

N07000007250

Page 1 of 1

Florida Department of State  
Division of Corporations  
Public Access System

Electronic Filing Cover Sheet

**Note: Please print this page and use it as a cover sheet.** Type the fax audit number (shown below) on the top and bottom of all pages of the document.

(((H07000246666 3)))



H070002466663ABC4

**Note: DO NOT** hit the REFRESH/RELOAD button on your browser from this page. Doing so will generate another cover sheet.

To:  
Division of Corporations  
Fax Number : (850) 617-6380

From:  
Account Name : BURKE AND BLUE, P.A.  
Account Number : 072100000111  
Phone : (850) 769-1414  
Fax Number : (850) 784-0857

FILED  
07 OCT -9 AM 10:01  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**COR AMND/RESTATE/CORRECT OR O/D RESIGN**

**JENKS CROSSING OWNERS ASSOCIATION, INC.**

Certificate of Status	1
Certified Copy	0
Page Count	056
Estimated Charge	\$43.75

Electronic Filing Menu

Corporate Filing Menu

Help



October 5, 2007

FLORIDA DEPARTMENT OF STATE

Division of Corporations

JENKS CROSSING OWNERS ASSOCIATION, INC.  
1123 CUTCHENS ROAD  
SOUTHPORT, FL 32409

SUBJECT: JENKS CROSSING OWNERS ASSOCIATION, INC.  
REF: N07000007250

We received your electronically transmitted document. However, the document has not been filed. Please make the following corrections and refile the complete document, including the electronic filing cover sheet.

If there are MEMBERS ENTITLED TO VOTE on a proposed amendment, the document must contain: (1) the date of adoption of the amendment by the members and (2) a statement that the number of votes cast for the amendment was sufficient for approval.

If there are NO MEMBERS OR MEMBERS ENTITLED TO VOTE on a proposed amendment, the document must contain: (1) a statement that there are no members or members entitled to vote on the amendment and (2) the date of adoption of the amendment by the board of directors.

Please return your document, along with a copy of this letter, within 10 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6892.

Tina Roberts  
Regulatory Specialist II

FAX Aud. #: H07000246666  
Letter Number: 307A00058278

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

RECEIVED  
2007 OCT -9 AM 8:00  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

P.O BOX 6327 - Tallahassee, Florida 32314

FILED  
07 OCT -9 AM 10:01  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

H07000246666 3

**AMENDMENT**

to

**ARTICLES OF INCORPORATION**

of

**JENKS CROSSING OWNERS ASSOCIATION, INC.**

N07000007250

*Pursuant to the provisions of section 617.1006, Florida Statutes, the undersigned Florida nonprofit corporation adopts the following articles of amendment to its articles of incorporation.*

**FIRST:** Amendments adopted: Article Third, Paragraph 9 shall be replaced as follows and a new Paragraph 10 shall be added:

9. To operate, maintain, repair and replace as necessary the stormwater drainage system situated upon the Common Areas of the Property in accordance with the Rules and Regulations and Permits issued by the Florida Department of Environmental Protection and such other governmental agencies as may prescribe Rules and Regulations related thereto.

10. To perform any and all other functions contemplated of the Association or otherwise undertaken by its Board of Directors non inconsistent with the Declaration.

**SECOND:** Amendments further adopted: Article Fourth, Paragraph B shall be replaced and the paragraphs following B shall be renumbered appropriately as follows:

B. The Association shall have all the common law and statutory powers, authority and privileges generally granted to corporations not for profit under the laws of the State of Florida to operate the stormwater retention areas, drainage and such other areas of the Common Area to comply with all terms and conditions of any and all Stormwater Discharge Permits, Rules and Regulations of the Florida Department of Environmental Protection, or its successors, as to the Common Area, as they may from time to time be amended.

C. To delegate power or powers where such is deemed to be in the interest of the Association.

D. The objects and purposes set forth in Article Third of these Articles shall be construed as powers as well as objects and purposes, and the Association shall have and may exercise such powers as if such powers were set forth in full herein.

E. The Association shall have and may exercise all powers set forth in any other Article of these Articles of Incorporation.

F. All funds and title of properties acquired by the Association and the proceeds therefrom shall be held in trust for the Members in accordance with the provisions of the Declaration and the Articles and By-Laws of the Association.

DOCUMENT PREPARED BY:  
Edward A. Hutchison, Jr.  
Florida Bar #0602655  
BURKE BLUE HUTCHISON WALTERS & SMITH, P.A.  
P.O. Box 70  
Panama City, Florida 32402  
(850) 769-1414

H07000246666 3

**THIRD:** Amendments further adopted: Article Ninth, Fourth, Paragraph B shall be replaced and a new Paragraph C shall be added as follows:

B. Upon dissolution of the Association, the stormwater management system and discharge facility shall be maintained by an entity as set forth in paragraph (1) of Section 62-25.027 Legal Operation/Maintenance Entity Requirements of the Florida Department of Environmental Protection Rules as set forth below:

**62-25.027 Legal Operation/Maintenance Entity Requirements.**

(1) The Department considers the following entities to be acceptable for meeting the requirements necessary to ensure that a stormwater discharge facility will be operated and maintained in compliance with the requirements of this chapter and other Department regulations:

(a) Local governmental units including counties or municipalities, or Municipal Service Taxing Units.

(b) Active water control districts pursuant to Chapter 298, F.S., or drainage districts created by special act, or Community Development Districts pursuant to Chapter 190, F.S., or Special Assessment Districts pursuant to Chapter 170, F.S.

(c) State or federal agencies.

(d) Duly constituted communication, water, sewer, electrical or other public utilities.

(e) The property owner or developer is normally not acceptable as a responsible entity when the property is intended to be sold to third parties. However, the property owner or developer may be acceptable under one of the following circumstances:

1. Written proof in the appropriate form by either letter or resolution, that a governmental entity or such other acceptable entity as set forth in paragraphs (a)-(c) above, will accept the operation and maintenance of the stormwater management and discharge facility at a time certain in the future.

2. Bonding or other assurances sufficient to operate and perform anticipated maintenance on stormwater facilities.

(f) Profit or non-profit corporations including homeowners associations, property owners associations, condominium owners associations or master associations shall be acceptable only under certain conditions that ensure that the corporation has the financial, legal and administrative capability to provide for the long term operation and maintenance of the stormwater discharge facility.

C. Upon dissolution of the Association, all of its assets remaining after provision for creditors and payment of all costs and expenses of such dissolution shall be distributed in the following manner to the extent permitted under the Act.

**FOURTH:** The date of adoption of the amendment was: September 27, 2007. There are no members at this time of the Association. The adoption of the amendments was unanimously made by the board of directors.

JENKS CROSSING OWNERS  
ASSOCIATION, INC.

[Signature]  
By: Michael D. Peaden  
As: President

ATTEST:

[Signature]  
Michael D. Peaden

[Signature]  
Lanny C. King

[Signature]  
Jan King

STATE OF FLORIDA  
COUNTY OF BAY

THE FOREGOING instrument was acknowledged before me this 27 day of September, 2007, by MICHAEL D. PEADEN, as <sup>President</sup> Director of JENKS CROSSING OWNERS ASSOCIATION, INC. He (notary must check applicable box):

- ☒ is personally known to me.  
☐ produced a current Florida driver's license as identification, No. \_\_\_\_\_  
☐ produced \_\_\_\_\_ as identification.

(NOTARY SEAL)



JUDY A. RYAN  
MY COMMISSION # DD 599242  
EXPIRES: October 16, 2010  
Bonded Thru Budget Notary Services

[Signature]  
Judy A. Ryan  
(Print Name)

Notary Public  
Serial # 599242  
My Commission Expires: 10-16-2010

STATE OF FLORIDA  
COUNTY OF BAY

THE FOREGOING instrument was acknowledged before me this 27 day of September, 2007, by LANNY C. KING, as Director of JENKS CROSSING OWNERS ASSOCIATION, INC. He (notary must check applicable box):

- ☒ is personally known to me.  
☐ produced a current Florida driver's license as identification, No. \_\_\_\_\_  
☐ produced \_\_\_\_\_ as identification.

(NOTARY SEAL)



JUDY A. RYAN  
 MY COMMISSION # DD 598242  
 EXPIRES: October 16, 2010  
 Bonded thru Budget Notary Services

Judy A. Ryan  
Judy A. Ryan  
 (Print Name)

Notary Public  
 Serial # 599242  
 My Commission Expires: 10-16-2010

STATE OF FLORIDA  
COUNTY OF BAY

THE FOREGOING instrument was acknowledged before me this 27 day of September, 2007, by JAN KING, as Director of JENKS CROSSING OWNERS ASSOCIATION, INC. She (notary must check applicable box):

- ☒ is personally known to me.  
☐ produced a current Florida driver's license as identification, No. \_\_\_\_\_  
☐ produced \_\_\_\_\_ as identification.

(NOTARY SEAL)



JUDY A. RYAN  
 MY COMMISSION # DD 598242  
 EXPIRES: October 16, 2010  
 Bonded thru Budget Notary Services

Judy A. Ryan  
Judy A. Ryan  
 (Print Name)

Notary Public  
 Serial # 599242  
 My Commission Expires: 10-16-2010