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TRANSMITTAL LETTER

TO: Amendment Section
Division of Corporations

SUBJECT: MIRABELLA AT MIRASOL HOMEOWNERS' ASSOCIATION, INC.

DOCUMENT NUMBER: N01000006194

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

Please return all correspondence concerning this matter to the following:

Sharon K. Gray

(Name of Person)

Triad Professional Services, LLC

(Name of Firm/ Company)

2050 Marconi Drive, Suite 150

(Address)

Alpharetta, GA 30005

(City/ State/ and Zip Code)

For further information concerning this matter, please call:

Sharon M. Knox

(Name of Person)

at (770) 777-2091

(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
409 E. Gaines Street
Tallahassee, FL 32399

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Florida Dept of State



October 11, 2006

FLORIDA DEPARTMENT OF STATE

MIRABELLA AT MIRASOL HOMEOWNERS' ^{Division of Corporations} ASSOCIATION, INC.
1000 CLINT MOORE RD., STE. 110
BOCA RATON, FL 33487

SUBJECT: MIRABELLA AT MIRASOL HOMEOWNERS' ASSOCIATION, INC.
REF: N01000006194

We received your electronically transmitted document. However, the document has not been filed. Please make the following corrections and refax the complete document, including the electronic filing cover sheet.

The date of adoption of each amendment must be included in the document.

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) 245-6964.

Irene Albritton
Document Specialist

FAX Aud. #: H06000249118
Letter Number: 606A00060573

FILED
SECRETARY
DIVISION
06 OCT 12 AM 9:00
((H06000249183)))
STATE
INCORPORATIONS

**ARTICLES OF AMENDMENT
TO
ARTICLES OF INCORPORATION
OF**

MIRABELLA AT MIRASOL HOMEOWNERS' ASSOCIATION, INC.

The undersigned, Dean J. Borg, being the President of **MIRABELLA AT MIRASOL HOMEOWNERS' ASSOCIATION, INC.**, a corporation not for profit organized and existing under the laws of the State of Florida, the Articles of Incorporation of which were initially filed with the Department of State of the State of Florida on January 27, 2001, pursuant to the provisions of Florida Statutes Section 617.1002 and 617.1006, DOES HEREBY CERTIFY that:

1. The name of the corporation is **MIRABELLA AT MIRASOL HOMEOWNERS' ASSOCIATION, INC.**, a Florida not for profit corporation.

2. This amendment ("Amendment") to the Articles of Incorporation hereinafter set forth was adopted by the Board of Directors on October 1, 2006 pursuant to Article 9 of the Articles of Incorporation, which permits Declarant (as defined in the Declaration of Covenants and Restrictions for Mirabella at Mirasol recorded at Book 14441, Page 1671 of the Public Records of Palm Beach County) to amend the Articles of Incorporation at any time so long as Class B membership in the Association exists and Declarant has not resigned from the Board of Directors of the Association. Accordingly, there are no Members of the Association entitled to vote.

3. Article 6, Section 3 of the Articles is hereby amended as follows, with added language underlined twice, and deleted language ~~struck through~~:

ARTICLE 6.

BOARD OF DIRECTORS

Section 3. Election of Members of Board of Directors. Except as otherwise provided herein and except for the first Board of Directors, directors shall be elected by the Members of the Association at the annual meeting of the membership as provided by the By Laws of the Association, and the By Laws may provide for the method of voting in the election and for removal from office of directors. All Directors shall be natural persons who are 18 years of age or older, Members of the Association and Lot Owners, or shall be authorized representatives, officers, or employees of corporate Members of the Association, or designees of the Declarant. Notwithstanding anything herein contained to the contrary, prior to the Transition Date, the Declarant shall have the right to appoint Directors of the Association by written notice to such effect or by an announcement reflected in the minutes of the annual meeting of the Association. Further, from and after the Transition Date, Members other than the Declarant shall be entitled to elect at least a majority of the members of the Board of Directors of the Association; provided, however, that as long as the Declarant holds for sale in the ordinary course of business not

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less than five percent (5%) of the Lots (excluding those Lots conveyed by Declarant to builders, contractors or others who purchase the Lot for the purpose of constructing improvements thereon for resale), the Declarant is entitled to elect at least one (1) member of the Board. So long as the Declarant holds for sale in the ordinary course of business not less than five percent (5%) of the Lots, the Board of Directors shall consist of up to six (6) members. In the event of a tie vote of the Board during a period in which the board consists of six (6) members, the President of the Association shall break the tie.


4. Article 6, Section 4 of the Articles is hereby amended as follows, with added language underlined twice, and deleted language struck through:

ARTICLE 6.

BOARD OF DIRECTORS

"Section 4. Duration of Office. While Class B Members are in control of the Board of Directors, Members elected to the Board of Directors shall hold office continually unless otherwise determined by the Board in its sole discretion. When Class A Members obtain control of the Board of Directors, the term of office for Members elected to the Board of Directors (also referred to herein as "Board Members") shall be as follows: Initially, the two (2) elected Board Members who receive the largest number of votes shall serve for a period of two (2) years, and the remaining Board Members shall serve for a period of one (1) year. One (1) year after the initial election, an election shall be held to fill only the positions of the Board Members serving a one (1) year term. Board Members elected at said election and all subsequent elections shall serve a term of two (2) years. One (1) year later, an election shall be held to fill all the two Board positions elected to a two-year term at the initial election. Thereafter, elections shall be held for all Board positions whose terms have expired or are about to expire one (1) year following the prior election on an ongoing basis, the intention being that the Board of Directors shall be "staggered". The foregoing is subject to the rules governing elections in these Articles and the Bylaws."

The undersigned has executed these Articles of Amendment to the Articles of Incorporation of MIRABELLA AT MIRASOL HOMEOWNERS' ASSOCIATION, INC., as of this 1st day of October, 2006

 10/9/06
Dean J. Borg, President of Mirabella at
Mirasol Homeowners' Association, Inc.

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