

N14 000000735

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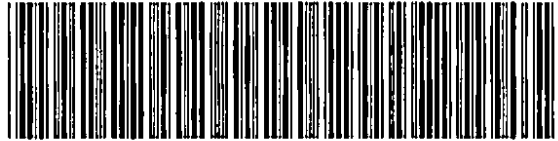
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DEC 14 2020

Amended &
Restated
NFC

2020 DEC -8 PM 2:06



FLORIDA DEPARTMENT OF STATE
Division of Corporations

November 18, 2020

ITZHAK M. SHTARK
SAVTA RESERVE HOME OWNERS ASSOCIATION, I
7925 WEST STATE ROAD 46
SANFORD, FL 32771

SUBJECT: SAVTA RESERVE HOME OWNERS ASSOCIATION, INC
Ref. Number: N14000000735

We have received your document and check(s) totaling \$43.75. However, the enclosed document has not been filed and is being returned to you for the following reason(s):

YOU MUST SUBMIT EITHER THE DIVISION OF CORPORATIONS ARTICLES OF AMENDMENT FORM OR YOUR OWN FORM ENTITLED AMENDED AND RESTATED ARTICLES OF INCORPORATION, BUT NOT BOTH. IF SUBMITTING THE AMENDED AND RESTATED ARTICLES OF INCORPORATION, PLEASE MAKE SURE ALL CHANGES ARE REFLECTED WITHIN THAT DOCUMENT THAT HAVE BEEN MADE IN THE ARTICLES OF AMENDMENT FORM, FOR EXAMPLE, THE OFFICER/DIRECTOR DETAIL INFORMATION. IF THERE IS AN ENTITY NAME CHANGE, BE SURE TO INCLUDE THAT CHANGE.

A certificate must accompany the Restated Articles of Incorporation setting forth one of the following statements: (1) The restatement was adopted by the board of directors and does not contain any amendments requiring member approval; OR (2) If the restatement contains an amendment requiring member approval, the date of adoption of the amendment by the members and a statement that the number of votes cast for the amendment was sufficient for approval.

The date of adoption of each amendment must be included in the document.

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) 245-6050.

Susan Tallent
Regulatory Specialist II

Letter Number: 220A00023208

COVER LETTER

TO: Amendment Section,
Division of Corporations

NAME OF CORPORATION: SAVTA RESERVE HOME OWNERS ASSOCIATION, INC.

DOCUMENT NUMBER: N14000000735

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

Please return all correspondence concerning this matter to the following:

ITZHAK M. SHTARK

Name of Contact Person

SAVTA RESERVE HOME OWNERS ASSOCIATION, INC.

Firm/ Company

7925 WEST STATE ROAD 46

Address

SANFORD, FLORIDA 32771

City/ State and Zip Code

ISAACSHTARK@GMAIL.COM

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

For further information concerning this matter, please call:

ITZHAK M. SHTARK

at (407) 860-2860
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:

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> \$35 Filing Fee | <input type="checkbox"/> \$43.75 Filing Fee &
Certificate of Status | <input checked="" type="checkbox"/> \$43.75 Filing Fee &
Certified Copy
(Additional copy is
enclosed) | <input type="checkbox"/> \$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
The Centre of Tallahassee
2415 N. Monroe Street, Suite 810
Tallahassee, FL 32303

This instrument is prepared by and)
should be returned to:)
)
Rania A. Soliman, Esquire)
SOLIMAN LAW)
415 Montgomery Road, Suite 141)
Altamonte Springs, Florida 32714)

2020 DEC -8 PM 2:06

**CERTIFICATE OF AMENDMENT TO ARTICLES OF INCORPORATION OF
SAVTA RESERVE HOMEOWNERS ASSOCIATION, INC.**

RECITALS:

A. WHEREAS, Savta Reserve Home Owners Association, Inc ("Association"), a not-for-profit corporation which was intended to operate, manage, and control the community in Sanford that is known as Savta Reserve, was electronically filed with the Florida Department of State, Division of Corporations, on January 22, 2014 ("Articles").

B. WHEREAS the Savta Reserve community was not built in 2014 but is currently being platted for development.

C. WHEREAS, the Association will be governed by that certain Declaration of Covenants, Conditions, and Restrictions for Savta Reserve ("Declaration"), Amended and Restated Articles of Incorporation for Savta Reserve Homeowners' Association, Inc. ("Amended and Restated Articles"), and Bylaws of Savta Reserve Homeowners' Association, Inc. ("Bylaws"), all to be recorded in the public records of Seminole County, Florida.

C. WHEREAS, the Board of Directors of the Association approved an amendment to the electronic Articles on October 7, 2020, amending certain provisions of the Articles.

D. WHEREAS, the electronic Articles filed on January 22, 2014 do not require member approval to amend.

E. WHEREAS, in accordance with Chapter 617, Florida Statutes, on October 7, 2020, at a duly noticed meeting, all the members of the Board of Directors approved the Amended and Restated Articles of Incorporation for Savta Reserve Homeowners' Association, Inc. ("Amended and Restated Articles"). The Amended and Restated Articles are attached hereto.

NOW THEREFORE, the Amended and Restated Articles shall be effective upon its recording in the Official Records of Seminole County, Florida.

CERTIFICATION

The undersigned President of Savta Reserve Homeowners' Association, Inc. hereby certifies that on October 7, 2020, this Amended and Restated Articles was approved by all the Board of Directors at a duly noticed meeting of the Association and that no member approval is required to amend the Articles.

IN WITNESS WHEREOF, Savta Reserve Homeowners' Association, Inc., hereby executes this Certificate of Amendment to Articles of Incorporation, this 2nd day of December 2020.

Signed, Sealed and Delivered
in the presence of:

Rania Soliman
Print Name: Rania Soliman

Maria C. Jimenez
Print Name: Maria C. Jimenez

**SAVTA RESERVE HOMEOWNERS'
ASSOCIATION, INC.**

By: Itzhak M. Shtark
Itzhak M. Shtark, President

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization this 2nd day of December 2020, by Itzhak M. Shtark, President of Savta Reserve Homeowners Association, Inc., who is personally known to me or produced _____ as identification.



Rania A. Soliman
Comm. #GG330473
Expires: May 5, 2023
Bonded Thru Aaron Notary

Rania Soliman
Print Name: Rania Soliman
Notary Public, State of Florida
Commission No.: MC45, 2023
Commission Expires: GG 330473

**AMENDED AND RESTATED ARTICLES OF INCORPORATION FOR
SAVTA RESERVE HOMEOWNERS ASSOCIATION, INC.**

ARTICLE I

Name

The name of this corporation was originally filed with the Florida Department of State as "SAVTA RESERVE HOME OWNERS ASSOCIATION, INC". The name of the corporation is hereby revised to SAVTA RESERVE HOMEOWNERS' ASSOCIATION, INC. For convenience, the Corporation may be referred to in this instrument as the "Corporation" or "Association", these Articles of Incorporation as "Articles" and the bylaws of the Association as "Bylaws".

ARTICLE II

Corporation Not For Profit

This Corporation is organized pursuant to the Corporation Not for Profit laws of the State of Florida, as set forth in Chapter 617 of the Florida Statutes.

ARTICLE III

Term

The term of the Corporation shall be perpetual.

ARTICLE IV

Location and Identification of Initial Registered Agent

- A. The address of this Corporation's initial registered office in the State of Florida is: 7925 W. State Road 46, Sanford, Florida 32771
- B. The name of this Corporation's initial Registered Agent at the above address of the registered office is Itzhak M. Shtark.

ARTICLE V

Purpose

The following are the purposes of this Corporation:

- A. Non-Profit Purpose. This Corporation is organized exclusively for purposes for which a corporation may be formed under the Not For Profit Corporation Laws of the State of Florida. No part of the assets, income, or profit of the corporation shall be distributable to or inure to the benefit of any member, director, or officer of the Corporation.

B. General Purposes. Management of the Savta Reserve Homeowners' Association, Inc., and any other lawful purpose.

ARTICLE VI

Powers

The corporation shall have the power, directly or indirectly, either alone or in conjunction and cooperation with others, to do any and all lawful acts and things and to engage in any and all lawful activities which may be necessary, useful, suitable, desirable or proper for the furtherance, accomplishment, or attainment of any or all of the purposes for which the corporation is organized, and to aid or assist other organizations whose activities are such as to further accomplish, foster, or attain any of such purposes. Notwithstanding anything herein to the contrary, the corporation shall exercise only such powers as are in furtherance of its non-profit purposes under Florida law and the Internal Revenue Code of 1954 and the Regulations thereunder, as the same now exists or as may be hereafter amended. In addition, the Corporation shall have the following specific powers:

A. To exercise all of the powers and duties of the Association provided under Savta Reserve Homeowners' Association, Inc. Restrictions and under the laws of the State of Florida pertaining to a Corporation Not for Profit, which are specifically incorporated herein by reference.

B. To make and collect Annual Assessments for capital maintenance of landscaping, drainage improvements, irrigation facilities, and fencing within the drainage and landscape easements as defined in Savta Reserve Homeowners' Association, Inc. Restrictions, subject to the maximum annual assessment stated therein.

C. To make and collect Special Assessments for capital improvements, as provided pursuant to Savta Reserve Homeowners' Association, Inc. Restrictions.

D. To make and collect any other assessments or charges as may be required to defray the costs, expenses, and losses of the Association.

E. To use the proceeds of the Annual and Special Assessments and all other assessments and charges in the exercise of its powers and duties and in fulfilling the purposes of the Association.

F. To enforce the collection of all assessments, including without limitation, general and special assessments, in the manner provided under Savta Reserve Homeowners' Association, Inc. Restrictions and all rules, regulations, Bylaws and Articles of the Association.

G. To have succession by its corporate name.

H. To sue and be sued and appear and defend in all actions and proceedings in its corporate name to the same extent as a natural person.

I. To adopt and use a common corporate seal and alter the same, provided, however, that such seal shall always contain the words "Corporation Not-For-Profit."

J. To elect or appoint such officers and agents as its affairs shall require.

K. To make contracts and incur liabilities, borrow money at such rates of interest as the Corporation may determine, issue its notes, bonds and other obligations, and assure any of its obligations by mortgage and pledge of all or any of its property.

L. To purchase, take, receive, lease, take by gift, devise or bequest, or otherwise acquire, own, hold, improve, use or otherwise deal in or with real or personal property, or any interest therein, wherever situate, as the corporation may require to accomplish its objectives and purposes, and not for pecuniary profit.

M. To sell, convey, mortgage, pledge, lease, exchange, transfer or otherwise dispose of all or any part of its property and assets.

N. To maintain, repair, replace and operate any property of or used in connection with the Association or the improvements and easements owned maintained by the Savta Reserve Homeowners Association, Inc. or as otherwise determined by the Board of Directors of the Association.

O. To reconstruct and repair improvements after casualty and to construct improvements of or on property of the Association or easements maintained by the Savta Reserve Homeowners Association, Inc.

P. To purchase insurance upon Association property and easements as shown on the Plat of Savta Reserve.

Q. To employ personnel to perform all repairs, maintenance, and other services required for the property of or used in connection with the Association and the easements as shown on the Plat of Savta Reserve.

R. To make and amend reasonable rules and regulations respecting the use and appearance of all property and improvements of or located in Savta Reserve Homeowners' Association, Inc. subdivision, including without limitation, all property of or used in connection with the Association and/or the easements as defined in Savta Reserve Homeowners' Association, Inc. Restrictions or as shown on the Plat of Savta Reserve.

ARTICLE VII **Membership**

The membership of the Association shall consist of all the Owners as defined in Savta Reserve Homeowners' Association, Inc. Restrictions. Evidence of ownership and membership of the Association shall be established by recording in the Public Records of Seminole County, Florida, a deed or other instrument establishing public record of the transfer of the title, substantiating the membership and delivery to the Association of a certified copy of the recorded instrument. The Owner receiving title evidenced by those instruments shall be a member of the Association and the membership of the prior Owner will be terminated.

ARTICLE VIII **Assignment**

The share 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 the property for which that share is held.

ARTICLE IX **Voting**

The Association shall have two classes of voting membership:

A. Class "A": Class "A" members shall be all Owners as defined in Savta Reserve Homeowners' Association, Inc. Restrictions, except for the declarant, or any

successors or assigns thereof ("Declarant"). Each Class "A" member shall be entitled to one (1) vote for each lot owned. In the event more than one (1) person or entity holds an interest in any Lot of the Subdivision, all such persons shall be members. The vote for such Lot in the event more than one (1) person or entity holds an interest therein shall be exercised as such person or entities may determine, but in no event shall there be more than one (1) vote cast with respect to each Lot. In the event of a conflict in the vote of the Owners of any lot, unless such conflict should have been resolved by such Owners, it shall be deemed that the Owners shall have abstained from voting.

B. Class "B": The Class "B" member(s) shall be the Declarant or the authorized officer or attorney-in-fact for the Declarant, or its successors or assigns. The Class "B" members shall be entitled to three (3) votes for each Lot owned in Savta Reserve Homeowners' Association, Inc. Subdivision. The Class "B" membership shall cease and be converted to Class "A" membership upon the happening of either of the following events, whichever occurs first:

(1) When the total votes outstanding in the Class "A" membership equal the total votes outstanding in the Class "B" membership; or

(2) On the date seven (7) years from recordation of Savta Reserve Homeowners' Association, Inc. Restrictions. Notwithstanding anything herein to the contrary, in the event the Declarant subjects additional land to Savta Reserve Homeowners' Association, Inc. Restrictions, the Class "B" membership shall be reinstated for all lots owned by the developers, so long as the total number of Class "B" votes shall then be greater than the total number of Class "A" votes.

ARTICLE X

Management of the Corporate Affairs

A. Board of Directors. The powers of this Corporation shall be exercised, its properties controlled, and its affairs conducted by a Board consisting of the number of Directors determined by the Bylaws, but not less than three (3) Directors. Each Director shall be a member of the Corporation. The Class "B" member shall be entitled to appoint two-thirds (2/3) of the Directors. The remaining Director shall be appointed by the Class "A" members. In the event there are no Class "B" members, then the Board of Directors

shall be elected by a majority of the Class "A" members in accordance with the provisions of the Bylaws.

B. Duties and Powers. All the duties and powers of the Corporation existing under Savta Reserve Homeowners' Association, Inc. Restrictions, these Articles and Bylaws shall be exercised exclusively by the Board of Directors, its agents, contractors and employees, subject only to approval by Owners when specifically required.

C. Removal and Vacancies. Directors may be removed and vacancies on the Board of Directors shall be filled in the manner provided by the Bylaws.

D. Term of First Directors. The directors named in these Articles shall serve until their successors are elected; any vacancies in their number occurring before the time for election of their successors shall be filled by the remaining First Directors, or if there are none, then by the Subscribers of these Articles.

E. First Directors. The names and addresses of the initial officers and directors are President-Itzhak Shtark-7925 W. State Road 46, Sanford, Florida 32771; Vice President Natalie Shtark-7925 W. State Road 46, Sanford, Florida 32771; and Secretary Jessica Shtark-7925 W. State Road 46, Sanford, Florida 32771. As of the date of this Amendment, the Board of Directors (Directors) who shall be in office until their successors are elected or until removed are as follows: Itzhak Shtark-7925 W. State Road 46, Sanford, Florida 32771; Ayala Shtark-7925 W. State Road 46, Sanford, Florida 32771; Natalie H. Shtark-7925 W. State Road 46, Sanford, Florida 32771.

F. Officers. The affairs of the Corporation shall be administered by the Officers designated in the Bylaws. The officers shall be elected by the Board of Directors at its first meeting following the annual meeting of the members of the Association and shall serve at the pleasure of the Board of Directors. The names and addresses of the officers who shall serve until their successors are designated by the Board of Directors are as follows: President-Itzhak Shtark-7925 W. State Road 46, Sanford, Florida 32771; Vice President-Ayala Shtark-7925 W. State Road 46, Sanford, Florida 32771; Secretary/Treasurer-Natalie H. Shtark-7925 W. State Road 46, Sanford, Florida 32771.

ARTICLE XI

Indemnification

Every Director and Officer of the Corporation, and every member of the Corporation serving the Corporation, at its request, shall be indemnified by the Corporation against all

expenses and liabilities, including counsel fees, reasonably incurred by or imposed upon them in connection with any proceeding or any settlement of any proceeding to which he may be a party or in which he may become involved by reason of his being or having been a Director or Officer or serving at the time the expenses and liabilities are incurred; provided that in the event of a settlement before entry of judgment, and also when the person concerned is adjudged guilty of willful misfeasance or malfeasance in the performance of his duties, the indemnification shall apply only when the Board of Directors approve the settlement and reimbursement as being for the best interest of the Corporation. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which that person may be entitled.

ARTICLE XII

Bylaws

The first Bylaws of the Association shall be adopted by the Board of Directors and may be altered, amended, or rescinded by the Directors and members in the manner provided by the Bylaws.

ARTICLE XIII

Amendment

Amendments to these Articles of Incorporation shall be proposed and adopted in the following manner:

A. Notice. Notice of the subject matter of the proposed amendment shall be included in a notice of any meeting at which the proposed amendment is to be considered.

B. Adoption. A resolution for the adoption of a proposed amendment may be proposed either by the Board of Directors or by the members of the Association. Directors and members not present in person or by proxy at the meeting considering the amendment may express their approval in writing, provided the approval is delivered to the Secretary at or prior to the meeting. The approvals must be either (1) not less than fifty-five percent (55%) of the entire membership of the Board of Directors and by not less than fifty-five percent (55%) of the votes of the entire membership of the Association; or (2) by not less than seventy-five percent (75%) of the vote of the entire membership of the Association.

ARTICLE XIV
Dissolution

This Corporation may be dissolved and its affairs wound up by fifty-five percent (55%) of the Corporation's voting members or when the objectives for which the Corporation is organized have been fully accomplished, if ever. In the event of dissolution, the property of the Corporation shall be distributed to an organization which is exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code.

ARTICLE XV
Subscribers

The names and addresses of the subscribers of these Articles of Incorporation are as follows:

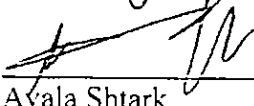
Itzhak Shtark-7925 W. State Road 46, Sanford, Florida 32771.

Ayala Shtark-7925 W. State Road 46, Sanford, Florida 32771.

The undersigned, constituting the subscribers of this Corporation for the purpose of forming this Corporation Not for Profit under the laws and jurisdiction of the State of Florida, have executed these Articles of Incorporation this 7th day of October, 2020.



Itzhak Shtark

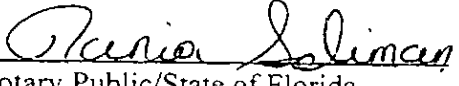


Ayala Shtark

STATE OF FLORIDA
COUNTY OF SEMINOLE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 7th day of October, 2020, by ITZHAK SHTARK and AYALA SHTARK, who are personally known to me or who have presented Florida Driver's licenses as identification.

WITNESS my signature and official seal on this 7th day of October, 2020.



Notary Public/State of Florida
Print Name: Rania Soliman



Rania A. Soliman
Comm. #GG330473
Expires: May 5, 2023
Bonded Thru Aaron Notary