

Anwend/CC
@ 7/30/12



Bank of America Centre
625 N. Flagler Drive, 7th Floor
West Palm Beach, Florida 33401
Phone: (561) 655-5444 Fax: (561) 832-8987

ADMINISTRATIVE OFFICE
3111 STIRLING ROAD
FORT LAUDERDALE, FL 33312
954.987.7550

WWW.BECKER-POLIAKOFF.COM
BP@BECKER-POLIAKOFF.COM

July 24, 2012

Reply To:
Direct Dial: (561) 820-2872
BRothenberg@becker-poliakoff.com

AMENDMENT SECTION
DIVISION OF CORPORATIONS
Florida Department of State
Attn: Irene Albritton
P.O. Box 6327
Tallahassee, FL 32314

RE: **Equus Property Owners Association, Inc.**
Resubmission of Filing Amendment to Articles of Incorporation
Ref: N02000007012

FLORIDA OFFICES
FORT MYERS
FORT WALTON BEACH
HOLLYWOOD
HOMESTEAD
KEY WEST*
MELBOURNE*
MIAMI
MIRAMAR
NAPLES
ORLANDO
PORT ST. LUCIE
SARASOTA
TALLAHASSEE
TAMPA BAY
WEST PALM BEACH

Dear Ms. Albritton:

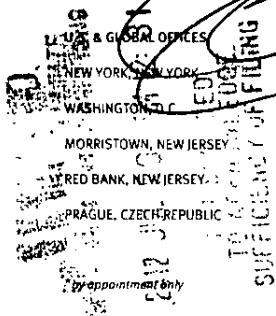
Enclosed please find a Certificate of Amendment to the Articles of Incorporation, which provides the additional information you need to record the Amendment to the Articles of Incorporation. Also enclosed is the entire original filing, consisting of: the amendment, the original cover letter, a self addressed stamped envelope and a copy of such amendment to stamp and return to me in the self addressed stamped envelope. Pursuant to your instructions, a copy of your letter is also enclosed.

I trust the enclosed documentation and information is sufficient to record the amendment and thank you for your attention to this matter.

Sincerely,

Bradley Foster Rothenberg
For the Firm

BFR/ykg
Enclosures (as stated)





FLORIDA DEPARTMENT OF STATE
Division of Corporations

July 17, 2012

BECKER & POLIAKOFF
% BRADLEY FOSTER ROTHENBERG
625 N. FLAGLER DR, 7TH FLOOR
WEST PALM BEACH, FL 33401

SUBJECT: EQUUS PROPERTY OWNERS ASSOCIATION, INC.
Ref. Number: N02000007012

We have received your document for EQUUS PROPERTY OWNERS 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):

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) 245-6050.

Irene Albritton
Regulatory Specialist II

Letter Number: 312A00018986

CFN 20120268746
OR BK 25316 PG 0986
RECORDED 07/10/2012 15:50:14
Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 0986 - 994; (9pgs)

This instrument was prepared by:
Bradley Foster Rothenberg, Esq.
Becker & Poliakoff, P.A.
625 N. Flagler Drive - 7th Floor
West Palm Beach, Florida 33401
WC #112

**CERTIFICATE OF AMENDMENT TO THE
ARTICLES OF INCORPORATION
EQUUS PROPERTY OWNERS ASSOCIATION, INC.**

WE HEREBY CERTIFY THAT the attached amendment to the Articles of Incorporation of Equus Property Owners Association, Inc, an Exhibit to the Declaration of Restrictions and Protective Covenants for Equus, as recorded in the Official Records Book 14621 at Page 1087 of the Public Records of Palm Beach County, Florida, encumbering the real property described on Exhibit A attached hereto and incorporated herein by reference, was duly adopted in the manner provided in the governing documents at a Special Meeting of Members held on June 21, 2012.

IN WITNESS WHEREOF, we have affixed our hands this 2nd day of July, 2012, in Boynton Beach, Florida.

WITNESSES:

Scott Celce
Print Name: Scott Celce

Anthony E. Cimaglia
Print Name: Anthony E. Cimaglia

EQUUS PROPERTY OWNERS ASSOCIATION, INC.

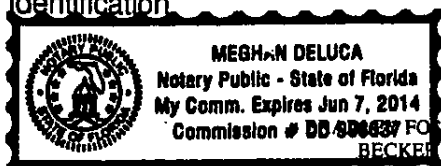
By: Arnold Dreyfuss
Arnold Dreyfuss, President
8882 Equus Circle
Boynton Beach, FL 33472

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me this 2nd day of July 2012, by Arnold Dreyfuss, as President of Equus Property Owners Association, Inc., a Florida not-for-profit corporation.

Personally Known ☒
Produced Identification ☐

Type of Identification



NOTARY PUBLIC, STATE OF FLORIDA

Meghan Deluca
Print Name: Meghan Deluca
My Commission Expires: 06/07/2014

BRADLEY FOSTER ROTHENBERG, ESQ.
BECKER & POLIAKOFF, P.A.
BANK OF AMERICA CENTRE • 625 N FLAGLER DRIVE, 7TH FLOOR • WEST PALM BEACH, FL 33401
TELEPHONE (561) 655-5444

**AMENDMENT TO THE ARTICLES OF INCORPORATION
OF
EQUUS PROPERTY OWNERS ASSOCIATION, INC.**

1. Article VIII of the Articles of Incorporation is amended to read as follows:

~~The Board of Directors of the Corporation shall be comprised of at least three (3) directors. The initial members of the Board of Directors and the street address is:~~

Stanley Schultz 7287 W. Atlantic Avenue
Delray Beach, Florida 33484

Alan M. Levine 7187 W. Atlantic Avenue
Delray Beach, FL 33484

Richard Siemens The Sanctuary Centre
4800 N. Federal Highway, Suite 306D
Boca Raton, Florida 33431

RECEIVED
DIVISION OF CORPORATIONS
12 JUL 30 PM 4:17

~~As long as Developer shall have the right to appoint the entire Board of Directors of the Association or Equus Properties has the right to appoint all but one of the members of the Board of Directors of the Association, Directors need not be Members of the Association and need not be residents of the State of Florida. All Directors appointed by Equus Properties shall serve at the pleasure of Equus Properties, and may be removed from office, and a successor Director may be appointed at any time by Equus Properties. All Directors appointed by the Developer shall serve at the pleasure of the Developer, and may be removed from office, and a successor Director may be appointed at any time by the Developer. At the first annual election to the Board of Directors where Directors are elected by the Members other than the Developer or Equus Properties, the Director receiving the highest plurality of votes shall be elected for a term of two (2) years expiring at the second annual election following their election, with the other Directors who are elected serving for a term of one (1) year expiring at the election of new directors at the next annual meeting. Elections shall be by plurality votes. Each year thereafter, as many Directors shall be elected and appointed, as the case may be, as there are regular terms of office of~~

~~Directors expiring at such time, and the term of the Director so elected or appointed at each annual election shall be for two (2) years expiring at the second annual election following their election, and thereafter until their successors are duly elected and qualified, or until removed from office with or without cause by the affirmative vote of a majority of the Members which elected or appointed them.~~

Subsequent to the turnover election of directors, but prior to the first annual meeting of the Association at which directors are elected by the members of the Association, the Board of Directors will be expanded from three (3) directors to five (5) directors. A general election will be held to fill the two (2) vacancies created by this expansion. The term of each director elected to fill these vacancies, extends only until the first annual meeting of the members at which directors are elected by the members and subsequently until a successor is duly elected and has taken office, or until the director is removed in the manner elsewhere provided.

Commencing with the election conducted at the 2012 annual meeting of the members, from the five (5) directors to be elected, the three (3) candidates receiving the highest number of votes will be elected for a two (2) year term and the two (2) candidates receiving the next highest number of votes will be elected for a one (1) year term. At the 2013 annual meeting of the members and at all elections thereafter, all directors will be elected for two (2) year terms, with three (3) directors elected in even numbered years and two (2) directors elected in odd numbered years. The term of each director's service extends until the annual meeting of the members at which such director's term expires and subsequently until a successor is duly elected and has taken office, or until the director is removed in the manner elsewhere provided.

NOTE: NEW WORDS INSERTED IN THE TEXT ARE UNDERLINED AND WORDS DELETED ARE LINED THROUGH WITH HYPHENS.

EXHIBIT "A"
Legal Description

This is not a certified copy

A portion of Blocks 45 and 51, TOGETHER WITH portions of the road, dyke and ditch reservations, (hereinafter referred to as right-of-way) lying in and bordering Blocks 45 and 51, PALM BEACH FARMS PLAT NO. 3, according to the Plat thereof, as recorded in Plat Book 2, Pages 45 through 54, inclusive, of the Public Records of Palm Beach County, Florida, described as follows:

Tracts 62, 63, 92, 93, 94, 95 and 110 through 125, inclusive, of said Block 45; TOGETHER WITH Tracts 1 through 30, inclusive, of said Block 51;

TOGETHER WITH the following rights-of-way;

The South Half (S-1/2) of the 30 foot Platted Right-of-Way as shown on THE PALM BEACH FARMS COMPANY PLAT NO. 3, as recorded in Plat Book 2, Pages 45 to 54 inclusive, Public Records of Palm Beach County, Florida, lying north of and adjacent to Tracts 62 and 63, Block 45 according to the said plat of THE PALM BEACH FARMS COMPANY PLAT NO. 3, bounded on the east by the West Right-of-Way line of LYONS ROAD, as now laid out and in use;

And ALSO

ALL of the 50 foot platted Right-of-Way lying north of Tracts 1 to 15 inclusive, Block 51, according to the said plat of THE PALM BEACH FARMS COMPANY PLAT NO. 3;

And ALSO

The North Half (N-1/2) of the 30 foot platted Right-of-Way lying south of Tracts 16 to 30, Block 51, according to the said plat of THE PALM BEACH FARMS COMPANY PLAT NO. 3, bounded on the West by the West line of the East Half (E-1/2) of the 25 ft. platted Right-of-Way lying west of and adjacent to Tract 16 of said Block 51 and bounded on the East by the West right-of-way line of LYONS ROAD, as now laid out and in use.

And ALSO

The East Half (E-1/2) of the 25 ft. Right-of-Way lying west of and adjacent to the West line of Tract 110, Block 45, according to the said plat of THE PALM BEACH FARMS COMPANY PLAT NO. 3, and The East Half (E-1/2) of the 25 ft. Right-of-Way lying west of and adjacent to the West line of Tracts 15 and 16, Block 51, according to the said plat of THE PALM BEACH FARMS COMPANY PLAT NO. 3, and its northerly and southerly extension over the 50 foot Right-of-Way lying north of Tract 15, of said Block 51.

And ALSO

ALL of that certain 30 ft. Right-of-Way lying between Tracts 92, 93, 94 and 95, Block 45, according to the said plat of THE PALM BEACH FARMS COMPANY PLAT NO. 3;

And ALSO

ALL of that certain 30 ft. Road Right-of-Way lying between Tracts 117 and 118, Block 45, according to the said plat of THE PALM BEACH FARMS COMPANY PLAT NO. 3;

And ALSO

ALL of that certain 30 ft. Road Right-of-Way lying between Tracts 8, 9, 22 and 23, Block 51, according to the said plat of THE PALM BEACH FARMS COMPANY PLAT NO. 3;

And ALSO

ALL of that certain Road Right-of-Way lying between the Southeast corner of Tract 117, the Southwest corner of Tract 118, Block 45 and the Northwest corner of Tract 8, and the Northeast corner of Tract 9, Block 51, according to the said plat of THE PALM BEACH FARMS COMPANY PLAT NO. 3;

And ALSO

The North 15 ft. of that certain 30 ft. Road Right-of-Way lying between the Southerly extension of the East line of Tract 22, and the Southerly extension of the West line of Tract 23, Block 51, according to the said plat of THE PALM BEACH FARMS COMPANY PLAT NO. 3;

Also LESS AND EXCEPT THEREFROM

That certain right-of-way for Lyons Road as described in Official Records Book 6685, Pages 795 through 797, inclusive, of the Public Records of Palm Beach County, Florida, and extended North to the North boundary of the South 1/2 (one-half) of the 30 foot right-of-way lying North of Tracts 62 and 63, of said Block 45, said Lyons Road right-of-way also extended South to the South boundary of the North 1/2 (one-half) of the 30 foot right-of-way lying South of Tracts 16 through 30, inclusive, of said Block 51; said Lyons Road as shown on Road Plat Book 6, Pages 121 and 122.

ALSO LESS AND EXCEPT THEREFROM the following parcels for additional right-of-way for Lyons Road

A parcel of land lying in a portion of Section 19, Township 45 South, Range 42 East, Palm Beach County, Florida, said land being a portion of Tract 1, Block 51 of the PALM BEACH FARMS COMPANY PLAT NO. 3 as recorded in Plat Book 2, Pages 45 - 54, of the Public Records of Palm Beach County, Florida, said land being more particularly described as follows:

COMMENCING at the intersection of the centerline of Boynton Beach Boulevard and the baseline of survey of Lyons Road as recorded in Road Book 6, Pages 121 and 122 of the Public Records of Palm Beach County, Florida;

THENCE with a bearing of N. 00° 39' 00" W., along the baseline of survey of said Lyons Road, a distance of 4,930.06 feet to a point;

THENCE with a bearing of S. 89° 21' 00" W., a distance of 46.98 feet to the POINT OF BEGINNING;

THENCE with a curve concave to the West, having an initial tangent bearing of N. 05° 45' 00" E., a radius of 3527.00 feet, a central angle of 05° 24' 00", an arc length of 393.97 feet to a point;

THENCE with a bearing of S. 00° 39' 00" E., along the existing West right-of-way line of said Lyons Road, a distance of 40.04 feet to a point of curvature;

THENCE with a curve to the right, having a radius of 2810.79 feet, a central angle of 06° 24' 00", along the existing West right-of-way line of said Lyons Road, an arc length of 313.97 feet to a point of tangency;

THENCE with a bearing of S. 05° 45' 00" W., along the existing West right-of-way line of Lyons Road, a distance of 40.04 feet, more or less, to the POINT OF BEGINNING.

AND

A parcel of land lying in a portion of Section 19, Township 45 South, Range 42 East, Palm Beach County, Florida, said land being a portion of Tracts 62 and 93, Block 45 of the PALM BEACH FARMS COMPANY PLAT NO. 3 as recorded in Plat Book 2, Pages 45 - 54, of the Public Records of Palm Beach County, Florida, said land being more particularly described as follows:

COMMENCING at the intersection of the centerline of Boynton Beach Boulevard and the baseline of survey of Lyons Road as recorded in Road Book 6, Pages 121 and 122 of the Public Records of Palm Beach County, Florida;

THENCE with a bearing of N. 00° 39' 00" W., along the baseline of survey of said Lyons Road, a distance of 7,348.52 feet to a point;

THENCE with a bearing of S. 89° 21' 00" W., a distance of 25.00 feet to the POINT OF BEGINNING;

THENCE with a curve concave to the West, having an initial tangent bearing of N. 00° 39' 00" W., a radius of 5531.00 feet, a central angle of 04° 06' 13", an arc length of 396.14 feet to a point;

THENCE with a bearing of S. 04° 45' 13" E., along the existing West right-of-way line of said Lyons Road, a distance of 97.46 feet to a point of curvature;

THENCE with a curve to the right, having a radius of 2810.79 feet, a central angle of 04° 06' 13", along the existing West right-of-way line of said Lyons Road, an arc length of 201.31 feet to a point of tangency;

THENCE with a bearing of S. 00° 39' 00" E., along the existing West right-of-way line of said Lyons Road, a distance of 97.46 feet, more or less, to the POINT OF BEGINNING.

NOTE: A portion of the foregoing described property, which portion is described on pages 4 and 5 of this Exhibit "A", is also known as the Plat of EQUUS AGR-PUD PHASE ONE, which is recorded in Plat Book 97, Pages 11 through 24 of the Public Records of Palm Beach County, Florida.

THE PROPERTY SHALL NOT INCLUDE THE FOLLOWING DESCRIBED REAL PROPERTY:

All of Tracts, G, J, K, H-1, H-2, H-3 and H-4 of the Plat of EQUUS AGR-PUD PHASE ONE, according to the plat thereof as recorded in Plat Book 97, Pages H through 24 of the Public Records of Palm Beach County, Florida.

This is Not a Certified Copy

A PARCEL OF LAND LYING IN A PART OF SECTIONS 18 AND 19, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL ALSO BEING A PORTION OF BLOCKS 45 AND 51, TOGETHER WITH PORTIONS OF THE ROAD, DYKE AND DITCH RESERVATIONS, LYING IN AND BORDERING BLOCKS 45 AND 51, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEAST CORNER OF TRACT 30, BLOCK 51 OF SAID PALM BEACH FARMS COMPANY PLAT NO. 3;

THENCE WITH A BEARING OF S 89° 21' 25" W, ALONG THE SOUTH LINE OF SAID TRACT 30, BLOCK 51, FOR A DISTANCE OF 58.00 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE WESTERLY RIGHT-OF-WAY LINE OF LYONS ROAD;

THENCE WITH A BEARING OF S 00° 39' 00" E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LYONS ROAD, FOR A DISTANCE OF 15.00 FEET TO A POINT;

THENCE WITH A BEARING OF S 89° 21' 25" W, ALONG A LINE LYING 15.00 FEET SOUTH OF AND PARALLEL TO THE SOUTH LINE OF TRACTS 25 THROUGH 30, BLOCK 51 OF SAID PALM BEACH FARMS COMPANY PLAT NO. 3, FOR A DISTANCE OF 1630.09 FEET TO A POINT;

THENCE WITH A BEARING OF N 02° 24' 00" W, FOR A DISTANCE OF 364.77 FEET TO A POINT;

THENCE WITH A BEARING OF S 87° 36' 00" W, FOR A DISTANCE OF 74.83 FEET TO A POINT;

THENCE WITH A BEARING OF N 02° 24' 00" W, FOR A DISTANCE OF 50.00 FEET TO A POINT;

THENCE WITH A BEARING OF N 87° 36' 00" E, FOR A DISTANCE OF 76.09 FEET TO A POINT;

THENCE WITH A BEARING OF N 02° 24' 00" W, FOR A DISTANCE OF 267.00 FEET TO A POINT;

THENCE WITH A BEARING OF S 87° 36' 00" W, FOR A DISTANCE OF 13.83 FEET TO A POINT;

THENCE WITH A CURVE CONCAVE TO THE EASTERLY, HAVING AN INITIAL TANGENT BEARING OF N 08° 01' 38" W, A RADIUS OF 1762.39 FEET, A CENTRAL ANGLE OF 17° 34' 29", FOR AN ARC DISTANCE OF 546.73 FEET TO A POINT OF TANGENCY;

THENCE WITH A BEARING OF N 09° 32' 51" E, FOR A DISTANCE OF 104.35 FEET TO A POINT;

THENCE WITH A BEARING OF S 85° 21' 44" E, FOR A DISTANCE OF 5.50 FEET TO A POINT;

THENCE WITH A BEARING OF N 04° 38' 16" E, FOR A DISTANCE OF 267.00 FEET TO A POINT;

THENCE WITH A BEARING OF N 85° 21' 44" W, FOR A DISTANCE OF 115.17 FEET TO A POINT;

THENCE WITH A BEARING OF N 04° 38' 16" E, FOR A DISTANCE OF 442.95 FEET TO A POINT LYING ON THE NORTH LINE OF TRACT 120, BLOCK 45 OF SAID PALM BEACH

J6-100-8500 11-13-02
EQUUS PHASE ONE KURUBA

LEGAL DESCRIPTION BOOK 14621 PAGE 1136
(Continued)
EQUUS AGR-PUD PHASE ONE

FARMS COMPANY PLAT NO. 3;

THENCE WITH A BEARING OF N 89° 21' 25" E, ALONG THE NORTH LINE OF TRACTS 120 THROUGH 123, BLOCK 45 OF SAID PALM BEACH FARMS COMPANY PLAT NO. 3, FOR A DISTANCE OF 1076.24 FEET TO THE SOUTHWEST CORNER OF TRACT 95, BLOCK 45 OF SAID PALM BEACH FARMS COMPANY PLAT NO. 3;

THENCE WITH A BEARING OF N 00° 38' 14" W, ALONG THE WEST LINE OF TRACTS 63, 92 AND 95, BLOCK 45 OF SAID PALM BEACH FARMS COMPANY PLAT NO. 3, FOR A DISTANCE OF 2026.06 FEET TO A POINT;

THENCE WITH A BEARING OF N 89° 21' 18" E, ALONG A LINE LYING 15.00 FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF TRACTS 62 AND 63, BLOCK 45 OF SAID PALM BEACH FARMS COMPANY PLAT NO. 3, FOR A DISTANCE OF 629.92 FEET TO A POINT LYING ON THE WESTERLY RIGHT-OF-WAY LINE OF LYONS ROAD;

THENCE WITH A BEARING OF S 00° 36' 36" E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LYONS ROAD, FOR A DISTANCE OF 52.58 FEET TO A POINT OF CURVATURE;

THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 2918.79 FEET, A CENTRAL ANGLE OF 04° 08' 38", ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LYONS ROAD, FOR AN ARC DISTANCE OF 211.10 FEET TO A POINT OF TANGENCY;

THENCE WITH A BEARING OF S 04° 45' 13" E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LYONS ROAD, FOR A DISTANCE OF 107.91 FEET TO A POINT OF CURVATURE;

THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 5531.00 FEET, A CENTRAL ANGLE OF 04° 08' 13", ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LYONS ROAD, FOR AN ARC DISTANCE OF 396.14 FEET TO A POINT OF TANGENCY;

THENCE WITH A BEARING OF S 00° 39' 00" E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LYONS ROAD, FOR A DISTANCE OF 2026.31 FEET TO A POINT OF CURVATURE;

THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 3527.00 FEET, A CENTRAL ANGLE OF 06° 24' 00", ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LYONS ROAD, FOR AN ARC DISTANCE OF 385.97 FEET TO A POINT OF TANGENCY;

THENCE WITH A BEARING OF S 05° 46' 00" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LYONS ROAD, FOR A DISTANCE OF 159.96 FEET TO A POINT OF CURVATURE;

THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 2918.79 FEET, A CENTRAL ANGLE OF 06° 24' 00", ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LYONS ROAD, FOR AN ARC DISTANCE OF 326.03 FEET TO A POINT OF TANGENCY;

THENCE WITH A BEARING OF S 00° 39' 00" E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF LYONS ROAD, FOR A DISTANCE OF 385.53 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

CONTAINING 4,788,729 SQUARE FEET (109.934 ACRES), MORE OR LESS, AND SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.