

N040000002380

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP

☐ WAIT

☐ MAIL

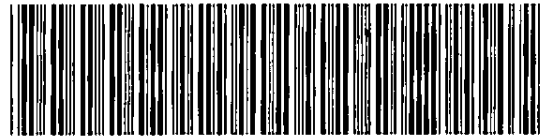
(Business Entity Name)

(Document Number)

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000410163530

Amend

2023 JUL -5 AM 9:41
CLERK OF COURT
STATE OF FLORIDA

FILED

2023 JUN 22 PM 2:34
CLERK OF COURT
TALLAHASSEE, FLORIDA

RECEIVED

A. RAMSEY

JUL -6 2023

*02250,
*02250, 00524, 00563, 00564, 00547, 00544

CAPITAL CONNECTION, INC.

417 E. Virginia Street, Suite 1 • Tallahassee, Florida 32301
(850) 224-8870 • 1-800-342-8062 • Fax (850) 222-1222

Magnolia Greene Property Owners' Association, Inc.

Please Debit FCA000000003 For: 35

Thank you Seth Neeley



Signature

Requested by: SETH

06/22/2023

Name

Date

Time

Walk-In

Will Pick Up

11. Paper & Printing - Tallahassee, FL 32301

____ Art of Inc. File _____
____ LTD Partnership File _____
____ Foreign Corp. File _____
____ L.C. File _____
____ Fictitious Name File _____
____ Trade/Service Mark _____
____ Merger File _____
____ Art. of Amend. File _____
____ RA Resignation _____
____ Dissolution / Withdrawal _____
____ Annual Report / Reinstatement _____
____ Cert. Copy _____
____ Photo Copy _____
____ Certificate of Good Standing _____
____ Certificate of Status _____
____ Certificate of Fictitious Name _____
____ Corp Record Search _____
____ Officer Search _____
____ Fictitious Search _____
____ Fictitious Owner Search _____
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____ UCC 1 or 3 File _____
____ UCC 11 Search _____
____ UCC 11 Retrieval _____
____ Courier _____



FLORIDA DEPARTMENT OF STATE
Division of Corporations

June 23, 2023

CAPITAL CONNECTION, INC.

TALLAHASSEE, FL 32301

SUBJECT: MAGNOLIA GREEN PROPERTY OWNERS' ASSOCIATION, INC.
Ref. Number: N04000002380

We have received your document for MAGNOLIA GREEN PROPERTY OWNERS' ASSOCIATION, INC. and the authorization to debit your account in the amount of \$35.00. However, the document has not been filed and is being returned for the following:

Please remove the information in the first paragraph since it pertains to an LLC and replace it with information pertaining to this corporation.

The date of adoption of each amendment must be included in the document.

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.

The document must be signed by the chairman, any vice chairman of the board of directors, its president, or another of its officers listed.

The name and title of the person signing the document must be noted beneath or opposite the signature.

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.

Annette Ramsey
OPS

Letter Number: 623A00014241

40

2023 JUN 26 PM 1:46



FLORIDA DEPARTMENT OF STATE
Division of Corporations

RECEIVED
2023 JUL -5 PM 2:28
TALLAHASSEE, FL 32301

June 27, 2023

CAPITAL CONNECTION, INC.

TALLAHASSEE, FL 32301

SUBJECT: MAGNOLIA GREEN PROPERTY OWNERS' ASSOCIATION, INC.
Ref. Number: N04000002380

We have received your document for MAGNOLIA GREEN PROPERTY OWNERS' ASSOCIATION, INC. and the authorization to debit your account in the amount of \$35.00. However, the document has not been filed and is being returned for the following:

The date of adoption of each amendment must be included in the document.

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.

The document must be signed by the chairman, any vice chairman of the board of directors, its president, or another of its officers listed.

You failed to make the correction(s) requested in our previous letter.

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.

Annette Ramsey
OPS

Letter Number: 523A00014435

FILED

**ARTICLES OF AMENDMENT
TO
ARTICLES OF INCORPORATION
OF
MAGNOLIA GREEN PROPERTY OWNERS' ASSOCIATION, INC.
(A Florida Non-Profit Corporation)**

2023 JUL -5 AM 9:41

CLERK OF STATE
TALLAHASSEE, FLORIDA

FIRST: The Articles of Organization were filed on March 5, 2004 and assigned document number N04000002380

SECOND: This amendment is submitted to amend the Articles of Incorporation to add the following provisions:

1. **Definitions:** the following capitalized terms shall have the meanings given below:

A. "District" shall mean the Southwest Florida Water Management District.

B. "Environmental Resource Permit" shall mean the Environmental Resource Permit issued by the District for the Magnolia Green project and/or the Property and any modifications thereto.

C. "Owner" shall mean the record owner, and if there is more than one (1) record owner, then all such record owners collectively, of fee simple title to any Parcel as disclosed by the Public Records maintained by the Clerk of the Circuit Court of Sarasota County, Florida.

D. "Parcel" shall mean any subdivided lot or parcel of land within the Property, whether improved or unimproved.

E. "Surface Water Management System Facilities" shall include, but are not limited to, all inlets, ditches, swales, culverts, water control structures, retention and detention areas, ponds, lakes, floodplain compensation areas, wetlands, and any associated buffer areas, and wetland mitigation areas, underground lines or pipes, manholes, lakes, headwall, or similar facilities, including all lakes, retention areas, culverts and related appurtenances.

Capitalized terms used herein that are not defined shall have the meanings given to such terms in the Declaration of Covenants, Conditions, Easements and Restrictions of Magnolia Green dated April 16, 2004, recorded in Official Records Instrument # 2004099749 of the Public Records of Sarasota County, Florida, as amended.

2. **Powers.**

The general powers that the Association shall have also include the following:

- A. To own and convey real and personal property or interests therein.
- B. To require all Owners of Parcels to be Members of the Association and to hold funds for the benefit of the Members for purposes set forth in these Articles of Incorporation and in the By-Laws and Declaration.
- C. To promulgate and enforce rules, regulations, by-laws, covenants, restrictions and agreements and take further actions necessary to effectuate the purposes for which the Association is organized and to further the interests of the Owners.
- D. To establish procedures and policies relating to the governance and operation of the Association and the Surface Water Management System Facilities, as permitted by the District, including all lakes, retention areas, culverts and related appurtenances, as well as establishing procedures and policies relating to wetland mitigation, maintenance, and monitoring.
- E. To enter into contracts with such Persons as the Board deems necessary or appropriate to provide for the administration, operation and/or management of the Association.
- F. To delegate power or powers where such is deemed in the interest of the Association.
- G. To operate, manage, repair, maintain, reconstruct, restore, renovate, rebuild, replace, improve and alter the Surface Water Management System Facilities as exempted or permitted by the District.
- H. To enter into, make, perform or carry out contracts and agreements of every kind with any Person to provide for operation and maintenance of the Surface Water Management System Facilities.
- I. To operate, manage, repair, maintain, reconstruct, restore, renovate, rebuild, replace, improve and alter the improvements in the Common Areas ("Common Improvements").
- J. To enter into, make, perform or carry out contracts and agreements of every kind with any Person to provide for operation and maintenance of the Common Improvements.

K. To fix regular or special assessments to be levied upon the Owners of Parcels and against such Parcels to defray the costs, fees, and capital and non-capital expenditures of the Association including assessments for the cost of operating and maintaining the Common Improvements and Surface Water Management System Facilities, and to effectuate the objectives and purposes of the Association, and to fix fines and other charges for the nonpayment of such dues, charges, fees or assessments or for the violation of the Articles of Incorporation, By-Laws, or Declaration, and to authorize the Board, at its discretion, to enter into, perform and carry out contracts or agreements with such Persons as are selected by the Board from time to time to provide for the collection of such dues, charges, fees and assessments.

L. To sue and be sued and (i) commence actions, suits or proceedings to restrain, prevent, terminate or enjoin any breach or threatened breach of the Declaration, the Articles of Incorporation or By-Laws of the Association, (ii) enforce, by mandatory injunction or otherwise, the provisions of the Declaration or the Articles of Incorporation or By-Laws of the Association, and (iii) to collect any assessment charge or other amount due to the Association from any Owner of property in Magnolia Green or any person or entity claiming by or through such Owner.

M. To enter into agreements with persons to provide the following services on behalf of the Association: legal, accounting, engineering, managerial, appraisal, landscape design and such other services as the Board deems necessary or desirable.

N. To create reserves to provide for the deferred maintenance, renovation, rebuilding, reconstruction, replacement, improvement or alteration of any portion of the Surface Water Management System Facilities and other Common Improvements.

O. To enter upon any Parcel for the purpose of ascertaining whether the Owner thereof is in compliance with the Declaration, these Articles of Incorporation and the By-Laws and to undertake such actions as the Association in its discretion determines is necessary or appropriate to insure full, complete and continuing compliance with the Declaration, these Articles of Incorporation and the By-Laws.

P. To separately charge any Owner of property within Magnolia Green when such separate charge is deemed appropriate by the Board and authorized by the Declaration.

Q. To pay taxes, assessments, utilities and other charges, if any, levied or assessed on or against property owned, leased or maintained by the Association.

R. To do any and all acts necessary or expedient for carrying on or accomplishing any and all of the purposes for which the Association has been formed and for effectuating all of the powers and objectives set forth in these Articles of Incorporation and in the Declaration which are not forbidden by the laws of the State of Florida.

S. To have, in general, all powers conferred upon a non-profit corporation by the laws of the State of Florida, except, as prohibited herein, which are necessary or convenient to accomplish any of the objects and purposes for which the Association is organized.

T. To perform all functions, duties, and obligations associated with the operation and maintenance of the Surface Water Management System Facilities. Operation and maintenance and re-inspection reporting shall be performed in accordance with the terms and conditions of the Environmental Resource Permit.

U. The Association shall have perpetual existence unless sooner dissolved in accordance with the laws of the State of Florida; provided, however, if the Association is dissolved, the control or right of access to the easement areas containing the Surface Water Management System Facilities shall be conveyed or dedicated to an appropriate governmental unit or public utility or, if such conveyance or dedication is not accepted, then the Association's rights, duties, and obligations with respect to the Surface Water Management System Facilities shall be conveyed to a non-profit corporation similar to the Association.

V. Any amendment to any provision of these Articles expressly pertaining to or affecting the Surface Water Management System Facilities, or the operation and maintenance of the Surface Water Management System Facilities, shall have either: (i) the prior written approval of the District; or (ii) District permit modification relating to such change or modification.

3. **Enforcement.**

Notwithstanding any enforcement rights contained in the Declaration against the Members, the District shall have the right to take necessary enforcement measures against the Association, including maintaining a civil action for injunctive and/or other relief, to compel the Association to correct any outstanding non-compliance of the Surface Water Management System Facilities.

Adoption. There are no members entitled to vote on this amendment and the date of the adoption of this amendment by the Board of Directors was June 19, 2023.

Dated: June 19, 2023

A handwritten signature in black ink, appearing to read 'A. Ruben', is written over a horizontal line.

Name: Aaron M. Ruben

Title: President