

JAN 7 2010 4:25 PM
HOLBROOK AKEL COLD STIEFEL & RAY
NO. 9444 P. 1
Page 1 of 2

N09000011289

Florida Department of State
Division of Corporations
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.

(((H10000003851 3)))



H100000038513ABCS

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 : HOLBROOK, AKEL, COLD, STIEFEL & RAY, P.A.
Account Number : I20020000128
Phone : (904) 356-6311
Fax Number : (904) 356-7330

****Enter the email address for this business entity to be used for future annual report mailings. Enter only one email address please.****

Email Address: _____

**COR AMND/RESTATE/CORRECT OR O/D RESIGN
KIMBERLY CREEK HOMEOWNERS' ASSOCIATION, INC**

Certificate of Status	0
Certified Copy	0
Page Count	05
Estimated Charge	\$35.00

(7) including cover
+ Dept Letter

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

2010 JAN - 7 AM 9:48

FILED

JAN. 7. 2010: 4:46PM

HOLBROOK AKEL COLD STIEFEL & RAY
PAGE

NO. 9444 P. 7
1/001 Fax Server



January 7, 2010

FLORIDA DEPARTMENT OF STATE

Division of Corporations

KIMBERLY CREEK HOMEOWNERS' ASSOCIATION, INC.
2055 SOUTH KANNER HIGHWAY
C/O N. DEAN KOHL, JR.
STUART, FL 34994US

SUBJECT: KIMBERLY CREEK HOMEOWNERS' ASSOCIATION, INC.
REF: NO9000011289

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.

Nonprofit corporations do not have shareholders. Please remove any reference to shareholders from the document.

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 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6925.

Teresa Brown
Regulatory Specialist II

FAX Aud. #: H10000003851
Letter Number: 110A00000450

RECEIVED
2010 JAN -7 AM 8:00
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

P.O BOX 6327 - Tallahassee, Florida 32314

N09000011289

FILED
2010 JAN -7 AM 9:48
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

ARTICLES OF AMENDMENT TO
ARTICLES OF INCORPORATION
OF
KIMBERLY CREEK HOMEOWNERS' ASSOCIATION, INC.

The Articles of Incorporation of KIMBERLY CREEK HOMEOWNERS' ASSOCIATION, INC. is hereby amended so that Article I shall hereafter read as follows:

1. The name of this corporation is: KIMBERLY CREEK HOMEOWNERS' ASSOCIATION, INC.
2. The date of the filing of the Articles of Incorporation was October 21, 2009;
3. Due to a change in ownership of this corporation by virtue of Assignment of Developer's Rights dated November 4, 2009, and recorded in Book 3159 at page 1127 in the Clerk of the Circuit Court, Clay County, Florida, a copy of which is attached as Exhibit "A", the Articles of Incorporation are hereby amended as follows:

a. Article II, the principal place of business address is 2031 East 19th Street, Jacksonville, Florida 32206 and the mailing address of the corporation is 2031 East 19th Street, Jacksonville, Florida 32206.

b. Article V, the name and Florida street address of the registered agent is John J. Reaves, Sr., 2031 East 19th Street, Jacksonville, Florida 32206.

N09000011289

c. Article VII, the Board of Directors is John J. Reaves, Sr. and William Edge, and the Officers are John J. Reaves, Sr., President and William Edge, Secretary.

4. Except as amended hereby, the Articles of Incorporation of this corporation shall continue in full force and effect.

DATED this 26 day of December, 2009.

KIMBERLY CREEK HOMEOWNERS'
ASSOCIATION, INC., a Florida corporation

By John J. Reaves, Sr.
JOHN J. REAVES, SR. President

This Amendment was adopted by the members on December 26, 2009. The Amendment was approved by unanimous consent of all members entitled to vote.

IN WITNESS WHEREOF, these Articles of Amendment have been executed on behalf of the corporation this 26 day of December, 2009.

WILLIAM EDGE, Secretary

N09000011289

c. Article VII, the Board of Directors is John J. Reaves, Sr. and William Edge, and the Officers are John J. Reaves, Sr., President and William Edge, Secretary.

4. Except as amended hereby, the Articles of Incorporation of this corporation shall continue in full force and effect.

DATED this 26 day of DECEMBER, 2009.

KIMBERLY CREEK HOMEOWNERS'
ASSOCIATION, INC., a Florida corporation

By JOHN J. REAVES, SR. President

This Amendment was adopted by the members on December 26, 2009. The Amendment was approved by unanimous consent of all members entitled to vote.

IN WITNESS WHEREOF, these Articles of Amendment have been executed on behalf of the corporation this 26 day of December, 2009.


WILLIAM EDGE, Secretary

N09000011289

INSTR # 2009057383
 OR BK 9169 Page 1127 - 1128
 RECORDED 11/12/09 10:28:01
 JAMES B. JETT CLERK CIRCUIT COURT
 CLAY COUNTY
 DEPUTY CLERK WESTA AS#2

ASSIGNMENT OF DEVELOPER'S RIGHTS

THE UNDERSIGNED, Kimberly Creek, LLC, a Florida limited liability company ("Assignor") hereby makes this Assignment to and in favor of R.B. GAY Construction Co., Inc., a Florida corporation and Atlantic Blue Properties, LLC, a North Carolina limited liability company, together as equal tenants in common ("Assignee") as of the 23 day of October, 2009.

RECITALS

A. Developer is the "Developer" under the Declaration of Covenants for Declaration of Covenants and Restrictions for Kimberly Creek Subdivision recorded in the public records of Clay County, Florida (the "Declaration").

B. Article I, Section (f) of the Declaration defines the "Developer" as the Assignor hereunder and its successors or assigns.

C. Assignor now wishes to assign all of its rights under the Declaration.

NOW, THEREFORE, for Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby declares and agrees:

Assignor hereby transfers, sells, conveys, and assigns to Assignee all of its right, title, interest, benefits and privileges under and in connection with the Declaration including, without limitation, under the Articles of Incorporation and Bylaws attached thereto as Exhibits "B" and "C".

IN WITNESS WHEREOF, Assignor has caused these presents to be executed on this 24 day of November, 2009.

Signed, sealed and delivered
 in the presence of:

[Signature]
 Print Name: Michael H. Green

[Signature]
 Print Name: Deanna R. Green

KIMBERLY CREEK, LLC, a Florida
 limited liability company

By: [Signature]
 Miles Busby, Managing Member

Given to and subscribed before me
 this 24 day of Nov, 2009
 Witness my hand and official seal.

[Signature] Notary Public
 My Commission Expires 12-14-2014

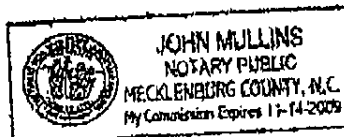


EXHIBIT "A"

JAN. 7. 2010 4:46PM

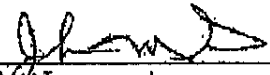
HOLBROOK AKEL COLD STIEFEL & RAY

NO. 9444 P. 6

N09000011289

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

The foregoing instrument was acknowledged before me this 11th day of November, 2009, by Miles Busby as Managing Member of Kimberly Creek, LLC, who is [] personally known to me or [] produced as identification and who did not take an oath.


Print Name: JOHN MULLINS
My commission expires: 11-14-2009

