

N06 000012186

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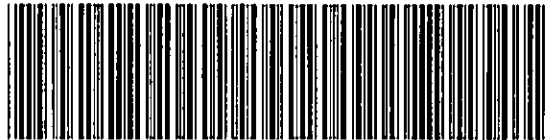
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2019 OCT -7 PM 5:27

Amend

COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: MAGNOLIA BAY CONDOMINIUM ASSOCIATION OF BREVARD, INC.

DOCUMENT NUMBER: N06000012186

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

Please return all correspondence concerning this matter to the following:

JAY STEVEN LEVINE, ESQ.

(Name of Contact Person)

LEVINE LAW GROUP

(Firm/ Company)

2500 N. MILITARY TRAIL, SUITE 283,

(Address)

BOCA RATON, FLORIDA 33431

(City/ State and Zip Code)

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

For further information concerning this matter, please call:

JAY STEVEN LEVINE

561

999-9925

at

(Name of Contact Person)

(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

**CERTIFICATE OF FILING OF ARTICLES OF AMENDMENT TO THE
ARTICLES OF INCORPORATION OF
MAGNOLIA BAY CONDOMINIUM ASSOCIATION OF BREVARD, INC.**

WHEREAS, 75% of the voting interests of those members of the Association present in person and by proxy at a membership meeting held on February 3, 2015 approved of proposed amendments to the Articles of Incorporation of Magnolia Bay Condominium Association of Brevard, Inc. in the particulars as set forth in Exhibit "1" to these Article of Amendment, at which a quorum of the membership was in attendance.

The number of votes required by the Articles of Incorporation was sufficient for approval.

DATED this 1st day of October, 2019.

WITNESSES:

MAGNOLIA BAY CONDOMINIUM
ASSOCIATION OF BREVARD, INC.

SEAN KOW

Printed Name of Witness

[Signature]

Signature of Witness

Sarah K. Nunn

Printed Name of Witness

[Signature]

Signature of Witness

STATE OF FLORIDA)

) ss:

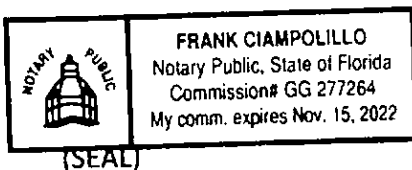
COUNTY OF BREVARD)

By: [Signature]
SAM SHAKE, President

2019 OCT -7 PM 5:27

I HEREBY CERTIFY that on the 1st day of October, 2019 before me personally appeared Samuel Shake, as President of **MAGNOLIA BAY CONDOMINIUM ASSOCIATION OF BREVARD, INC.**, who is personally known to me and who did not take an oath and who executed the aforesaid Certification as _____ free act and deed as such duly authorized officer; and that the official seal of the Corporation is duly affixed and the instrument is the act and deed of the Corporation.

WITNESS my signature and official seal, in the County of Brevard, State of Florida, the day and year last aforesaid.



NOTARY PUBLIC:

Sign: [Signature]

My commission expires: 11/15/2022

EXHIBIT "1"

ARTICLES OF
AMENDMENT TO THE ARTICLES OF INCORPORATION OF
MAGNOLIA BAY CONDOMINIUM ASSOCIATION OF BREVARD, INC.

Article VII and Article XII of the Articles of Incorporation of Magnolia Bay Condominium Association of Brevard, Inc., are hereby amended as follows:

ARTICLE VII
DIRECTORS

The affairs of the Association shall be managed by the Board of Administration. The number of members of the Board of Administration of the Association shall be ~~three (3)~~ at least three (3) and no more than five (5). The members of the Board or Administration shall be elected as provided by the By-Laws of the Association. The Board of Administration shall be members of the Association ~~or shall be authorized representatives, officers or employees of a corporate member of this Association.~~ Notwithstanding the foregoing, the first election of directors will be held in accordance with Article VI of the Declaration of Condominium of MAGNOLIA BAY, A CONDOMINIUM. Any vacancies in the Board of Administration caused by expiration of term, resignation or death will be filled as provided in Rule 61B-23.0026, F.A.C. Any vacancies in the Board of Administration created by the recall of members shall be controlled by the provisions set forth in the Bylaws of the Association.

~~The names and addresses of members of the first board of administration who shall hold office until their successors are elected and have qualified, or until removed, are as follows:~~

~~Howard M. Zetley~~ ~~8870 N. Port Washington Road~~
~~Milwaukee, WI 53217~~

~~Al Dolenshek~~ ~~8870 N. Port Washington Road~~
~~Milwaukee, WI 53217~~

~~Mark Weiner~~ ~~8870 N. Port Washington Road~~
~~Milwaukee, WI 53217~~

~~Michael Zetley~~ ~~8870 N. Port Washington Road~~
~~Milwaukee, WI 53217~~

ARTICLE XII
AMENDMENTS

Any amendment or amendments to these Articles of Incorporation may be proposed by the Board of Administration of the Association acting upon a vote of the majority of the directors, or by the

NOTE: Other than the specific language amended herein, all other provisions of the Articles of Incorporation of Magnolia Bay Condominium Association of Brevard, Inc., remain in full force and effect. New amendments are indicated by ~~bold strikethrough~~ for removed language and bold underline for new language.

members of the Association owning a majority of the condominium units in the condominium, whether meeting as members or by instrument in writing signed by them. Upon any amendment or amendments to these Articles being proposed by said Board of Administration or members, such proposed amendment or amendments shall be transmitted to the President of the Association or other officer of the Association in the absence of the President, who shall thereupon call a special meeting of the members of the Association for a date not sooner than fourteen (14) days nor later than sixty(60) days from the receipt by him of the proposed amendment or amendments, and it shall be the duty of the Secretary to give to each member written, electronic or printed notice of such meeting, stating the time and place of the meeting and reciting the proposed amendment or amendments in reasonably detailed form, which notice shall be mailed, electronically transmitted or presented personally to each member not less than fourteen (14) days nor more than thirty (30) days before the date set for such meeting. If mailed, the notice of the membership meeting shall be sent by certified mail, return receipt requested, which mailing shall be deemed notice. Any member may, by written waiver of notice signed by such member, waive such notice, and such waiver when filed in the records of the Association, whether before or after the holding of the meeting, shall be deemed equivalent to the giving of such notice to such member. At such meeting, the amendment or amendments proposed must be approved by an affirmative vote of the Owners of at least ~~seventy-five (75%)~~ sixty (60%) per cent of the total number of units in the condominium (i.e. ~~58 of 77~~ 47 of 77 of the Unit Owners must vote for the amendment) in order for such amendment or amendments to become effective. Thereupon, such amendment or amendments of these articles shall be transcribed and certified in such form as may be necessary to register the same in the office of the Secretary of State of Florida; and upon the registration of such amendment or amendments with said Secretary of State, a certified copy thereof shall be recorded in the Public Records of Brevard County, Florida, within ten (10) days from the date on which the same are so registered. No amendment is valid until it is recorded in the Public Records. At any meeting held to consider such amendment or amendments of these articles, a member of the Association may vote in person or by proxy on the amendment.

NOTE: Other than the specific language amended herein, all other provisions of the Articles of Incorporation of Magnolia Bay Condominium Association of Brevard, Inc., remain in full force and effect. New amendments are indicated by **~~bold strikethrough~~** for removed language and **bold underline** for new language.