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James Robert Caves, III, Esq. Board Certified Specialist, Condominium and Planned Development Law Phone: (239) 433-7707 Fax: (239) 433-5933 jcaves@beckerlawyers.com Becker

Becker & Poliakoff Six Mile Corporate Park 12140 Carissa Commerce Court, Suite 200 Fort Myers, Florida 33966

Northern Trust Building 4001 Tamiami Trail North, Suite 270 Naples, Florida 34103

July 15, 2019

Florida Department of State Division of Corporations Corporate Filings Post Office Box 6327 Tallahassee, FL 32314

Re: Oak Hammock at the Brooks Condominium Association, Inc. (Document No. N03000002509)

To Whom It May Concern:

Enclosed please find Articles of Amendment to Articles of Incorporation for the above-referenced corporation along with check number 51 in the amount of \$35.00 to cover the cost of filing.

Please return a copy of the filed document to my attention. An extra copy of the document is enclosed herewith for your use.

Thank you for your attention to this matter.

Very truly yours,

James Robert Caves, III, Esquire

For the Firm

JRC/sdi Enclosures (as stated) ACTIVE: 12551714\_1

## ARTICLES OF AMENDMENT TO ARTICLES OF INCORPORATION

Pursuant to the provision of Chapter 617, Florida Statutes, the undersigned corporation adopts the following Articles of Amendment to its Articles of Incorporation.

FIRST: The name of the corporation is Oak Hammock at the Brooks Condominium Association, Inc.

SECOND: The attached amendment to the Articles of Incorporation was adopted by the membership.

THIRD: The attached amendment to the Articles of Incorporation was adopted by the required vote of the members on the 28th day of January 2019, which was lawfully adjourned to the 26th day of March 2019.

FOURTH: The number of votes cast were sufficient to

. Colerin, the number of votes cast	were sufficient for approval.	
WITNESSES: (TWO)	OAK HAMMOCK AT THE BROOKS CONDOMINIUM ASSOCIATION, INC.	
Signature  RONACD CU. ADASKA  Printed Name  Signature  Printed Name  STATE OF TO SS:  COUNTY OF	BY: Wayne Adaska, President  Date: 6/25/19  (CORPORATE SEAL)	
The foregoing instrument was ackno 2019, by Wayne Adaska as President of Oak a Florida Corporation, on behalf of the corpo of identification)	wledged before me this	

Page I of 3

Additions indicated by <u>underlining.</u>
Deletions indicated by striking through.

Amendment:

Article XIII, Articles of Incorporation

## ARTICLE XIII AMENDMENTS

A. Prior to the recording of the Declaration amongst the Public Records, these Articles may be amended by an instrument in-writing-signed-by the President (or a Vice President) and the Secretary (or an Assistant Secretary) and filed in the Office of the Secretary of State of the State of Florida. The instrument amending these Articles shall identify the particular Article or Articles being amended, give the exact language of such amendment and give the date of adoption of the amendment by the Board. A certified copy of each such amendment shall always be attached to any certified copy of these Articles or a certified copy of the Articles as restated to include such Amendments and shall be an exhibit to each Declaration upon the recording of each Declaration. This Article XIII is intended to comply with Chapter 617, Florida Statutes.

B. After the recording of the Declarations amongst the Public Records, these Articles may be amended in the following manner:

- 1. The Board, as a whole, shall adopt a resolution setting forth the proposed amendment and directing that it be submitted to a vote at a meeting of Members, which may be either the Annual Members' Meeting or a special meeting. Any number of amendments may be submitted to the Members and voted upon by them at one meeting;
- 2. Written notice setting forth the proposed amendment or a summary of the changes to be effected thereby shall be given to each Member of record entitled to vote within the time and in the manner provided in the Bylaws for the giving of notice of Meetings of Members ("Required Notice");
- 3. At such meeting a vote of the Members shall be taken on the proposed amendments. The proposed amendment shall be adopted upon receiving the affirmative vote of a majority of the votes of all Members entitled to vote thereon not less than not less than two-thirds (2/3) of the Members present (in person or by proxy) and voting at a duly noticed meeting at which a quorum has been attained; or
- 4. An amendment may be adopted by a written statement signed by all Directors and written consent of Members representing the Voting Interests sufficient to pass the amendment if the vote were to be taken at a meeting where all Members are present and setting forth their intention that an amendment to the Articles be adopted. Where an amendment is passed by written consent in lieu of meeting, those Members not submitting written consent shall be notified in writing of the passage thereof.
- $\subseteq \underline{B}$ . No amendment may be made to the Articles which shall in any manner reduce, amend, affect or modify the terms, conditions, provisions, rights and obligations set forth in the Declaration.

D C. A copy of each amendment shall be certified by the Secretary of State of the State of Florida and, after the recordation of the Declaration, recorded amongst the Public Records as an amendment to the Declaration An amendment when adopted shall become effective after being recorded in the Lee County Public Records according to law and filed with the Secretary of State according to law.

ED. Notwithstanding the foregoing provisions of this Article XIII, there shall be no amendment to these Articles which shall abridge, amend or alter the rights of Developer, including the right to designate and select the Directors as provided in Article IX hereof, without the prior written consent thereto by Developer nor shall there be any amendment to these Articles which shall abridge, alter or modify the rights of the holder, guarantor or insurer of a first mortgage on any Home or of any "Institutional Mortgagee" (as defined, in each Declaration) without its prior written consent.

ACTIVE: 12226180\_I