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DIVISION OF CORPORATIONS
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Amend
C.COULLETTE

DEC 30 2010

EXAMINER

COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: Heritage Oaks Townhomes Owner's Association, Inc.

DOCUMENT NUMBER: NO5000004262

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

Please return all correspondence concerning this matter to the following:

R. Carlton Ward, Esq.

(Name of Contact Person)

Richards, Gilkey, Fite, Slaughter,
Pratesi & Ward, P.A.

(Firm/ Company)

1253 Park Street

(Address)

Clearwater, Florida 33756

(City/ State and Zip Code)

cward@richardsgilkey.com

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

For further information concerning this matter, please call:

Debi Favero, Legal Assistant

(Name of Contact Person)

at (727) 443-3281

(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
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301

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DIVISION OF CORPORATIONS
10 DEC 28 PM 2:04

**AMENDMENT TO ARTICLES OF INCORPORATION OF
HERITAGE OAKS TOWNHOMES OWNER'S ASSOCIATION, INC.**

The undersigned as Secretary of Heritage Oaks Townhomes Owner's Association, Inc., ("Association") hereby certifies that the Articles of Incorporation of the Association are amended as hereinafter stated pursuant to the resolution adopted December 21, 2010 by the members of the Association pursuant to F.S. 617.1006. The number of votes cast for the amendments were sufficient for approval. The amendments to the Articles are as follows:

1. Article VI, paragraph 6.2 is hereby amended and restated in its entirety as follows:

6.2 Class B. The Class B member shall be the Developer and shall be entitled to nine (9) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership when the total votes outstanding in Class A membership equals or exceeds the total votes outstanding in the Class B membership, or ~~December 31, 2005~~ December 31, 2014, whichever first occurs.

2. Article VII, paragraph 7.3 is hereby amended and restated in its entirety as follows:

7.3 Members other than the Developer are entitled to elect at least a majority of the members of the Board of Directors of the Association when the earlier of the following occurs:

(a) three months after ninety percent (90%) of the parcels in all phases of the community that will ultimately be operated by the Association have been conveyed to members; or

(b) ~~December 31, 2005~~ December 31, 2014.

For purposes of this Section, the term "members other than the Developer" should not include builders, contractors, or others who purchase a parcel for the purpose of constructing improvements thereon for resale.

Notwithstanding the foregoing, the Developer shall be entitled to elect at least one (1) member of the Board of Directors as long as the Developer holds for sale, in ordinary course of business, at least five per cent (5%) of the parcels and all phases of the Development.

3. Article XII, paragraph 12.4 is hereby amended and restated to read as follows:

12.4 A copy of each amendment shall be certified by the Secretary of State and be recorded in the Public Records of Hillsborough Pinellas County, Florida.

LAW OFFICES OF

RICHARDS, GILKEY, FITE,

SLAUGHTER, PRATESI

& WARD, P.A.

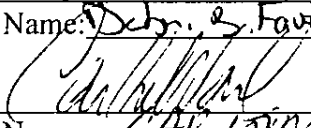
CLEARWATER, FLORIDA

IN WITNESS WHEREOF, this instrument is duly executed this 27th day of December, 2010

WITNESSES:

HERITAGE OAKS TOWNHOMES OWNER'S ASSOCIATION, INC.


Print Name: John S. Faver


Print Name: R. CARLTON WARD

By: 
Joginder S. Dhaliwall, Secretary

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing was acknowledged before me this 27 day of Dec., 2010 by Joginder S. Dhaliwall as Secretary of Heritage Oaks Townhomes Owner's Association, Inc., who is personally known to me.


Notary Public/My Commission Expires:

