

N04718

(Requestor's Name)

GREENBRIAR P.O.A., INC.
POST OFFICE BOX 5744
SUN CITY CENTER, FL.
33571 - 5744
or 1926 Wolf Laurel Drive
(Address)

(City/State/Zip/Phone #)

☐ PICK-UP ☐ WAIT ☐ MAIL

(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

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Office Use Only



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SECRETARY OF STATE
DIVISION OF CORPORATIONS
07 DEC 19 PM 12:58

Amend/cc/cus
@ 12.19.07

COVER LETTER

**TO: Amendment Section
Division of Corporations**

NAME OF CORPORATION: GREENBRIAR PROPERTY OWNERS' ASSOCIATION, INC.

DOCUMENT NUMBER: NO 4718

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

Please return all correspondence concerning this matter to the following:

JANET H. WILSON, VICE PRESIDENT

(Name of Contact Person)

MEMBER (RETIRED)

(Firm/ Company)

1926 WOLF LAUREL DRIVE

(Address)

SUN CITY CENTER, FLORIDA _ 33573

(City/ State and Zip Code)

For further information concerning this matter, please call:

JANET H. WILSON

(Name of Contact Person)

at (813) 634-7145

(Area Code & Daytime Telephone Number)

Enclosed is a check for the following amount: Sent check for \$87.50 with first filing

☐ \$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)

REQUEST - USE OF \$87.50 ck

Mailing Address

Amendment Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Street Address

Amendment Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301



FLORIDA DEPARTMENT OF STATE
Division of Corporations

November 29, 2007

**JANET H. WILSON
% GREENBRIAR PROPERTY OWNER'S ASSOC. INC
1926 WOLF LAUREL DR.
SUN CITY CENTER, FL 33573**

**SUBJECT: GREENBRIAR PROPERTY OWNERS' ASSOCIATION, INC.
Ref. Number: N04718**

We have received your document for GREENBRIAR PROPERTY OWNERS' ASSOCIATION, INC. and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

The document is illegible and not acceptable for imaging.

You have listed JANET H. WILSON as vice-president but she's not listed under Article VII which list the new officers of the corporation.

Two-sided documents can not be imaged.

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) 245-6964.

**Irene Albritton —
Regulatory Specialist II**

Letter Number: 707A00067573

Articles of Amendment
to
Articles of Incorporation
of

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS

07 DEC 19 PM 12:58

GREENBRIAR PROPERTY OWNERS' ASSOCIATION, INC.

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

NO 4718

(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:

NEW CORPORATE NAME (if changing):

SAME _ No Change

(must contain the word "corporation," "incorporated," or the abbreviation "corp." or "inc." or words of like import in language; "Company" or "Co." may not be used in the name of a not for profit corporation)

AMENDMENTS ADOPTED- (OTHER THAN NAME CHANGE) Indicate Article Number(s) and/or Article Title(s) being amended, added or deleted: **(BE SPECIFIC)**

PREFACE: Added F.S. 720 HOMEOWNERS' ASSOCIATION TO F.S. 617 NOT FOR PROFIT

I- NAME: 1. CHANGED CONTACT AND OFFICE FROM DEVELOPER TO MEMBERS ASSOCIATION - OFFICE OF ASSOCIATION BOARD OF DIRECTORS.

2. CHANGED AGENT FROM DEVELOPER'S OFFICE TO ATTORNEY JAMES P. HINES, HINES, NORMAN, HIN.

II- PURPOSES: NO CHANGE

III- PRESERVED MEMBERS VOTING RIGHTS CLASS A. - ALL CLASS A.

REMOVED ALL REFERENCE TO DEVELOPER AND DEVELOPER CLASS B.

IV- TERM OF EXISTENCE: NO CHANGE.

V- INCORPORATOR - NO CHANGE

VI- MANAGEMENT: 1 REMOVE ALL REFERENCE TO DEVELOPER 1987

2 TERM OF DIRECTORS CHANGED TO 2 YEARS FROM 1 YEAR

VII- CHANGED: INITIAL OFFICERS (PER INSTRUCTIONS) TO ELECTED OFFICERS -

MAY 8, 2007

VIII- FIRST BOARD TO BE ELECTED TO STAGGERED TERMS

- TRANSITION PROCEDURE DEFINED IN BYLAW IV § 4 UNDER

F.S. 617.0860

IX - BYLAWS - REMOVED DEVELOPERS VOTING RIGHTS TO AMEND BYLAWS
NO CHANGE I MEMBERS VOTING RIGHTS.

X - S.B. REMOVED DEVELOPER'S CLASS B VOTE-ONLY

(Attach additional pages if necessary)

(continued)

ARTICLES OF AMENDMENT TO
ARTICLES OF INCORPORATION
OF
GREENBRIAR PROPERTY OWNERS' ASSOCIATION, INC.
(A Corporation Not for Profit)

THE UNDERSIGNED subscriber to these Articles of Incorporation hereby proposes the incorporation under Florida Statutes, Chapters 617 of a Corporation Not for Profit and 720 Homeowners' Associations hereby makes, subscribes, acknowledges, and files with the Secretary of State of the State of Florida, these Amended Articles of Incorporation and hereby certify as follows:

ARTICLE I

Name

The name of this corporation shall be GREENBRIAR PROPERTY OWNERS' ASSOCIATION, INC. (hereinafter referred to as the "Association"), and its initial contact for the transaction of its affairs shall be the President of the Association at P. O. Box 5744, Sun City Center, Florida 33571-5744. The Registered Agent shall be Attorney James P. Hines, Jr.

ARTICLE II

Purposes

This Association does not contemplate pecuniary gain or profit to the members thereof, and no distribution of income to its members, directors or officers shall be made, except that nothing herein shall prevent the Association from compensating persons who may be members, directors or officers in exchange for services actually rendered to, or costs actually incurred for the benefit of the Association in furtherance of one or more of its purposes. The general purpose of this Association (GREENBRIAR) (hereinafter referred to as the "Subdivision"), and the specific purpose is to perform the functions of the property owners' association contemplated in the Declaration of Covenants and Restrictions for the Subdivision recorded in the Public Records of Hillsborough County, Florida, (hereinafter referred to as the "Declaration"), as the same may in the future be amended, which purposes shall include but not be limited to:

- (a) Exercise all of the owners and privileges and to perform all of the duties and obligations of the Association as set forth in the Declaration;
- (b) Fix, levy, collect, and enforce payment by any lawful means all charges of assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association;
- (c) Provide any external maintenance contemplated by the Declaration;
- (d) Have and exercise any and all other power, rights, and privileges of a not-for-profit corporation organized under the law of the State of Florida.

ARTICLE III

Membership and Voting Rights

A. **Eligibility.** Every person, whether an individual, corporation or other entity, who is the record owner of a Lot that is subject to assessment pursuant to the Declaration shall become a member of the Association upon the recording of the instrument of conveyance. If title to a Lot is held by more than one person, each such person shall be a member. A Homeowner of more than one Lot is entitled to membership for each Lot owned. No person other than a Homeowner may be a member of the Association, and a membership in the Association may not be transferred except by the transfer of title to a lot; provided, however, the foregoing does not prohibit the assignment of membership and voting rights by a Homeowner who is a contract seller to such Homeowner's vendee in possession

If more than one person owns a fee interest in any Lot, all such persons are members; but there may be only one vote cast with respect to such Lot. Such vote may be exercised as the co-owners determine among themselves; but no split vote is permitted. Prior to any meeting at which a vote is to be taken, each co-owner must file a certificate with the Secretary of the Association naming the voting co-owner entitled to vote at such meeting, unless such co-owners have filed a general voting certificate with the Secretary applicable to all votes until rescinded. Notwithstanding the foregoing, no separate tenancy by the entireties, and in such event either tenant is entitled to cast the vote for such lot unless and until the Association is notified otherwise in writing by such co-tenants by the entireties.

B. **Transferability.** All Homeowners shall be members of Record and each membership is appurtenant to the Lot upon which it is based. The membership is transferred automatically by conveyance of title to that Lot whether or not mention thereof is made in such conveyance of title.

ARTICLE IV

Term of Existence

The Corporation shall have perpetual existence.

Article V

Incorporator

The name and residence of the Incorporator to these Articles of Incorporation is the following:

NAME

Victoria H. Carter

ADDRESS

355 Highland Avenue North
Tarpon Springs, FL 33589

ARTICLE VI

Management

- A. **Number of Directors.** The affairs of the Corporation shall be managed by its Board of Directors, which shall consist of not less than three (3) nor more than seven (7) individuals, the precise number to be fixed in the By-Laws.
- B. **Terms of Directors.** Directors shall be elected for two (2) year terms by the members at the annual members' meeting to be held as scheduled by the board of Directors in the last quarter of each fiscal year in the manner prescribed in the By-Laws of the Corporation, and shall hold office until their respective successors are duly elected and qualified.
- C. **Election of Officers.** The Board shall elect a President, Vice President, Secretary and a Treasurer of the Corporation. Any individual may hold two or more corporate offices, except that the offices of President and Treasurer may not be held by the same person. Officers may be Directors. Officers and Directors must be members of the Association.
- D. **Duties of the Officers.** The officers shall have such duties as may be specified by the Board or the By-Laws of the Corporation.
- E. **Vacancies.** Vacancies occurring on the Board and among the officers shall be filled in the manner prescribed by the By-Laws of the Association and Florida Statute 617.808 (2).

ARTICLE VII

Officers and Directors

The names of the initial officers who are to serve until their successors are elected under the provisions of these Articles and the By-Laws are the following:

<u>Title</u>	<u>Identity</u>	
President	Dean Philson	1904 Wolf Laurel Dr. Sun City Ctr. FL 33573
Vice President	Janet H. Wilson	1926 Wolf Laurel Dr. Sun City Ctr. FL 33573
Secretary	Elza England	715 Elkhorn Rd. Sun City Ctr. FL 33573
Treasurer	Dee Williams	1925 Wolf Laurel Dr. Sun City Ctr. FL 33573
Director	Robert Deutel	1819 Wolf Laurel Dr. Sun City Ctr. FL 33573

ARTICLE VIII

First Board of Directors with Staggered Terms

For a smooth transition, to establish staggered terms in accordance with Florida Statute 617.0806 the first such board shall be elected at the annual meeting in December, 2007.

Election shall be defined in By-Law IV (4).

ARTICLE IX

By-Laws

The By-laws of the Corporation were adopted by the Developer's first Board of Directors, and stated that tCity Ctrhereafter the By-Laws would be altered, amended, or rescinded by the affirmative vote of two-thirds of the Board of Directors, and after notice to the members, by the majority vote of eligible voters present (or by proxy) at any regular or special meeting of the membership.

ARTICLE X

Amendments

Amendments to these Articles of Incorporation shall be made in the following manner:

- (a) The Board of Directors shall adopt a resolution setting forth a proposed amendment and, directing that it be submitted to a vote at a meeting of members, which may be either the annual or special meeting
- (b) Written notice setting forth the proposed amendments or a summary of the changes to be effected thereby shall be given to each member of record entitled to vote thereon within the time and in manner provided by Florida Statute for the giving of notice of meetings of members. If the meeting is an annual meeting, the proposed amendment or such summary may be included in the notice of such annual meeting.
- (c) At such meeting, a vote of the members entitled to vote thereon shall be taken on the proposed amendment. The proposed amendment shall be adopted upon receiving the affirmative vote of a majority of the votes of all members entitled to vote thereon and the affirmative vote of a majority of the votes of all members entitled to vote thereon.

Any number of amendments may be submitted to the members and voted upon by them at one meeting.

Notwithstanding anything herein to the contrary, no amendment to these Articles of Incorporation shall be valid which:

- (d) Constitutes a material change. For the purposes of this Article, a material change to these Articles shall be deemed any change concerning:

- (1) voting rights;

- (3) reserves for maintenance, repair and replacement of Common Properties;
- (4) responsibility for maintenance and repairs;
- (5) reallocation of interest in the general or limited Common Properties, or rights to their use;
- (6) boundaries of any Lot;
- (7) convertibility of Lots into common Properties or vice versa;
- (8) expansion or contraction of the Project, or the addition, annexation or withdrawal of property to or from the Project;
- (9) insurance or fidelity bonds;
- (10) leasing of Lots;
- (11) imposition of any restrictions on an Owner's right to sell or transfer his or her Unit or Lot; or
- (12) ANY PROVISIONS WHICH EXPRESSLY BENEFIT First Mortgagees, Insurers or Guarantors.

ARTICLE XI

Registered Office and Agent

Pursuant to Section 48.091 and Section 607.034, Florida Statutes, the name and address of the Initial Registered Agent for service of process upon the Association is:

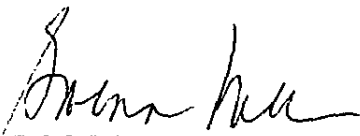
Hines. Norman, Hines, P.L.
Attn: James P. Hines, Jr.
315 S. Hyde Park Ave.
Tampa, FL 33606
(813) 251-8659


Agent

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

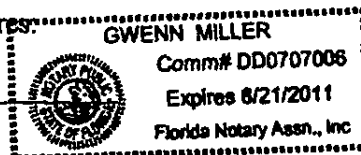
I HEREBY CERTIFY that on this 8 day of NOVEMBER, 20__ personally
appeared before me, the undersigned authority, JAMES P. HINES, Jr., to be the person
described in the foregoing Articles of Incorporation, and who acknowledged to me that she
executed the same as her free act and deed for the uses and purposes therein set forth.

Witness my hand and official seal the date aforesaid.




NOTARY PUBLIC
State of Florida at Large

My Commission Expires:



ACCEPTANCE OF DESIGNATION AS REGISTERED AGENT

The undersigned, having been designated as Registered Agent for GREENBRIAR
PROPERTY OWNER'S ASSOCIATION, INC., hereby accepts such designation and agrees to
act in such capacity.


JAMES P. HINES, Jr.

GREENBRIAR PROPERTY OWNERS' ASSOCIATION, INC.

DECEMBER 10, 2007

**FLORIDA DEPARTMENT OF STATE
AMENDMENTS SECTION
DIVISION OF CORPORATIONS
P.O. BOX 6327
TALLAHASSEE, FLORIDA 32314**

**ATTENTION:
IRENE ALBRITTON,
Regulatory Specialist II**

RE: Letter Number 707A00067573

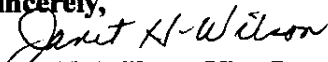
Thanks for your answers to my many calls in regard to the filing of November 7th, 2007.

This reply is attached to the letter of instructions, with the following corrections enclosed:

- ◆ Amended Articles document titled: **ARTICLES OF AMENDMENT**
TO
Articles of Incorporation
of
Greenbriar Property Owners' Association, Inc.
- ◆ The document: **PRESENTED ON ONE SIDED PAPER.**
- ◆ The original incorporators: **ARTICLE V INCLUDED and NOT AMEDNED.**
- ◆ **ARTICLE VII: Newly elected Directors of May 4th 2007 and Officers elected at organizational Meeting of May 8th not listed as initial or first officers/directors. NAMES, TITLE, and ADDRESSES INCLUDED.**
- ◆ Fee of \$87.50 included with the first filing which required correction.
Please use to cover: Filing Fee, Certified Copy, and Certificate of Status.
- ◆ **AGENT CHANGE: Attorney James P. Hines, Jr. of Hines, Norman, Hines, P. L. has signed as Agent.**

I, Janet Wilson, Vice President – Legal Liaison, do hereby certify that I was duly elected as Director on May 4th and Officer on May 8th, at the Greenbriar Property Owners; Association, Inc., to record the duly amended “Articles of Amendment to Articles of Incorporation of Greenbriar Property Owners' Association, Inc.”, approved by positive vote of over 51% of all property owners, per required vote, at the May 4th, 2007 membership meeting.

Sincerely,


**Janet H. Wilson, Vice President
1926 Wolf Laurel Drive
Sun City Center, Florida 33573
Tel. (813) 634-7145**

The date of adoption of the amendment(s) was: MAY 4, 2007

Effective date if applicable: MAY 4, 2007
(no more than 90 days after amendment file date)

Adoption of Amendment(s) **(CHECK ONE)**

- ☒ The amendment(s) was (were) adopted by the members and the number of votes cast for the amendment was sufficient for approval.
- ☐ There are no members or members entitled to vote on the amendment. The amendment(s) was (were) adopted by the board of directors.

Signature Janet H. Wilson, Vice President
(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.)

JANET H. WILSON

(Typed or printed name of person signing)

VICE PRESIDENT, LEGAL LIAISON

(Title of person signing)

FILING FEE: \$35