

N10000003121

(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:

Office Use Only



200178270542

05/04/10--01031--022 **35.00

RECEIVED

10 MAY -4 AM 11:32

DEPT. OF STATE
DIVISION OF CORPORATIONS
TALLAHASSEE, FLORIDA

10 MAY 19 PM 3:57

SECRETARY OF STATE
DIVISION OF CORPORATIONS

Amend -
C.COULLETTE

MAY 19 2010

EXAMINER



FLORIDA DEPARTMENT OF STATE
Division of Corporations

May 4, 2010

AQUARINA UTILITY ASSOCIATION, INC.

TALLAHASSEE, FL

SUBJECT: AQUARINA UTILITY ASSOCIATION, INC.
Ref. Number: N10000003121

We have received your document for AQUARINA UTILITY ASSOCIATION, INC. and check(s) totaling \$35.00. However, the enclosed document has not been filed and is being returned to you for the following reason(s):

You are filed here as a non profit pursuant to chapter 617 Florida statutes. You have prepared your document pursuant to 607 statutes. You must remove any reference to shareholders since there are no shareholders in non profit corporations. The approval needs to be by directors or members, not by the incorporator.

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) 245-6903.

Cheryl Coulliette
Regulatory Specialist II

Letter Number: 810A00011028

RECEIVED
2010 MAY 19 AM 8:00
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

www.sunbiz.org

Division of Corporations - P.O. BOX 6327 -Tallahassee, Florida 32314

FORT LAUDERDALE
208 S.E. Sixth Street
Fort Lauderdale, Florida 33301
(954) 525-8000 Tel
(954) 525-8331 Fax

**Nabors
Giblin &
Nickerson** P.A.
ATTORNEYS AT LAW

TALLAHASSEE
Suite 200
1500 Mahan Drive
Tallahassee, Florida 32308
(850) 224-4070 Tel
(850) 224-4073 Fax

TAMPA
Suite 1060
2502 Rocky Point Drive
Tampa, Florida 33607
(813) 281-2222 Tel
(813) 281-0129 Fax

May 17, 2010

Florida Department of State
Division of Corporations
Amendment Section
P.O. Box 6327
Tallahassee, Florida 32314

Re: Aquarina Utility Association, Inc.
Ref. Number: N10000003121

The enclosed Articles of Amendment are hereby submitted for filing. The filing fee was previously remitted to the Division, as shown by the letter enclosed herewith.

Please return all correspondence or direct any further questions to the undersigned at the Firm's Fort Lauderdale address.

Thank you for your attention to this matter.

Sincerely,



Edward A. Dion

EAD/

Enclosures

ARTICLES OF AMENDMENT
TO
ARTICLES OF INCORPORATION
OF
AQUARINA UTILITY ASSOCIATION, INC.

FILED
STATE OF FLORIDA
DIVISION OF CORPORATIONS
10 MAY 19 PM 3:57

Pursuant to the provisions of Section 617.1006, Florida Statutes, this Florida corporation adopts the following amendments to its Articles of Incorporation.

1. Article V – Authorized Capital, is hereby amended to read as follows:

Article V – Authorized Capital

The amount of capital with which this Association shall begin business shall be not less Ten Dollars (\$10.00).

2. Article VI – Members, is hereby amended to read as follows:

The qualification of members, the manner and limit of admission to membership, the limit of a member's interest in the funds and assets of the Association and voting by members shall be as follows:

- A. The owner of a property within Aquarina or St Andrews that is connected to the Plant shall be a member of the Association. The owner of a property within Aquarina or St. Andrews that is not connected to the Plant may become a member of the Association by meeting the requirements set forth by the Association. Membership shall become effective when the property of such owner becomes physically connected to the Plant.
- B. An owner of property not located within Aquarina or St Andrews may become a member of the Association by meeting the requirements set forth by the Association. Application for membership shall be subject to approval by a majority of the Board of Directors. Membership shall become effective when the property of such owner becomes physically connected to the Plant.
- C. The Association shall not be required to admit additional members if, in the sole discretion of a majority of the Board of Directors, the capacity of the Plant and the needs of its existing members may be impaired or exhausted. The interest of a member in the funds and assets of the Association cannot be assigned, hypothecated or transferred in any manner, except as an appurtenance to his/her property on the limitation that the same be expended,

held or used for the benefit of the membership and for the purposes authorized herein.

- D. Membership is non transferable except as an appurtenance to a property. The Association shall have one class of voting membership. The owner of a property within Aquarina or St Andrews shall be entitled to one vote for each property owned that is physically connected to the Plant. An owner of property not located within Aquarina or St Andrews shall be entitled to one vote for each property owned that is physically connected to the Plant. Voting by proxy is permitted.

3. The amendments were adopted by the board of directors. There are no members or members entitled to vote on the amendment.

Dated this 12th day of May, 2010.

Signature: Jim Totten
Jim Totten

Secretary, Treasurer