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Amendment  
02-11-09

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**CORRECTIVE ARTICLES OF AMENDMENT  
TO  
ARTICLES OF INCORPORATION  
OF  
MANDARIN POINTE CONDOMINIUM ASSOCIATION, INC.**

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These Articles of Amendment to Articles of Incorporation of Mandarin Pointe Condominium Association, Inc., a Florida corporation not-for-profit, are made effective this 20 day of January, 2009, by **MANDARIN POINTE CONDOMINIUM ASSOCIATION, INC.** (the "Association").

**RECITALS:**

A. The Association desires to amend its Articles of Incorporation (the "Articles") as more particularly described hereafter and these Articles of Amendment have been proposed by the Association's Board of Directors and were approved by the affirmative vote of Members owning not less than a majority of the Units at a duly called meeting of the Association held on November 1, 2008.

B. The Articles of Amendment to Articles of Incorporation of Mandarin Pointe Condominium Association, Inc. were filed on November 19, 2008 (the "Filed Articles of Amendment").

C. The Filed Articles of Amendment did not include language required by Section 718.301(1)(e) and (f), Florida Statutes.

D. Pursuant to Section XLG of the Declaration of Condominium for Mandarin Pointe, A Condominium, recorded in Official Records Book 13474, at page 1544, of the public records of Duval County, Florida, the Declarant may, without the consent or joinder of any other party, amend any provision of the Declaration in a manner that will not materially and adversely affect the property rights of any Unit Owner other than Declarant.

E. This Corrective Articles of Amendment corrects the Filed Articles of Amendment by including the required statutory language and does not materially and adversely affect the property rights of any Unit Owner other than Declarant.

**NOW THEREFORE**, the Association hereby amends the Articles as follows:

1. The Association confirms that the above stated recitals are true and correct. All capitalized terms in this Corrective Articles of Amendment shall have the same meaning as such terms are defined in the Articles.

2. The first paragraph of Article VIII of the Articles is amended in its entirety as follows:

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The number of Directors shall be not less than three (3). The initial Directors shall be appointed by Developer of the Condominium ("Developer"). When Unit Owners other than Developer own fifteen percent (15%) or more of the Units that will be operated ultimately by the Association, Unit Owners, other than Developer, shall be entitled to elect not less than one-third (1/3) of the Directors. Unit Owners other than Developer are entitled to elect not less than a majority of Directors upon the first to occur of: (i) three (3) years after fifty percent (50%) of the Units that will be operated ultimately by the Association have been conveyed to purchasers; (ii) three (3) months after seventy-five percent (75%) of the Units that will be operated ultimately by the Association have been conveyed to purchasers; (iii) when all the Units that will be operated ultimately by the Association have been completed, some of them have been conveyed to purchasers, and none of the others are being offered for sale by Developer in the ordinary course of business; (iv) when some of the Units have been conveyed to purchasers and none of the others are being constructed or offered for sale by Developer in the ordinary course of business; (v) when the Developer files a petition seeking protection in bankruptcy; (vi) when a receiver for the Developer is appointed by a circuit court and is not discharged within thirty (30) days after such appointment; or (vii) seven (7) years after recordation of the Declaration. After Unit Owners other than Developer elect a majority of Directors, Developer shall, within a reasonable time and in a manner to be provided in the Bylaws and the Act, relinquish control of the Association and shall deliver to the Association all property of Unit Owners and the Association held or controlled by Developer. Following the time Developer relinquishes control of the Association, Developer may exercise the right to vote on behalf of any Units owned by Developer in the same manner as any other Unit Owner except for purposes of reacquiring control of the Association or selecting the majority of Directors. Meetings for the election of Directors shall be held annually, in a manner to be provided in the Bylaws.

3. Except as specifically amended hereby, the Articles otherwise shall remain in full force and effect.

IN WITNESS WHEREOF, the Association has executed these Corrective Articles of Amendment to Articles of Incorporation effective the date first above written.

**MANDARIN POINTE CONDOMINIUM  
ASSOCIATION, INC.**, a Florida corporation not-  
for-profit

By: Terry MooreName Printed: TERRY MOOREIts: PRESIDENT

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