N02000000352

(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:

Please one document

Office Use Only

500431394555

06/13/24--01029--015 **35.00

FILED
2024 JUL 24 PM 3:46

COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: Lake Barrington Condominium Association, Inc.

DOCUMENT NUMBER: N02000000352

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

Please return all correspondence concerning this matter to the following:

Todd B. Allen, Esq.
(Name of Contact Person)

Lindsay & Allen, PLLC
(Firm/ Company)

5692 Strand Court, Suite 1
(Address)

Naples, FL 34100
(City/ State and Zip Code)

todd@naples.law
E-mail address: (to be used for future annual report notification)

For further information concerning this matter, please call:

Todd B. Allen at (239) 593-7900
(Name of Contact Person) (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)
- ☐ $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
The Centre of Tallahassee
2415 N. Monroe Street, Suite 810
Tallahassee, FL 32303

Prepared by and return to:
Todd B. Allen, Esquire
Lindsay & Allen, PLLC
5692 Strand Court, Suite 1
Naples, FL 34110

FILED
2024 JUL 24 PM 3:46

CERTIFICATE OF AMENDMENT TO THE AMENDED AND RESTATED ARTICLES OF INCORPORATION FOR LAKE BARRINGTON CONDOMINIUM ASSOCIATION, INC.

I HEREBY CERTIFY that the following amendments to the Amended and Restated Articles of Incorporation ("Articles") for LAKE BARRINGTON CONDOMINIUM ASSOCIATION, INC., were duly adopted by the Association membership at a duly noticed Members' Meeting of the Association on the **19th day of February 2024.** Said amendment was approved by a proper percentage of voting interests of the Association. The Notice of Merger for Lake Barrington Condominium Association, Inc. is recorded as O.R. Book 4662, Page 1544. Lake Barrington Condominium Association, Inc. was formerly known as Lake Barrington 4B Condominium Association, Inc. and Lake Barrington 4C Condominium Association, Inc., as more particularly described in the Amended and Restated Declaration of Condominium of Lake Barrington 4B, a Condominium, recorded at O.R. 4332, Page 1681, of the Public Records of Collier County, Florida; and it merged with Lake Barrington 4A Condominium Association, Inc. as more particularly described in the Declaration of Condominium of Lake Barrington 4A, a Condominium, recorded at O.R. 2755, Page 1677, of the Public Records of Collier County, Florida.

Additions indicated by underlining.
Deletions indicated by ~~striking through~~.

Article VII of the Amended and Restated Articles of Incorporation is amended as follows:

ARTICLE VII - BOARD OF DIRECTORS

Section 1. All of the affairs, policies, regulations and property of the Association shall be controlled and governed by the Board of Directors of the Association consisting of ~~either three (3) or~~ five (5) ~~voting~~ Members, ~~who are to be elected annually by the voting members.~~ each of whom shall be elected by the Associations' Members to serve for a term of two (2) years, subject to the following terms and conditions. The directors shall be divided into two (2) classes and shall be elected as follows:

(a) The first class of directors shall consist of the three (3) candidates who receive the most votes cast at the 2024 annual meeting of the Association's Members ("Class 1"), the initial term of which shall expire at the 2026 annual meeting of the Association's Members.

(b) The second class of directors shall consist of the two (2) candidates who receive the least votes of the top five (5) votes cast at the 2024 annual meeting of the Association's Members ("Class 2"), the initial term of which shall expire at the 2025 annual meeting of the Association's Members.

(c) Ties shall be determined by the tied candidates drawing lots to determine the winner, and the loser shall drop down one (1) place in the tally of all votes cast.

(d) After 2024, Class 1 directors shall be elected to two (2) year terms at the Association's Members' annual meeting in 2026 and in every even numbered year thereafter, and Class 2 directors shall be elected to two (2) year terms at the Association's Members meeting in 2025 and in every odd numbered year thereafter.

(e) A director shall hold office until his or her successor has been elected and qualified or as otherwise provided herein.

~~The Board, by a resolution of a majority of its members, shall determine from time to time if it shall consist of 3 or 5 members. Notwithstanding the foregoing, the Board of Directors from the date of the Articles of Merger of Lake Barrington Condominium Association, Inc., and Lake Barrington 4A Condominium Association, Inc. through the date of the next annual meeting of members shall consist of ten (10) members who shall be the same members who are serving as the Board of Directors on Lake Barrington Condominium Association, Inc., and Lake Barrington 4A Condominium Association, Inc.~~

~~Section 2. Election of Directors shall be held at the annual members meeting, except as otherwise provided herein to the contrary. At the expiration of the term of each initial director, his or her successor shall be elected by the members of the Association to serve for a term of one year two (2) years, subject to Section 7 below. A director shall hold office until his or her successor has been duly elected and qualified.~~

~~Section 3.~~ Section 2. ~~The election~~ Elections of directors shall be by written ballot or voting machine and by a plurality of the votes cast, each person voting being entitled to cast his or her votes for each of as many nominees as there are vacancies to be filled. There shall be no cumulative voting. Notwithstanding the foregoing, the Association may, by the affirmative vote of a majority of the total voting interests, provide for different voting and election procedures. The different voting and election procedures may provide for elections to be conducted by limited or general proxy.

[*The content of the remainder of Article VII remains unchanged, but Sections are renumbered because Section 2 was incorporated into Section 1; so, Section 3 becomes Section 2, Section 4 becomes Section 3, etc. ***]**

****

Article X of the Amended and Restated Articles of Incorporation is amended as follows:

ARTICLE X – AMENDMENTS TO THESE ARTICLES

Section 1. Amendments to these Articles of Incorporation ~~shall be proposed by a resolution adopted by a two thirds (2/3) vote of the Board of Directors. The resolution shall then be presented to the membership of the Association. A majority vote of the voting interests cast at a duly called meeting shall be necessary to amend the Articles of Incorporation.~~ may be proposed by two-thirds (2/3) of the Board of Directors. Except as otherwise provided by Florida law, a proposed amendment shall be adopted if it is approved by at least a majority of the voting interests who are present and voting, in person or by proxy, at any annual or special meeting called for the purpose. Amendments may also be approved by written consent of a majority of the total voting interests.

LAKE BARRINGTON
CONDOMINIUM ASSOCIATION, INC.
a Florida not-for-profit corporation

Witness

By: _____
Bill Rozich, its President

Charles Taylor
Printed Name of Witness

Date: 2/29/24

Kathryn Deal
Witness

KATHRYN DEAL
Printed Name of Witness

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was sworn and subscribed to before me by means of [✓] physical presence or [_] online notarization, this 29th day of February 2024 by Bill Rozich, President of Lake Barrington Condominium Association, Inc., who [✓] is personally known or [_] has produced a driver's license as identification.

[Seal]

NOTARY PUBLIC
Expires 8/22/2027
Bryan Warner
My Commission HH 436508
STATE OF FLORIDA

_____
Signature of Notary Public

_____
Print Name:

My Commission Expires: _____

LINDSAY ALLEN
PROFESSIONAL COUNSEL

July 16, 2024

VIA U.S. CERTIFIED MAIL
ATTN: Anissa Butler, Regulatory Specialist II
Florida Department of State, Division of Corporations
P. O. Box 6327
Tallahassee, FL 32314

RE: Lake Barrington Condominium Association, Inc. | N02000000352
Letter No. 724A00014834

Dear Ms. Anissa Butler,

Enclosed please find a copy of your letter, the Cover Letter, and only the Amended and Restated Article of Incorporation for Lake Barrington Condominium Association, Inc. We have removed the standard amendment form.

If you have any questions, please contact my office at 239 593-7900.

Respectfully,

LINDSAY & ALLEN, PLLC

Maritrini Crampton, Esq.

Enclosures as Stated.

5692 STRAND CT • SUITE 1 • NAPLES, FL 34110 • OFFICE: 239.593.7900 • FAX: 239.593.7909
WWW.LINDSAYALLENLAW.COM

FLORIDA DEPARTMENT OF STATE
Division of Corporations

July 10, 2024

Todd B. Allen, ESQ.
5692 STRAND COURT
SUITE 1
NAPLES, FL 34100

SUBJECT: LAKE BARRINGTON CONDOMINIUM ASSOCIATION, INC.
Ref. Number: N02000000352

We have received your document for LAKE BARRINGTON CONDOMINIUM ASSOCIATION, INC. and your check(s) totaling $35.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

Please chooose only one document.

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) 245-6050.

Anissa Butler
Regulatory Specialist II

Letter Number: 724A00014834