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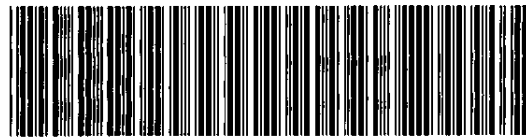
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DIVISION OF CORPORATIONS  
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*Amend*  
C.COULLETTE

NOV 24 2010

EXAMINER

**COVER LETTER**

**TO:** Amendment Section  
Division of Corporations

**NAME OF CORPORATION:** NORTH CREEK HOMEOWNERS ASSOCIATION, INC.

**DOCUMENT NUMBER:** N01000008063

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

Please return all correspondence concerning this matter to the following:

Scott W. Fallar, Esquire

(Name of Contact Person)

Crabtree & Fallar, P.A.

(Firm/ Company)

8777 San Jose Boulevard #A200

(Address)

Jacksonville, FL 32217

(City/ State and Zip Code)

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

For further information concerning this matter, please call:

Angela Rigdon

(Name of Contact Person)

904

at (

732-9701

(Area Code & Daytime Telephone Number)

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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

**COVER LETTER**

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Division of Corporations

NAME OF CORPORATION: NORTH CREEK HOMEOWNERS ASSOCIATION, INC.

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**ARTICLES OF SECOND AMENDMENT TO THE  
ARTICLES OF INCORPORATION  
OF  
NORTH CREEK HOMEOWNERS  
ASSOCIATION, INC.**

**Document Number N01000008063**

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DIVISION OF CORPORATIONS  
10 NOV 18 AM 7:58

Pursuant to the provisions of Section 607.1006, Florida Statutes, this Florida not for profit corporation adopts the following Articles of Second Amendment to its articles of incorporation.

The Articles of Incorporation of North Creek Homeowners Association, Inc. were previously amended on August 23, 2007 to provide:

**VI. VOTING AND ASSESSMENTS.**

A. The Association shall have two classes of voting membership as follows:

1. Class A Membership. The Class A Members shall be all Owners, with the exception of the Developer, and shall be entitled to one (1) vote for each Lot owned

2. Class B Membership. The Class B Membership shall be the Developer who shall be entitled to three (3) votes for each Lot owned. The Class B Membership shall cease and be converted to Class A Membership on the happening of either of the following events, whichever occurs earlier:

- (i) When the total votes outstanding in the Class A Membership equals the total votes in the Class B Membership;
- (ii) On December 31, 2010;
- (iii) Three (3) months after ninety percent (90%) of the Lots have been conveyed to members of the Association other than the Developer; or
- (iv) Such earlier date as the Developer may choose to terminate the Class B Membership upon notice to the Association.

B. When one or more persons or entities holds an interest or interests in any Lot or other portion of the Property, all such persons shall be Members, and the vote(s) for such portions of the Property shall be exercised as they among themselves shall

determine. The votes for any Lot, or other portion of the Property, cannot be divided for any issue and must be voted as a whole, except where otherwise required under the provisions of these Articles, the Declaration, or by law. The affirmative vote of the majority of the votes allocated to the Members cast at any meeting of the Members duly called at which a quorum is present, or cast by written ballot by a quorum of the membership, shall be binding upon the Members and the Association.

C. The Association will obtain funds with which to operate by assessment of its Members in accordance with the provisions of the Declaration, as supplemented by the provisions of the Articles and By-Laws of the Association relating thereto.

**Be it resolved:** That Article VI-VOTING AND ASSESSMENTS be amended to read as follows:

#### VI. VOTING AND ASSESSMENTS.

A. The Association shall have two classes of voting membership as follows:

1. Class A Membership. The Class A Members shall be all Owners, with the exception of the Developer, and shall be entitled to one (1) vote for each Lot owned

2. Class B Membership. The Class B Membership shall be the Developer who shall be entitled to three (3) votes for each Lot owned. The Class B Membership shall cease and be converted to Class A Membership on the happening of either of the following events, whichever occurs earlier:

- (i) Three (3) months after ninety percent (90%) of the Lots have been conveyed to members of the Association other than the Developer; or
- (ii) Such earlier date as the Developer may choose to terminate the Class B Membership upon notice to the Association.

B. When one or more persons or entities holds an interest or interests in any Lot or other portion of the Property, all such persons shall be Members, and the vote(s) for such portions of the Property shall be exercised as they among themselves shall determine. The votes for any Lot, or other portion of the Property, cannot be divided for any issue and must be voted as a whole, except where otherwise required under the provisions of these Articles, the Declaration, or by law. The affirmative vote of the majority of the votes allocated to the Members cast at any meeting of the Members duly called at which a quorum is present, or cast by written ballot by a quorum of the membership, shall be binding upon the Members and the Association.

C. The Association will obtain funds with which to operate by assessment of its Members in accordance with the provisions of the Declaration, as supplemented by the provisions of the Articles and By-Laws of the Association relating thereto.

The date of the amendment's adoption: September 30, 2010

There are no members or members entitled to vote on the amendments. The amendments were adopted by the Board of Directors.

Signed this 30<sup>th</sup> day of September, 2010.

North Creek Homeowners Association, Inc  
By: [Signature]  
Director