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*Amend*

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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

T. Roberts DEC 21 2007

RONALD L. PLATT, ESQUIRE  
TODD E. SURBER, ESQUIRE



**PLATT & SURBER, P.A.**  
ATTORNEYS AT LAW

205 N.E. 5th Terrace  
Delray Beach, Florida 33444  
Phone (561) 368-3337 • Fax (561) 368-3471

December 14, 2007

Secretary of State  
Division of Corporations  
409 East Gaines Street  
Tallahassee, FL 32399

Re: Amendment to Articles of Incorporation  
for THE REGATTA OF SAILBOAT BEND NORTH. INC.,(not for profit)

Dear Sirs:

Enclosed hercin please find an Amendment to Articles of Incorporation for the above noted not for profit corporation along with my check in the sum of \$35.00 for the filing fee.

Please file same and return a copy to me at 205 NE 5<sup>th</sup> Terrace, Delray Beach, FL 33444 for my records.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Surber', with a long horizontal flourish extending to the right.

TODD E. SURBER, ESQ.

**AMENDMENT  
TO  
ARTICLES OF INCORPORATION  
OF**

**THE REGATTA OF SAILBOAT BEND NORTH** **HOMEDOWNERS' ASSOCIATION, INC.**

THE REGATTA OF SAILBOAT BEND NORTH, a Florida not for profit corporation does hereby amend its Articles of Incorporation previously filed with the State of Florida, Secretary of State, Division of Corporations on January 4, 2006. This Amendment was passed at a meeting of the Board of Directors on December 7, 2007. There are no members entitled to vote on this Amendment.

Article VIII is an entirely an entirely new Article which shall read as follows:

**Article VIII - ASSOCIATION**

The ASSOCIATION shall have the following powers and duties:

1. All of the common law and statutory powers of a corporation not-for-profit under the laws of the State of Florida.
2. To administer, enforce, carry out and perform all of the acts, functions, rights and duties provided in, or contemplated by, the DECLARATION, including but not limited to the following:
  - (a) To own, purchase, sell, mortgage, encumber, lease, administer, manage, operate, maintain, improve, repair and to replace real and personal property.
  - (b) To make and collect ASSESSMENTS against OWNERS of LOTS containing UNITS to defray the costs, expenses and losses incurred or to be incurred by the ASSOCIATION, and to use the proceeds thereof in the exercise of the ASSOCIATION'S powers and duties;
  - (c) To enforce the provisions of the DECLARATION, these ARTICLES, and the BY-LAWS;
  - (d) To make, establish and enforce reasonable rules and regulations governing the use of COMMON AREAS, LOTS, UNITS, and other property under the jurisdiction of the ASSOCIATION;
  - (e) To grant and modify easements, and to dedicate property owned by the ASSOCIATION to any public or quasi-public agency, authority or utility company for public, utility, drainage and cable television purposes;

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- (f) To borrow money for the purpose of carrying out the powers and duties of the ASSOCIATION;
- (g) To exercise control over exterior alterations, additions, improvements or changes in accordance with the terms of the DECLARATION;
- (h) To obtain insurance as provided by the DECLARATION; and
- (i) To employ personnel necessary to perform the obligations, service and duties required of or to be performed by the ASSOCIATION and for the proper operation of the properties for which the ASSOCIATION is responsible, or to contract with others for the performance of such obligations, services and/or duties.
- (j) To sue and be sued; and
- (k) To enter into any Contracts on behalf of the Association including but not limited to Contracts for services to provide for operation and maintenance services; and
- (j) To operate and maintain common property, specifically the surface water management (SWM) as permitted by the SFWMD including all lakes, retention areas, culverts and related appurtenances.

Article IX is an entirely new Article which shall read as follows:

#### **Article IX - MEMBERS**

1. The members of the ASSOCIATION shall consist of all of the record owners of LOTS. Membership shall be established as to each LOT upon the recording of the DECLARATION. Upon the transfer of ownership of fee title to, or the interest in, a LOT whether by conveyance devise, judicial desires, foreclosure or otherwise, and upon the recordation among the public records in the country in which the SUBJECT PROPERTY is located of the deed or other instrument establishing the acquisition and *designating the LOT affected thereby*, the new OWNER designated in such deed or other instrument shall there upon become a member of the ASSOCIATION, and the membership of the prior OWNER as to the LOT designated shall be terminated, provided, however, that the ASSOCIATION shall not have the responsibility or obligation of recognizing any such change in membership until it has been delivered a true copy of the applicable deed or other instrument, or is otherwise informed of the transfer of ownership of the LOT. Prior to the recording of the DECLARATION, the incorporator shall be the sole member of the ASSOCIATION.

(A) The share of each member in the funds and assets of the ASSOCIATION, and the COMMON SURPLUS, and any membership in this ASSOCIATION, cannot be assigned, hypothecated or transferred in any manner except as an appurtenance to the LOT for which that membership is established.

(B) In all matters upon which the membership shall be entitled to vote, there shall be only one vote for each LOT. In the event any LOT is owned by more than one person and/or by an entity, the vote for such LOT shall be cast in the manner provided by the BY-LAWS. Any person or entity owning more than one LOT shall be entitled to one vote for each LOT owned.

(C) The BY-LAWS shall provide for an annual meeting of the members of the ASSOCIATION and shall make provisions for special meetings.

Article X is an entirely new Article which shall read as follows:

**Article X – SURFACE WATER MANAGEMENT**

The Association exists in perpetuity; however, if the Association is dissolved, the property consisting of the surface water management system will be conveyed to an appropriate agency of local government. If this is not accepted, then the surface water management system will be dedicated to a similar non-profit corporation.

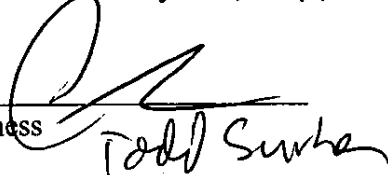
IN WITNESS WHEREOF, the Association has executed this Amendment on the date set forth above.

Signed and sealed  
in the presence of:



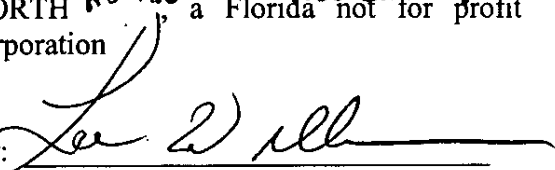
Witness RONALD C. PLATT

Witness



THE REGATTA OF SAILBOAT BEND  
NORTH ~~HOMEOWNERS ASSOCIATION, INC.~~  
a Florida not for profit  
corporation

By:

  
Lee Williams, President

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing Amendment was acknowledged before me, this 7th, day of December, 2007, by Lee Williams, President of THE REGATTA OF SAILBOAT BEND NORTH, INC., a Florida not for profit corporation, on behalf of the corporation, who is personally known to me and who did not take an oath.

  
\_\_\_\_\_  
Notary Public - State of Florida

My commission expires:

