

NO0000001633

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP

☐ WAIT

☐ MAIL

(Business Entity Name)

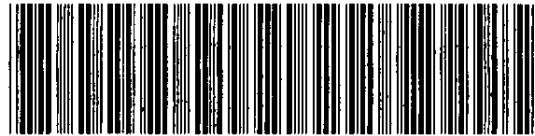
(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

got from Tracy's desk

Office Use Only



300130975783

06/13/08--01026--003 **35.00

08 JUN 13 10:00 AM
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

08 JUN 13 PM 12:50
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

FILED

AMEND
CFC 6/20

COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: Fruitville Park of Commerce Owners' Association, Inc.

DOCUMENT NUMBER: N06000001633

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

Please return all correspondence concerning this matter to the following:

Laurie B. Sams, Esquire

(Name of Contact Person)

Van Winkle & Sams, P.A.

(Firm/ Company)

2815 Proctor Road

(Address)

Sarasota, FL 34231

(City/ State and Zip Code)

For further information concerning this matter, please call:

Laurie B. Sams

(Name of Contact Person)

at (941) 923-1685

(Area Code & Daytime Telephone Number)

Enclosed is a check for the following amount:

☒ \$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

Recording

THIS INSTRUMENT PREPARED BY AND
RETURN TO:

Mary E. Van Winkle, Esq.
Van Winkle & Sams, P.A.
2815 Proctor Road
Sarasota, FL 34231
(941) 923-1685

FILED
08 JUN 13 PM 12:50
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

**CERTIFICATE OF AMENDMENT TO
ARTICLES OF INCORPORATION**

OF

**FRUITVILLE PARK OF COMMERCE PROPERTY OWNERS' ASSOCIATION, INC.
A Corporation Not for Profit**

Pursuant to the provisions of Section 617.1006, Florida Statutes, the Articles of Incorporation of Fruitville Park of Commerce Property Owners' Association Inc. filed with the Department of State on February 13, 2006, Document # N06000001633, and the Declaration of Covenants, Conditions and Restrictions for Fruitville Park of Commerce, recorded in Official Records Instrument # 2006154478, in the Public Records of Sarasota County, Florida, the undersigned officers of said association do hereby certify that the members of said association, did, duly adopt at the annual meeting of said association, held 2/28/08, by a sufficient vote of the Members, the following amendment to the Articles of Incorporation, attached as Exhibit C to the Declaration of Covenants, Conditions and Restrictions, to wit:

1. To correct an inconsistency between the Declaration of Covenants, Conditions and Restrictions (Articles 2.7 and 2.8) and the Articles of Incorporation (Article V), and pursuant to the intent expressed in Article XIII of the Articles pertaining to interpretation, Article V of the Articles of Incorporation is hereby amended as follows to be consistent with the Declaration of Covenants, Conditions and Restrictions:

**ARTICLE V
Voting Rights**

~~Section 1. This Association has one class of voting membership, and except as provided in Section 2, each Member shall be entitled to one vote for each one acre Parcel owned, or if less than one acre is owned then a fractional interest for each fraction of an acre owned. For example, an Owner owning a Parcel that is 1 1/3 acres will have a vote of 1 1/3 and an Owner owning a Parcel of 1/2 acre will have 1/2 a vote.)~~
Owners Voting Rights. The votes of the Owners shall be established and exercised as provided in the Articles and Bylaws. Subject to the rights of Developer as provided in Section 3 below, each Owner shall have one vote for each 1/10 of an acre of land it owns in the Subdivision. Ownership of a fraction of an acre, less than 1/10 shall not entitle an Owner to a vote for such fraction. If any Lot is owned by more than one party, all parties shall be members of the Association. However, this shall not alter the number of votes attributable to a Lot, and all such votes shall be cast as a unit by the Owners. Multiple Owners may by written instrument designate one or more of the Co-Owners to cast the votes attributable to the Lot.

The acreage of each Lot and the corresponding number of votes allocated to each Lot are as described on Exhibit E attached to the Declaration of Covenants, Conditions and Restrictions.

Section 2. Co-Ownership: If more than one person owns a record fee simple interest in any lot, all such persons are members, although there is only one vote for such lot and no fractional votes are permitted. The vote may be exercised as the Owners determine among themselves, but no split vote is permitted. Before any meeting at which a vote is to be taken, each co-owner must file the name of the authorized voting co-owner with the Secretary of the Association to be entitled to vote at such meeting, unless such co-owners have filed a general voting authority with the Secretary applicable to all votes until rescinded. Notwithstanding the foregoing, if title to any lot is held by husband and wife, either co-owner is entitled to cast the vote for such lot unless the Association is notified otherwise in writing.

Section 3. Voting Rights of Developer. Developer shall have the right to elect a majority of the directors of the Association until it no longer intends to offer for sale to the public any of the lots within the Subdivision or until it no longer owns any of the lots within the Subdivision, whichever occurs first."

IN WITNESS WHEREOF, the undersigned, constituting the Officers of this Association and the Developer, have executed these Articles of Incorporation this 9th day of May, 2008.

Lillian Claxton
LILLIAN CLAXTON

Claire L. Young
Claire L. Young

FRUITVILLE PARK OF COMMERCE PROPERTY OWNERS' ASSOCIATION, INC.

Everett R. Claxton
By: EVERETT R. CLAXTON, its President

ATTEST:

Robert J. Strauss
By: ROBERT J. STRAUSS, its Secretary

Lillian Claxton
LILLIAN CLAXTON

Claire L. Young
Claire L. Young

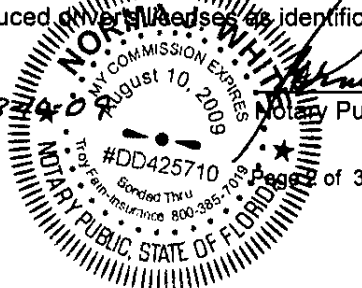
DEVELOPER
CLAXSTRAUSS, LLC

Everett R. Claxton
By: EVERETT R. CLAXTON, its Manager

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 9 day of May 2008, by EVERETT R. CLAXTON, in his capacity as President and ROBERT J. STRAUSS, in his capacity as Secretary of FRUITVILLE PARK OF COMMERCE PROPERTY OWNERS' ASSOCIATION, INC., who are personally known ☒ OR ☐ who produced driver licenses as identification.

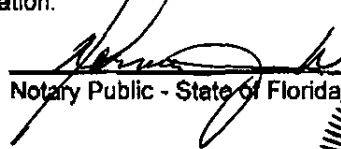
My Commission Expires: August 10, 2009 Notary Public - State of Florida



STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 9 day of May 2008 by
EVERETT R. CLAXTON, in his capacity as Manager of Claxtrauss LLC, who is personally known ☒ OR
_____ who produced driver's licenses as identification.

My Commission Expires: 8/10/09


Notary Public - State of Florida

