanding the foregoing, the provisions of this Article are subject to Section 720.3075(1)(c), *Florida Statutes*, including as the same may be amended from time to time.

IN WITNESS WHEREOF, the undersigned, being the sole directors, have affixed their signatures below and have caused these presents to be executed on the date set forth below.

"POLO PROPERTY OWNER"

By: THE POLO GROUNDS, L.L.C.

A handwritten signature in black ink, appearing to read "George A. Kahle III", is written over a horizontal line.

By: GEORGE A. KAHLE, III

Its: Manager

Date: December 23, 2007