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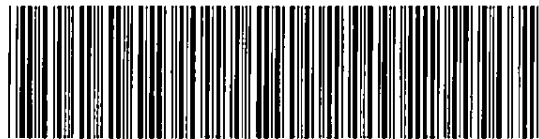
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STATE
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AR



CHELLE KONYK, ESQ.
THERESA M. LEMME, ESQ.
MICHAEL S. STEINER, ESQ.

December 10, 2023

Amendment Section
Division of Corporations
PO BOX 6327
Tallahassee, FL 32314

Articles of Amendment

FAIRWAY VILLAS AT BREAKERS WEST HOMEOWNERS ASSOCIATION, INC.

DOCUMENT NUMBER: N13111

The attached Articles of Amendment are adopted as of November 30, 2023, and the filing fee of \$35.00 is submitted for filing.


Please return all correspondence to:

CHELLE KONYK, ESQ.
KONYK & LEMME PLLC
140 INTRACOASTAL POINTE DR.
STE 310
JUPITER FL 33477

For further information contact: Chelle Konyk at 561.935.6244

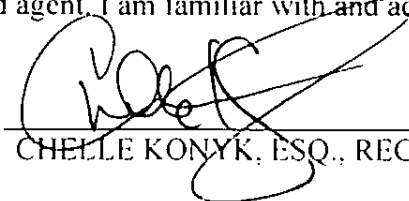
A vote of the Board of Directors was required to adopt the amendments. The amendments were adopted at a duly noticed meeting on November 30, 2023, and the number of votes cast for the amendments was sufficient for approval.

By: 
Guy Willis, President

By: 
Lyn Schott, Secretary

Name of Registered Agent:
CHELLE KONYK, ESQ.
KONYK & LEMME PLLC
140 INTRACOASTAL POINTE DR., STE 310; JUPITER FL 33477

I hereby accept the appointment as registered agent. I am familiar with and accept the obligations of the position.


CHELLE KONYK, ESQ., REGISTERED AGENT

This instrument prepared by:
Chelle Konyk, Esquire
Konyk & Lemme P.L.L.C.
140 INTRACOASTAL POINTE DR.
STE 310
JUPITER FL 33477
(561) 935.6244

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**CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION OF
FAIRWAY VILLAS AT BREAKERS WEST HOMEOWNERS ASSOCIATION, INC.**

A Florida Corporation Not-For-Profit

I HEREBY CERTIFY that the Amended and Restated Articles of Incorporation of Fairway Terrace at Breakers West Homeowners Association, Inc., attached as Exhibit "B" to this Certificate were adopted by the by the Board of Directors at a duly noticed meeting on November 30, 2023, pursuant to its Articles of Incorporation. The original Declaration of Covenants and Restrictions for Fairway Villas is recorded in Official Record Book 4795 at Page 24, et seq., of the Public Records of Palm Beach County, Florida.

DATED this 8th day of December 2023

Signed in the presence of Witnesses as to
Both:

Association: Fairway Villas at Breakers West
Homeowners Association, Inc.
A Florida Corporation Not-For-Profit

By:

Print Name: Jeffrey Gray

1565 Fairway Ter, West Palm Beach FL
Address of First Witness 33411

By:

Guy Willis
Guy Willis, President

By:

Print Name: Richard Crone

1625 Fairway Ter, West Palm Beach
Address of Second Witness FL 33411

By:

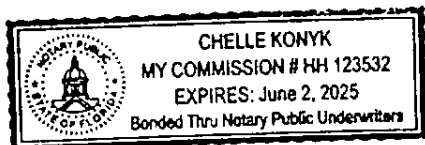
Lyn Shott
Lyn Shott, Secretary

STATE OF FLORIDA)

COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by [X] means of physical presence or [] online notarization this 8 day of December 2023 by Guy Willis, President and Lyn Shott, Secretary of Fairway Villas at Breakers West Homeowners Association, Inc., personal known to me who executed the foregoing instrument. Both acknowledged to and before me that each executed said instrument with due and regular corporate authority and that said instrument is the free act and deed of the Association.

SEAL



[Signature]
Notary Public, State of Florida at Large

AMENDED AND RESTATED ARTICLES OF INCORPORATION
OF
FAIRWAY VILLAS AT BREAKERS WEST HOMEOWNERS ASSOCIATION, INC.
(A corporation not for profit)

The undersigned hereby executes these Articles of Incorporation for the purpose of forming a corporation not for profit under Chapter 617 (Part I) (1982) of the Florida Statutes in existence as of the date of filing these Articles with the Secretary of State of Florida. (the "Florida Not For Profit Corporation Act") and certifies as follows:

ARTICLE I
NAME

The name of the corporation shall be FAIRWAY VILLAS AT BREAKERS WEST HOMEOWNERS ASSOCIATION, INC., hereinafter referred to as the "Sub-Association" and its duration shall be perpetual.

ARTICLE II
PURPOSE

The purpose for which the Sub-Association is organized is to engage as a non-profit organization in protecting the value of the property of the Members of the Sub-Association, to exercise all the powers and privileges and to perform all of the duties and obligations of the Sub-Association as defined and set forth in that certain Declaration of Covenants and Restrictions for Fairway Villas at Breakers West (the "Declaration") to be recorded in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, including the establishment and enforcement of payment of charges and Assessments contained therein, and to engage in such other lawful activities as may be to the mutual benefit of the Members and their Property. All terms used herein which are defined in the Declaration shall have the same meaning herein as therein.

ARTICLE III
POWERS

The powers of the Sub-Association shall include and be governed by the following provisions:

Section 1. Common Law and Statutory Powers. The Sub-Association shall have all of the common law and statutory powers of a corporation not-for-profit which are not in conflict with the terms of these Articles and the Declaration.

Section 2. Necessary Powers. The Sub-Association shall have all of the powers reasonably necessary to implement its purpose, including, but not limited to, the following:

- A. To operate and manage the Sub-Association Property and the Common Property in accordance with the purpose and intent contained in the Declaration;
- B. To make and collect Assessments against Members to defray the common Expenses;
- C. To use the proceeds of Assessments in the exercise of its powers and duties;
- D. To maintain, repair, replace and operate the Common Property and to maintain the landscaping and lawns of each Parcel, and of the sprinkler system for the Property;
- E. To reconstruct Improvements upon the Property after casualty and to further improve the Property;

- F. To make and amend By-Laws for the Sub-Association and regulations respecting the use of the Property;
- G. To pay all taxes and other assessments which are liens against the Common Property;
- H. To enforce by legal means the provisions of the Declaration, these Articles, the By-Laws and the Rules and Regulations for the use of the Property;
- I. To provide for management and maintenance and to authorize a management entity to assist the Sub-Association in carrying out its powers and duties by performing such functions as the collection of Assessments, preparation of records, enforcement of rules and maintenance of the Common Property. For purposes of landscaping, maintenance, and repair of the Common Property, and for the maintenance of the landscaping and lawns of each Parcel, and of the sprinkler system, the Sub-Association shall employ the same management entity as is employed by the Association. The Sub-Association shall, however, retain at all times the powers and duties granted it by common law, Florida Statutes and local ordinances including, but not limited to, the making of Assessments, the promulgation of rules, and the execution of contracts on behalf of the Sub-Association;
- J. To possess, enjoy and exercise all powers necessary to implement, enforce, and carry into effect the powers above described, including the power to acquire, hold, convey, and deal in real and personal property.

Section 3. Funds and Title to Properties. All funds and title to all properties acquired by the Sub-Association and the proceeds thereof shall be held only for the benefit of the Members in accordance with the provisions of the Declaration. No part of the income, if any, of the Sub-Association shall be distributed to the Members, directors, or officers of the Sub-Association.

Section 4. Limitations. The powers of the Sub-Association shall be subject to and be exercised in accordance with the provisions of the Declaration.

ARTICLE IV

MEMBERSHIP

Qualification for, and admission to, membership in the Sub-Association shall be regulated by the Declaration and the By-Laws of the Sub-Association.

ARTICLE V

BOARD OF DIRECTORS

The affairs of the Sub-Association shall be managed by a Board of Directors consisting of not less than three (3) nor more than nine (9) directors the exact number to be determined by the Board of Directors. All directors and all officers must be Members of the Sub-Association. The directors shall be elected by the Members of the Sub-Association at the annual meeting.

ARTICLE VI

OFFICERS

Officers shall be elected by the Board of Directors at the annual meetings of the directors, as provided in the By-Laws. The officers shall consist of a President, Vice-President, Secretary and Treasurer.

ARTICLE VII
INDEMNIFICATION OF OFFICERS DIRECTORS

Every director and officer of the Sub-Association shall be indemnified by the Sub-Association as provided in this Section and in the Declaration.

ARTICLE VIII
INCORPORATOR

The name and address of the incorporator of the Sub-Association is:

Name – Address
Jerry E. Aron, ESQ. – Gunster, Yoakley, Crier & Stewart, P.A.
777 S. Flagler Dr., Ste. 500
West Palm Beach, FL 33401

ARTICLE IX
BY-LAWS

The By-Laws of the Sub-Association may be adopted, amended, altered or rescinded as provided therein; provided, however, that at no time shall the By-Laws conflict with these Articles of Incorporation or the Declaration and provided further that no amendment, alteration or rescission may be made which affects the rights or privileges of any Institutional Mortgagee, without the express prior written consent of the Institutional Mortgagee so affected, and provided further that no amendment, alteration or rescission, of the By-Laws shall be made without the Association's prior written approval.

ARTICLE X
AMENDMENTS

These Articles of Incorporation of the Sub-Association may be amended, altered or rescinded as provided in the Florida Not For Profit Corporation Act; provided however, that no such amendments shall conflict with the terms of the Declaration or adversely affect the rights of Declarant, without Declarant's prior written approval; and provided further that no amendment, alteration or rescission may be made which affects the rights or privileges of any Institutional Mortgagee, without the express prior written consent of the Institutional Mortgagee so affected, and provided further that no amendment, alteration or rescission of these Articles shall be made without the Associations prior written approval. Any attempt to amend contrary to these prohibitions shall be of no force or effect.

ARTICLE XI
REGISTERED AGENT AND REGISTERED OFFICE

The name of the initial registered agent shall be as determined by the Board of Directors. The Sub-Association shall have the right to designate subsequent registered agents without amending these Articles of Incorporation.