

N03230

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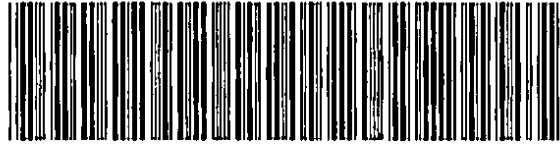
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COVER LETTER

Division of Corporations

NAME OF CORPORATION: Burnt Store Meadows Property Owners Association, Inc.

DOCUMENT NUMBER: N03230

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

Please return all correspondence concerning this matter to the following:

Ernest W. Sturges, Jr., Esq.

Name of Contact Person

Goldman, Tisco & Sturges, P.A.

Firm/ Company

701 JC Center Court, Suite 3

Address

Port Charlotte, Florida 33954

City/ State and Zip Code

esturges@gtslawfirm.com

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

For further information concerning this matter, please call:

Ernest W. Sturges, Jr., Esq.

at (941) 625-6666

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

**CERTIFICATE OF AMENDMENT TO
ARTICLES OF INCORPORATION OF
BURNT STORE MEADOWS PROPERTY OWNERS' ASSOCIATION, INC.**

THIS CERTIFICATE is made to reflect and document an Amended and Restated Articles of Incorporation of BURNT STORE MEADOWS PROPERTY OWNERS' ASSOCIATION, INC. The Articles of Incorporation of BURNT STORE MEADOWS PROPERTY OWNERS' ASSOCIATION, INC., have been recorded in the Public Records of Charlotte County as follows:

<u>Instrument and Date</u>	<u>O.R. Book/Page(s)</u>
a. Certificate of Amendment to Articles of Incorporation Recorded: February 12, 1997	1513/1139 <i>et seq.</i>
b. Certificate of Recordation/Affidavit Burnt Store Meadows Property Owners' Association, Inc., Recorded: December 28, 2000	1850/413 <i>et seq.</i>

The undersigned officers of the Board of Directors of BURNT STORE MEADOWS PROPERTY OWNERS' ASSOCIATION, INC., a Florida not-for-profit corporation, hereby certify as follows:

1. The Articles of Incorporation of BURNT STORE MEADOWS PROPERTY OWNERS' ASSOCIATION, INC., is hereby amended in accordance with **Exhibit "1"** attached hereto and entitled Amended and Restated Articles of Incorporation of Burnt Store Meadows Property Owners' Association, Inc.

2. This Amendment of the Articles of Incorporation of Burnt Store Meadows Property Owners' Association, Inc., was proposed by duly adopted resolution, and approved by a vote of two-thirds (2/3) of the entire voting interest in the Association at a duly noticed meeting held on or about September 21, 2020.

Executed this 8th day of October, 2020 at Punta Gorda, Florida.

BURNT STORE MEADOWS
PROPERTY OWNERS' ASSOCIATION, INC.

By: Jay Gile
Name: JAY GILE
Its: President

09/21/2020

**AMENDED AND RESTATED
ARTICLES OF INCORPORATION
OF
BURNT STORE MEADOWS PROPERTY OWNER'S ASSOCIATION, INC.**

These are the Amended and Restated Articles of Incorporation of Burnt Store Meadows Property Owner's Association, Inc., originally filed with the Florida Department of State 3rd day of May, 1984, under Charter Number N03230. Amendments included have been added pursuant to Chapters 617, Florida Statutes, as amended from time to time.

For historical reference, the street address of the initial principal office and the initial mailing address was 1625 W. Marion Avenue, Punta Gorda, Florida 33950. The names of the original incorporators, and their addresses at the time of incorporation, were Paula F. McQueen, 1625 W. Marion Avenue, Punta Gorda, Florida 33950, Leanne Hadsell, 1625 W. Marion Avenue, Punta Gorda, Florida 33950, and Geoffrey Lorah, 1625 W. Marion Avenue, Punta Gorda, Florida 33950. The street address of the initial registered office was 166 N. Tamiami Drive, Port Charlotte, Florida 33952 and the name of the initial registered agent was Robert C. Sifrit. The address of the current registered office is 26530 Mallard Way, Punta Gorda, Florida 33950. The Board of Directors may, from time to time, change the designation of the principal office, the mailing address of the corporation, the registered office and the registered agent, in the manner provided by law.

ARTICLE 1. NAME

The name of this corporation shall be Burnt Store Meadows Property Owner's Association, Inc. (the "Association").

ARTICLE 2. PURPOSE

PUNTA GORDA ISLES, INC., a Florida Corporation, as developer of Punta Gorda Isles, Section 18, has heretofore filed in the Public Records of Charlotte County, Florida certain restrictions and amendments thereto pertaining to the said subdivision. The Corporation was formed for the purpose of carrying out all the duties and responsibilities imposed upon Burnt Store Meadows Property Owner's Association, Inc. through the Declaration of Restrictions, recorded as follows:

Declaration of Restrictions – Single Family recorded in O. R. Book 358, Page 247; as amended in O. R. Book 552, Page 1417; as amended in O.R. Book 2803, Page 1974 of the Public Records of Charlotte County, Florida; and

Declaration of Restrictions – Multi-Family recorded in O. R. Book 358, Page 239; as amended in O. R. Book 552, Page 1415; as amended in O.R. Book 2620, Page 1851 of the Public Records of Charlotte County, Florida;

and to perform such other and further duties imposed upon it by its membership.

ARTICLE 3. POWERS

The Association shall have the common-law and statutory powers granted to Corporations not-for-profit, and it shall have the power and the authority to carry out the duties and responsibilities of Burnt Store Meadows Property Owner's Association, Inc., as set forth in the Declaration of Restrictions, Single Family, and Declaration of Restrictions, Multi Family, recorded as cited in the foregoing Article 2.

ARTICLE 4. MEMBERS

4.1 Every fee simple owner of a parcel of land including the owner of condominium unit, in Punta Gorda Isles, Section 18, Burnt Store Meadows, Charlotte County, Florida, shall be a member of the Association.

4.2 Voting rights. Punta Gorda Isles, Inc. completed the development of Punta Gorda Isles, Section 18, Burnt Store Meadows, in December, 1980. Each parcel owner shall be entitled to one vote for each parcel. The term parcel shall include lots and condominium units.

4.3 A member who sells his or her lot or parcel in Punta Gorda Isles, Section 18, Burnt Store Meadows, shall cease to be a member of the Association (if he owns no other lots or parcels in Punta Gorda Isles, Burnt Store Meadows), and his membership shall be transferred to the new owner when the Deed or other instrument of conveyance has been recorded in the Public Records of Charlotte County, and a certified copy thereof furnished to the Association. The share of a member in the funds and the assets of the Association cannot be assigned, pledged or transferred in any manner except as an appurtenance to his parcel, and shall be so transferred as a appurtenance to the parcel on the sale or other transfer of the parcel as outlined above.

ARTICLE 5. DIRECTORS

5.1 The affairs of the Association will be managed by a Board consisting of the number of directors determined by the Bylaws, but not less than three (3) directors, and in the absence of such determination, shall consist of three (3) directors. Effective with the election of directors at the annual meeting following the recording of this amendment, directors shall be a member or the spouse of a member of the Association, provided that a member and a non-member spouse may not concurrently serve as directors.

5.2 Directors of the Association shall be elected at the Annual Meeting of the voting members in the manner determined by the Bylaws, and shall continue to serve until their successors have been elected. Directors may be removed for the good cause shown and vacancies on the Board of Directors shall be filled in the manner provided by the Bylaws.

ARTICLE 6. OFFICERS

The affairs of the Association shall be administrated by a President, Vice President, Secretary, and Treasurer, and such other Officers as may be designed by the Bylaws. The Officers shall be elected by the Board of Directors at its first meeting following the annual meeting of the voting members of the Association and shall serve at the pleasure of the Board of Directors.

ARTICLE 7. INDEMNIFICATION

Every director and every officer of the Association shall be indemnified, saved and held harmless by the Association against all expenses and liabilities, including attorney's fees, reasonably incurred by or imposed upon him or her, to which he or she may be a party, or in which he or she may become involved by reason of his or her being or having been a director or officer of the Association, whether or not he or she is a director or officer at the time such expenses are incurred, except when the director or officer is adjudged guilty of willful misfeasance or malfeasance in the performance of his or her duties; provided that in the event of a settlement the indemnification shall apply only when the Board of Directors approves such settlement and reimbursement as being in the best interest of the Association. The foregoing right of indemnification shall be in addition to and not operate to the exclusion of any and all other rights to which the director or officer may be entitled.

ARTICLE 8. BYLAWS

The first Bylaws of the Association were adopted by the Board of Directors and may be altered or amended as provided in the Bylaws.

ARTICLE 9. AMENDMENTS

Amendments to the Articles of Incorporation shall be proposed and adopted in the following manner:

9.1 Written notice of the subject matter of a proposed amendment shall be included in the notice of any meeting at which a proposed amendment is to be considered and such notice shall be delivered to each voting member at least twenty (20) days prior to the meeting.

9.2 A resolution for the adoption of a proposed amendment may be proposed either by the Board of Directors or by the voting members of the Association. Directors and voting members not present in person or by proxy at the meeting considering the amendment may express their approval or opposition in writing, provided written notice of such approval or opposition is delivered to the Secretary at or prior to the meeting. Resolutions proposing adoption of amendments must be adopted by not less than two-thirds (2/3) of the votes of the voting members present in person or by proxy at the meeting at which such resolution is considered.

9.3 No amendment shall make any changes in the qualifications for membership nor the voting rights of members without approval in writing by all members. No amendment shall be made that is in conflict with the law or the Declarations of Restrictions of Punta Gorda Isles, Section 18, Burnt Store Meadows as amended from time to time.

9.4 A copy of each amendment shall be filed with the Secretary of State and shall be recorded in the Public Records of Charlotte County, Florida.

ARTICLE 10. TERM

The term of the Association shall be perpetual.