

**NO4 00000 5644**

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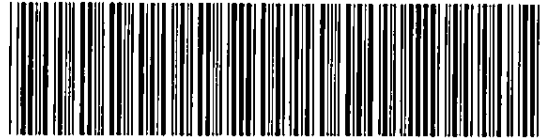
(Business Entity Name)

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TALLAHASSEE, FLORIDA

R. HUNT  
01/17/24



CSC - Tallahassee  
1201 Hays Street  
Tallahassee, FL 32301-2607  
850-558-1500, Ext: 61594

To: Department Of State, Division Of Corporations  
From: Eyliena Baker  
Ext: 61594  
Date: 01/17/24  
Order #: 1384786-1  
Re: 59 Sunset Place Condominium Association  
Processing Method: Routine

TO WHOM IT MAY CONCERN:

Enclosed please find:

Amount to be deducted from our State Account: \$35.00 - FL State Account Number:  
I20000000195

Please take the following action:

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Issue Proof of Filing

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Special Instructions:

Thank you for your assistance in this matter. If there are any problems or questions with this filing, please call our office.



Articles of Amendment  
to  
Articles of Incorporation  
of

59 Sunset Place Condominium Association

(Name of Corporation as currently filed with the Florida Dept. of State)

\_\_\_\_\_  
(Document Number of Corporation (if known))

Pursuant to the provisions of section 617.1006, Florida Statutes, this *Florida Not For Profit Corporation* adopts the following amendment(s) to its Articles of Incorporation:

**A. If amending name, enter the new name of the corporation:**

N/A

\_\_\_\_\_  
*The new name must be distinguishable and contain the word "corporation" or "incorporated" or the abbreviation "Corp." or "Inc." "Company" or "Co." may not be used in the name.*

**B. Enter new principal office address, if applicable:**

N/A

*(Principal office address **MUST BE A STREET ADDRESS**)*

**C. Enter new mailing address, if applicable:**

N/A

*(Mailing address **MAY BE A POST OFFICE BOX**)*

**D. If amending the registered agent and/or registered office address in Florida, enter the name of the new registered agent and/or the new registered office address:**

*Name of New Registered Agent:*

N/A

*New Registered Office Address:*

\_\_\_\_\_  
*(Florida street address)*

\_\_\_\_\_  
*(City)*

\_\_\_\_\_, Florida

\_\_\_\_\_  
*(Zip Code)*

**New Registered Agent's Signature, if changing Registered Agent:**

*I hereby accept the appointment as registered agent. I am familiar with and accept the obligations of the position.*

\_\_\_\_\_  
*Signature of New Registered Agent, if changing*

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If amending the Officers and/or Directors, enter the title and name of each officer/director being removed and title, name, and address of each Officer and/or Director being added:

(Attach additional sheets, if necessary)

Please note the officer/director title by the first letter of the office title:

P = President; V = Vice President; T = Treasurer; S = Secretary; D = Director; TR = Trustee; C = Chairman or Clerk; CEO = Chief Executive Officer; CFO = Chief Financial Officer. If an officer/director holds more than one title, list the first letter of each office held. President, Treasurer, Director would be PTD.

Changes should be noted in the following manner. Currently John Doe is listed as the PST and Mike Jones is listed as the V. There is a change, Mike Jones leaves the corporation, Sally Smith is named the V and S. These should be noted as John Doe, PT as a Change, Mike Jones, V as Remove, and Sally Smith, SV as an Add.

Example:

<input checked="" type="checkbox"/> Change	<u>PT</u>	<u>John Doe</u>
<input checked="" type="checkbox"/> Remove	<u>V</u>	<u>Mike Jones</u>
<input checked="" type="checkbox"/> Add	<u>SV</u>	<u>Sally Smith</u>

<u>Type of Action</u> (Check One)	<u>Title</u>	<u>Name</u>	<u>Address</u>
1) <input type="checkbox"/> Change <input type="checkbox"/> Add	<u>N/A</u>	_____	_____
<input type="checkbox"/> Remove		_____	_____
2) <input type="checkbox"/> Change <input type="checkbox"/> Add	_____	_____	_____
<input type="checkbox"/> Remove		_____	_____
3) <input type="checkbox"/> Change <input type="checkbox"/> Add <input type="checkbox"/> Remove	_____	_____	_____
<input type="checkbox"/> Remove		_____	_____
4) <input type="checkbox"/> Change <input type="checkbox"/> Add	_____	_____	_____
<input type="checkbox"/> Remove		_____	_____
5) <input type="checkbox"/> Change <input type="checkbox"/> Add	_____	_____	_____
<input type="checkbox"/> Remove		_____	_____
6) <input type="checkbox"/> Change <input type="checkbox"/> Add	_____	_____	_____
<input type="checkbox"/> Remove		_____	_____

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**E. If amending or adding additional Articles, enter change(s) here:**  
 (attach additional sheets, if necessary). (Be specific)

See attached

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There are no members or members entitled to vote on the amendment(s). The amendment(s) was/were adopted by the board of directors.

Dated January 16, 2024

Signature   
(By the chairman or vice chairman of the board, president or other officer-if directors have not been selected, by an incorporator -- if in the hands of a receiver, trustee, or other court appointed fiduciary by that fiduciary)

Gregory W. Sharp  
(Typed or printed name of person signing)

President  
(Title of person signing)

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**PROPOSED AMENDMENTS TO THE ARTICLES OF INCORPORATION  
OF SUNSET PLACE CONDOMINIUM ASSOCIATION, INC.**

**Please Note: Words to be added to the original text are underlined. Words to be deleted from the original text are ~~stricken thru~~.**

**ARTICLE VI - DIRECTORS**

1. The affairs of the Association shall be managed by a Board of Directors ~~consisting of 3 persons, all of whom must be members of the condominium association, except that prior to turnover of control from the Developer, members of the Board may be officers, directors or managing agents of the Developer, regardless or whether such person is the owner of a unit in his/her individual capacity.~~

2. ~~In the event that a unit is owned by a corporation, trust, legal entity, or by more than one person (such as a husband and wife), the unit owner shall appoint one an individual to exercise its voting rights.~~

3 ~~3~~. The Developer of the Condominium shall appoint the members of the first Board of Administration and their replacements who shall hold office for the periods described in the Bylaws.

3 ~~4~~. The Directors of the Association shall be as stated in the Bylaws and any amendments thereto ~~elected at the annual meeting of the members in the manner determined by and subject to the qualifications set forth in the Bylaws. Directors may be removed and vacancies on the Board shall be filled in the manner provided by the Bylaws.~~

**PROPOSED AMENDMENTS TO THE BYLAWS  
OF SUNSET PLACE CONDOMINIUM ASSOCIATION, INC.**

**Please Note: Words to be added to the original text are underlined. Words to be deleted from the original text are ~~stricken thru~~.**

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1 - 2 No changes.

3. Member. The members of the Association ("Members") shall be as specified in the Articles.

3.1 Annual Meeting. The annual Members' meeting shall be held on the date, at the place and at the time determined by the Board of Administration from time to time, provided that there shall be an annual meeting every calendar year. To the extent possible, the annual meeting shall be held during September, October, November or December and no later than 12 months after the last preceding annual meeting. The purpose of the meeting shall be, ~~except as provided herein to the contrary, to elect Directors and to transact any other~~ business



authorized to be transacted by the Members, or as stated in the notice of the meeting sent to Unit Owners in advance thereof.

3.2 Special Meeting. Special Members' meetings shall be held at such places as provided herein for annual meetings, and may be called by the President or by a majority of the Board of Administration of the Association. A special meeting must be called by the President or Secretary upon receipt of a written request from a majority of the Members of the Association. The business conducted at a special meeting shall be limited to that stated in the notice of the meeting. ~~Additionally, special Members' meetings may be called by ten percent of the Members of the Association to recall member or members of the Board of Administration or as provided for in Section 9.1(a)(ii) hereof.~~

3.3 - 3.4 - No changes.

3.5 Quorum. Except as otherwise herein provided and in Section 4.2 of the Bylaws, a quorum at Members' meetings shall be attained by the presence, either in person or by proxy, of persons entitled to cast one-third of the votes of Members. ~~There shall be no quorum requirement or minimum number of votes necessary for the election of Directors; however, at least 20 percent of the eligible voters must cast a ballot in order to have a valid election of members of the Board of Administration.~~

3.6 - No changes.

3.7 Proxies. Members may not vote by general proxy, but may vote by limited proxies substantially conforming to a limited proxy form adopted by the Division. Limited proxies and general proxies may be used to establish a quorum. Limited proxies shall be used for votes taken to (a) waive or reduce reserves (b) waive financial statement requirements (c) amend the Declaration (d) amend the Articles or Bylaws; and for any other matter for which the Condominium Act requires or permits a vote of the Unit Owners. ~~Except as provided in paragraph 4.2, no proxy, limited or general, shall be used in the election of the Board of Administration.~~ General proxies may be used for other matters for which limited proxies are not required, and may also be used in voting for nonsubstantive changes to items for which a limited proxy is required and given. Notwithstanding the provisions of this subparagraph, Members may vote in person at Members' meetings. A proxy may be made by any person entitled to vote, but shall only be effective for the specific meeting for which originally given and any lawfully adjourned meetings thereof. In no event shall any proxy be valid for a period longer than 90 days after the date of the first meeting for which it was given. Every proxy shall be revocable at any time at the pleasure of the person executing it. A proxy must be filed in writing, signed by the person authorized to cast the vote for the Unit (as above described) and filed with the Secretary before the appointed time of the meeting, or before the time to which the meeting is adjourned. Holders of proxies need not be Unit Owners.

3.8 Adjourned Meetings. If any proposed meeting, ~~other than for the election of Directors,~~ cannot be organized because a quorum has not been attained, the Members who are present, either in person or by proxy, may adjourn the meeting from time to time until a quorum is present, provided notice of the newly scheduled meeting is given in the manner required for

the giving of notice of a meeting. Except as provided by law, proxies given for the adjourned meeting shall be valid for the newly scheduled meeting unless revoked for reasons other than the new date of the meeting.

3.9 Order of Business. If a quorum has been attained, the order of business at annual Members' meetings, and, if applicable, at other Members' meetings, shall be:

- ~~(a) Collection of Election Ballots;~~
- ~~(a)(b) Call to order by President;~~
- ~~(b) (e) Appointment by the President of a chairman of the meeting (who need not be a Member or a Director);~~
- ~~(c) (d) Proof of notice of the meeting or waiver of notice;~~
- ~~(d) (e) Reading of minutes;~~
- ~~(e) (f) Reports of officers;~~
- ~~(f) (g) Reports of committees;~~
- ~~(h) Appointment of inspectors of election;~~
- ~~(i) Determination of number of Directors;~~
- ~~(j) Election of Directors;~~
- ~~(g) (k) Unfinished business;~~
- ~~(h) (i) New business;~~
- ~~(i) (m) Adjournment.~~

Such order may be waived in whole or in part by direction of the chairman.

3.10 - 3.11 No changes.

#### 4. Directors.

4.1 Membership and Representation. The affairs of the Association shall be managed and governed by a Board of seven (7) five Directors, the exact number initially to be as set forth in the Articles, and thereafter, except as provided herein, to be determined from time to time upon majority vote of the membership. Except for Directors appointed by the Developer, all Directors shall be Unit Owners. Each unit shall be entitled to one seat on the Board of Directors. One owner from each of the seven (7) units shall automatically be deemed as being on the Board of Directors. If a unit is owned by a legal entity or more than one owner, the person who is deemed to serve on the Board of Directors is that person entitled to cast a vote for that unit under 3.6(c) to the Bylaws. If the person entitled to cast the vote changes, the person who was entitled to the vote prior to the change shall automatically be deemed to have resigned from the Board of Directors and any officer position. The new person entitled to cast the vote for that unit under 3.6(c) to the Bylaws shall then automatically be deemed to be on the Board of Directors. Although each unit is entitled to one of the seven (7) director seats, an owner is not required to serve on the Board of Directors. If the owner does not want to serve on the Board of Directors, the seat to which the unit owner who does not want to serve remains vacant until the person who is entitled to cast a vote for that unit under 3.6(c) to the Bylaws decides to serve on the Board. In that case, that person must deliver a letter to the President or Secretary stating such an intention. That person shall then

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automatically be deemed back on the Board upon receipt of the letter, unless a later date is specified in the letter.

~~4.2 Election of Directors. The Board of Administration shall be elected by written ballot or voting machine. Unit owners may vote, in person or by limited proxy, to fill a vacancy on the board previously occupied by a board member elected by unit owners other than the developer. Not less than 60 days before a scheduled election, the Association shall mail or deliver, whether by separate Association mailing or included in another Association mailing or delivery including regularly published newsletters, to each Unit Owner entitled to vote, a first notice of the date of the election. Any Unit Owner or other eligible person desiring to be a candidate for the Board of Administration must give written notice to the Association not less than 40 days before a scheduled election. Together with the written notice and agenda as set forth in paragraph 3.3, the Association shall mail or deliver a second notice of the election to all Unit Owners entitled to vote therein, together with a ballot which shall list all candidates. Upon request of a candidate, the Association shall include an information sheet, no larger than 8-1/2 inches by 11 inches which must be furnished by the candidate not less than 35 days before the election, to be included with the mailing of the ballot, with the costs of mailing or delivery and copying to be borne by the Association. However, the Association has no liability for the contents of the information sheets prepared by the candidates. In order to reduce costs, the Association may print or duplicate the information sheets on both sides of the paper. Elections shall be decided by a plurality of those ballots cast. There shall be no quorum requirement; however, at least 20% of the eligible voters must cast a ballot in order to have a valid election of members of the Board of Administration. There shall be no cumulative voting. No Unit Owner shall permit any other person to vote his ballot, and any such ballots improperly cast shall be deemed invalid. A Unit Owner who needs assistance in casting the ballot for reasons of blindness, disability or inability to read or write may obtain assistance in casting the ballot. Any Unit Owner violating this provision may be fined by the Association in accordance with the provisions of the Condominium Act and these Bylaws. The regular election shall occur on the date of the annual meeting. Notwithstanding the provisions in this Section 4.2, an election and balloting are not required, unless more candidates file notices of intent to run or are nominated than vacancies exist on the Board.~~

#### 4.3 Vacancies and Removal.

~~(a) Except as to vacancies resulting from removal of Directors by Members, vacancies in the Board of Administration occurring between annual meetings of Members shall be filled by majority action of the remaining Directors, provided that all vacancies in directorships to which Directors were appointed by the Developer pursuant to the provisions of paragraph 4.14 hereof shall be filled by the Developer without the necessity of any meeting. The action of the remaining Directors to fill the vacancy shall be by closed ballot.~~

~~(b) Recall of board members. Subject to the provisions of Section 718.301, Florida Statutes, any member of the board of administration may be recalled and removed from office with or without cause by the vote or agreement in writing by a majority of all the voting interests. A special meeting of the unit owners to recall a member or members of the board of administration may be called by 10 percent of the voting interests giving notice of~~

~~the meeting as required for a meeting of unit owners, and the notice shall state the purpose of the meeting.~~

~~(i) If the recall is approved by a majority of all voting interests by a vote at a meeting, the recall will be effective as provided herein. The board shall duly notice and hold a board meeting within 5 full business days of the adjournment of the unit owner meeting to recall one or more board members. At the meeting, the board shall either certify the recall, in which case such member or members shall be recalled effective immediately and shall turn over to the board within 5 full business days any and all records and property of the association in their possession, or shall proceed as set forth in subparagraph (iii) below.~~

~~(ii) If the proposed recall is by an agreement in writing by a majority of all voting interests, the agreement in writing or a copy thereof shall be served on the association by certified mail or by personal service in the manner authorized by Chapter 48 and the Florida Rules of Civil Procedure. The board of administration shall duly notice and hold a meeting of the board within 5 full business days after receipt of the agreement in writing. At the meeting, the board shall either certify the written agreement to recall a member or members of the board, in which case such member or members shall be recalled effective immediately and shall turn over to the board within 5 full business days any and all records and property of the association in their possession, or proceed as described in subparagraph (iii) below.~~

~~(iii) If the board determines not to certify the written agreement to recall a member or members of the board, or does not certify the recall by a vote at a meeting, the board shall, within 5 full business days after the meeting, file with the division a petition for arbitration pursuant to the procedures in Section 718.1255, Florida Statutes. For the purposes of this section, the unit owners who voted at the meeting or who executed the agreement in writing shall constitute one party under the petition for arbitration. If the arbitrator certifies the recall as to any member or members of the board, the recall will be effective upon mailing of the final order of arbitration to the association. If the association fails to comply with the order of the arbitrator, the division may take action pursuant to Section 718.501, Florida Statutes. Any member or members so recalled shall deliver to the board any and all records of the association in their possession within 5 full business days of the effective date of the recall.~~

~~(iv) If the board fails to duly notice and hold a board meeting within 5 full business days of service of an agreement in writing or within 5 full business days of the adjournment of the unit owner recall meeting, the recall shall be deemed effective and the board members so recalled shall immediately turn over to the board any and all records and property of the association.~~

~~(v) If a vacancy occurs on the board as a result of a recall and less than a majority of the board members are removed, the vacancy may be filled by the affirmative vote of a majority of the remaining directors, notwithstanding any provision to the contrary contained in this subsection. If vacancies occur on the board as a result of a recall and a majority or more of the board members are removed, the vacancies shall be filled in accordance with procedural rules to be adopted by the division, which rules need not be~~

~~consistent with this subsection. The rules must provide procedures governing the conduct of the recall election as well as the operation of the association during the period after a recall but prior to the recall election.~~

~~(vi) The conveyance of all Units owned by a Director in the Condominium who owned one or more Units at the time he was elected or appointed (other than appointees of the Developer) shall constitute the resignation of such Director.~~

~~(c) When both a developer and other unit owners are entitled to representation on a board of administration pursuant to Section 718.301, Florida Statutes, or Rule 61B-23.003, Florida Administrative Code, the following provisions apply to recall and replacement of board members elected or appointed by a developer:~~

~~(i) Only units owned by the developer shall be counted to establish a quorum for a meeting to recall and replace a board member who was elected or appointed by that developer.~~

~~(ii) The percentage of voting interests required to recall a board member who was elected or appointed by a developer is a majority of the total units owned by that developer.~~

~~(iii) A board member who is elected or appointed by a developer may be recalled only by that developer.~~

~~(iv) Only the developer may vote, in person or by limited proxy, to fill a vacancy on the board previously occupied by a board member elected or appointed by that developer. When both a developer and other unit owners are entitled to representation on a board of administration pursuant to Section 718.301, Florida Statutes, or Rule 61B-23.003, Florida Administrative Code, the following provisions apply to recall and replacement of board members elected or appointed by unit owners other than a developer:~~

~~(i) Only units owned by unit owners other than a developer shall be counted to establish a quorum at a meeting to recall and replace a board member elected by unit owners other than a developer.~~

~~(iii) The percentage of voting interests required to recall a board member elected by unit owners other than a developer is a majority of the total units owned by unit owners other than a developer.~~

~~(iii) A board member who is elected by unit owners other than a developer may be recalled only by unit owners other than a developer.~~

~~(iv) Only unit owners other than a developer may vote, in person or by limited proxy, to fill a vacancy on the board previously occupied by a board member elected by unit owners other than a developer.~~

~~(a) (d) If no person is willing to serve on the Board of Directors, the association fails to fill vacancies on the board of administration sufficient to constitute a quorum in accordance~~

~~with the bylaws,~~ any unit owner may apply to the circuit court within whose jurisdiction the condominium lies for the appointment of a receiver to manage the affairs of the association. At least 30 days prior to applying to the circuit court, the unit owner shall mail to the association and post in a conspicuous place on the condominium property a notice describing the intended action, giving the association the opportunity to fill the vacancies. If during such time the association fails to fill the vacancies, the unit owner may proceed with the petition. If a receiver is appointed, the association shall be responsible for the salary of the receiver, court costs, and attorney's fees. The receiver shall have all powers and duties of a duly constituted board of administration and shall serve until the association fills vacancies on the board sufficient to constitute a quorum.

4.4 ~~Term. Except as provided herein to the contrary, the~~ The term of each Director's service shall extend until that person is no longer eligible to cast a vote under 3.6(c) to the Bylaws or the Director resigns under section 8 to these Bylaws, the next annual meeting of the Members and subsequently until his successor is duly elected and qualified, or until he is removed in the manner elsewhere provided. Notwithstanding the foregoing, any Director designated by the Developer shall serve at the pleasure of the Developer and may be removed and replaced by the Developer at any time.

4.5 ~~Organizational Meeting. The organizational meeting of newly elected or appointed members of the Board of Administration shall be held within ten days of their election or appointment at such place and time as shall be fixed by the Directors at the meeting at which they were elected or appointed. The Board of Directors shall meet within ten (10) days of the date the Bylaws are passed. At that meeting, the Board of Directors shall elect all officers in accordance with Section 6.1 to the Bylaws.~~

4.6 - 4.14 No changes.

5. No changes.

6 - 7 No changes.

8. Resignations. Any Director or officer may resign his post at any time by written resignation, delivered to the President or Secretary, which shall take effect upon its receipt unless a later date is specified in the resignation, in which event the resignation shall be effective from such later date unless withdrawn. The acceptance of a resignation shall not be required to make it effective. The conveyance of all Units owned by any Director or officer (other than appointees of the Developer) constitute a written resignation of such Director or officer. Any person entitled to be a Director who resigns, and so long as that person still qualifies to be on the Board under Section 4.1 to the Bylaws, may reinstate that person's position as a Director by delivering a letter to the President or Secretary, which shall take effect upon its receipt unless a later date is specified in the letter. Another person from the same unit as the resigning Director's unit who qualifies under Section 4.1 to the Bylaws may serve as a Director in place of the resigning Director by delivering a letter to the President or Secretary, which shall take effect upon its receipt, unless a later date is specified in the writing. Any person who resigns as an officer may thereafter seek to

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be an officer again, subject to the same procedures for electing any other officer. A person is entitled to resign as an officer without having to also resign as a Director.

9 - 17 No changes.

PROPOSED AMENDMENTS TO THE DECLARATION OF CONDOMINIUM  
OF 59 SUNSET PLACE CONDOMINIUM ASSOCIATION, INC.

**Please Note: Words to be added to the original text are underlined. Words to be deleted from the original text are ~~stricken-thru~~.**

17.11 Out of concern for the health of unit owners, guests, and occupants, and to allow everyone to use and enjoy the condominium without the smell, danger, and any other negative impact, the smoking of any tobacco product, cannabis, or any other herb or drug, is strictly prohibited. This also applies to vaping. The prohibition covers the common elements, limited common elements, and in or outside of the individually owned units.

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**RESOLUTION AND CERTIFICATE OF AMENDMENT TO THE DECLARATION OF  
CONDOMINIUM OF 59 SUNSET PLACE CONDOMINIUM**

THE UNDERSIGNED, being the duly elected and acting President of 59 SUNSET PLACE CONDOMINIUM ASSOCIATION, INC., a Florida not for profit corporation, and the Secretary, do hereby certify that the attached amendments to the Articles of Incorporation, Bylaws, and Declaration of Condominium of 59 SUNSET PLACE CONDOMINIUM ASSOCIATION, INC., as originally recorded in the Official Records of Miami-Dade County, Florida in Book 22407 at Page 2796, were made and approved in accordance with the governing documents by a vote of the requisite number of unit owners. Six of the seven unit owners voted in favor.

RESOLVED that the Articles of Incorporation, Bylaws, and Declaration of Condominium are hereby amended.

**\*\*\* Signature page follows \*\*\***

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Signed, sealed and delivered  
In our presence as witnesses:

Witness manica novak By: Gregory W. Sharp  
Gregory W. Sharp as President

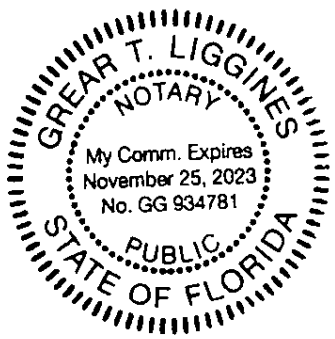
Witness Paula Greenland By: Julietta N. Valls  
Julietta N. Valls as Secretary

STATE OF FLORIDA )  
COUNTY OF Franklin

SWORN AND SUBSCRIBED before me on this 28 day of July, 2023 by

Julietta N. Valls and Gregory W. Sharp who are personally known to me or  
who produced FI/DI as identification and who did take an oath.

[Signature]  
Notary Public, State of Florida



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