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COR AMND/RESTATE/CORRECT OR O/D RESIGN
MARBELLA ISLES HOMEOWNERS ASSOCIATION, INC.

Certificate of Status	1
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Amend

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Prepared by and Return To:

Jeffrey Rembaum, Esquire
Kaye Bender Rembaum, PLLC
9121 N. Military Trail, Suite 200
Palm Beach Gardens, FL 33410

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CERTIFICATE OF FILING
AMENDMENT TO THE
ARTICLES OF INCORPORATION OF
MARBELLA ISLES HOMEOWNERS ASSOCIATION, INC.

THIS CERTIFICATE OF FILING AMENDMENT TO THE ARTICLES OF INCORPORATION OF MARBELLA ISLES HOMEOWNERS ASSOCIATION, INC. (the "Certificate of Filing") is made this 14 day of June, 2017 by **MARBELLA ISLES HOMEOWNERS ASSOCIATION, INC.**, a Florida not-for-profit corporation (the "Association"), as follows:

RECITALS

WHEREAS, the Articles of Incorporation of Marbella Isles Homeowners Association, Inc., as amended from time to time (the "Articles"), are recorded as Exhibit B to the Declaration of Covenants, Restrictions and Easements for Marbella Isles, recorded in the Official Records of Collier County, Florida in Official Records Book 5088, Page 368, as amended from time to time (the "Declaration"); and

WHEREAS, Article XIII, Section B of the Articles provides that, after the "First Conveyance" (as such term is defined in the Declaration) and prior to the "Turnover Date" (as such term is defined in the Declaration), the Association's Board of Directors (the "Board") may amend the Articles without the prior written consent of the "Members" (as such term is defined in the Declaration); and

WHEREAS, the Turnover Date has not occurred as of the date of this Certificate of Amendment, and the First Conveyance has occurred as of the date of this Certificate of Amendment; and

WHEREAS, the Board approved the Amendment to the Articles of Incorporation of Marbella Isles Homeowners Association, Inc. (the "Amendment") in accordance with the provisions thereof.

NOW, THEREFORE, the undersigned hereby certifies that the following Amendment is a true and correct copy of the Amendment as amended by the Board:

Preface. The foregoing recitals are true and correct and are hereby incorporated as if fully set forth herein. All initially capitalized terms shall have such meaning as set forth in the Declaration unless an alternative meaning is set forth herein.

1. **Amendment.** Article X, Section A. of the Articles is hereby amended to provide as follows:

(new language shown by underline,
deleted language shown by strikeout,
" * *" shows unaffected language)*

ARTICLE X
BOARD OF DIRECTORS

A. The number of Directors on the first Board of Directors of the Association ("First Board") shall be three (3) and shall be increased to four (4), or such greater odd number of not more than seven (7) as determined in the sole discretion of Declarant, upon the election of one (1) "Purchaser Member" (as hereinafter defined) to the Board in accordance with section 720.307(2) of the HOA Act. and tThe "Initial Elected Board" (as hereinafter defined) shall be three (3). The number of Directors elected by the Members subsequent to the "Declarant's Resignation Event" (as hereinafter defined) shall be an odd number of no less than three (3) nor more than seven (7). The Board shall determine the number of Directors to comprise the Board prior to each meeting at which Directors are to be elected. Except for Declarant-appointed Directors, Directors must be Members or the parents, children or spouses of Members. Except that if a Lot is owned by an entity and not an individual, such entity may only appoint a partner, shareholder, member, manager, director or officer of such entity or any of its constituent entities on its behalf to be eligible to serve on the Board and/or as an Officer. Each Director shall have only one (1) vote.

* * *

2. **Effectiveness.** This Amendment shall become effective upon recording amongst the Official Records of Collier County, Florida.

3. **Articles.** Except as modified by this Amendment, the Articles shall remain in full force and effect in accordance with the terms thereof. In the event any of the provisions of this Amendment shall be deemed invalid by a court of competent jurisdiction, said judicial determination shall in no way affect any of the other provisions hereof or of the Articles, which shall remain in full force and effect, and any provisions of this Amendment

deemed invalid by a court of competent jurisdiction by virtue of the term or scope thereof shall be deemed limited to the maximum term and scope permitted by law.

IN WITNESS WHEREFORE, this Certificate of Filing has been signed by the Association on the date set forth below.

Signed, Sealed and Delivered in the presence of:

Print Name: Audrey Dowdell

Print Name: Randy Gatchey

MARBELLA ISLES HOMEOWNERS ASSOCIATION, INC.
a Florida not-for-profit corporation

By: _____
Dianna Betancourt, its President

Date: 6/14/17

STATE OF FLORIDA)
) ss:
COUNTY OF COLLIER)

The foregoing instrument was acknowledged before me this 14th day of June, 2017, by Dianna Betancourt as President of Marbella Isles Homeowners Association, Inc., a Florida not-for-profit corporation, who is personally known to me or produced _____ as identification and did not take an oath.

_____
Notary Public, State of Florida

Audrey Dowdell
Print Name of Notary Public

My Commission Expires:

Notary Public State of Florida
Audrey Dowdell
My Commission FF 212995
Expires 05/13/2019

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JOINDER AND CONSENT OF DECLARANT

The undersigned, NAPLES ASSOCIATES V, LLLP, a Florida limited liability limited partnership, being the Declarant under the Declaration, hereby acknowledges its consent to the adoption and effectiveness of the foregoing Amendment to the Articles of Incorporation of Marbella Isles Homeowners Association, Inc. pursuant to Article XIII, Section F of the Articles.

DECLARANT:

NAPLES ASSOCIATES V, LLLP, a Florida limited liability limited partnership

By: Naples V Corporation, a Florida corporation, its general partner

By: _____

Name: Richard M. Norwalk

Title: Vice-President