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TALLAHASSEE, FLORIDA
SECRETARY OF STATE

06/24/16

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FLORIDA DEPARTMENT OF STATE
Division of Corporations

May 26, 2016

Carol Gardner
Mark R. Hall, P.A.
124 Faulkner St.
New Smyrna Beach, FL 32168

SUBJECT: DONLON DOCK OWNERS ASSOCIATION, INC.
Ref. Number: N15000011164

We have received your document for DONLON DOCK OWNERS ASSOCIATION, INC. and your check(s) totaling \$43.75. However, the enclosed document has not been filed and is being returned for the following correction(s):

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) 245-6050.

Annette Ramsey
Regulatory Specialist II

Letter Number: 316A00011155

COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: DONLON DOCK OWNERS ASSOCIATION, INC.

DOCUMENT NUMBER: N15000011164

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

Please return all correspondence concerning this matter to the following:

Carol Gardner

(Name of Contact Person)

Mark R. Hall, P.A.

(Firm/ Company)

124 Faulkner St.

(Address)

New Smyrna Beach, FL 32168

(City/ State and Zip Code)

carol@mahallpa.com

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

For further information concerning this matter, please call:

Carol Gardner, Paralegal

386

423-1221

at

(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:

☐ \$35 Filing Fee

☐ \$43.75 Filing Fee &
Certificate of Status

☒ \$43.75 Filing Fee &
Certified Copy
(Additional copy is
enclosed)

☐ \$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
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301

**Articles of Amendment
To The
Articles of Incorporation
Of
DONLON DOCK OWNERS ASSOCIATION, INC.**

FILED
16 JUN 24 AM 9:12
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Pursuant to the provisions of section 617.1006, Florida Statutes, this Florida Not For Profit Corporation adopts the following amendment to its Articles of Incorporation:

Amendments adopted:

- 1) Strike Article III – PURPOSES, Section A. 1., in its entirety, and in its place, add the following language:

1. To be and constitute the Association to which reference is made in the Declaration of Covenants, Conditions, and Restrictions for the Donlon Dock Owners Association (hereinafter the “Declaration”), as amended from time to time, to perform all obligations and duties of the Association, and to exercise all rights and powers of the Association as specified therein, and as provided by law; and

- 2) Strike Article V – POWERS, Section A., in its entirety, and in its place, add the following language:

A. The Association shall have all the common law and statutory powers of a corporation not-for-profit which are not in conflict with the terms of these Articles or the Declaration of the Association.

- 3) Strike Article V – POWERS, Section C., in its entirety, and in its place, add the following language:

C. The Association shall have all of the powers necessary or desirable to perform the obligations and duties and to exercise the rights and powers set out in these Articles, or the Declaration, including, without limitation, the following:

1. To levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the shared docks, as well as for any other purposes set forth in the Declaration;

2. To manage, control, operate, maintain, repair, and improve property subjected to the Declaration or any other property for which the

Association by rule, regulation, Declaration, or contract has a right or duty to provide such services;

3. To enforce covenants, conditions, or restrictions affecting any property to the extent the Association may be authorized to do so under the Declaration of the Association;

- 4) Strike Article VI – MANNER OF ELECTING DIRECTORS, in its entirety, and in its place, add the following language:

ARTICLE VI
ELECTION OF DIRECTORS

The number of Directors constituting the initial Board of Directors is three (3). The number of Directors may be increased or decreased from time to time by a majority vote of the Members, but shall never be less than three (3). The name and address of each initial Director of the Corporation is as follows:

<u>Director</u>	<u>Director's Address</u>
Drew Kaiser	100 Donlon Drive New Smyrna Beach, FL 32168
Mark Wallschlaeger	107 Donlon Drive New Smyrna Beach, FL 32168
Palmer Wilson	101 Donlon Drive New Smyrna Beach, FL 32168

Directors of the Association shall be elected by a majority vote of the members at the annual meeting of the Association each year. The procedures for meetings of the Association shall be in accordance with the procedures set forth in these Articles of Incorporation.

- 5) Strike Article VIII – MEMBERS, Section B., in its entirety, and in its place, add the following language:

B. The owner of each Lot subject to the Declaration shall be a member of the Association and shall be entitled to vote in accordance with the formula set forth in Article III of the Declaration, the terms of which are hereby incorporated by reference. Members may vote by proxy in accordance with Section 617.0721 of the Florida Statutes, as amended.

- 6) Add the following Article:

ARTICLE XIII
ADOPTION OF CORPORATE BYLAWS

The Board of Directors may, at any meeting of the Association, adopt corporate Bylaws by a two-thirds (2/3) vote. Until such time as Bylaws are adopted and enacted by the Association, the Association shall be governed by the terms and provisions of the Declaration of Covenants, Conditions, and Restrictions for the Association, and by law. All meetings shall be conducted in accordance with the procedures set forth in these Articles of Incorporation.

- 7) Add the following Article:

Article XIV
MEETINGS

Annual Meeting. A meeting of the members of the Association shall be held each year for the election of directors and for the transaction of any other business that may come before the meeting. The time and place of the meeting shall be designated by the board of directors.

Place of Meeting. The board of directors may designate any place within Volusia County Florida as the place of meeting for any annual meeting of the members. If no designation is made, the place of meeting shall be the principal office of the Association.

Notice of Meeting. Except as provided in F.S. Chapter 607, the Florida Business Association Act, written notice stating the place, day, and hour of the meeting and, in the case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than 10 nor more than 60 days before the date of the meeting, to each member entitled to vote at the meeting. If mailed, the notice shall be effective when mailed, if mailed postage prepaid and correctly addressed to the member's address shown in the current record of members of the Association.

Waiver of Notice of Meeting. Attendance of a person at a meeting shall constitute a waiver of (a) lack of or defective notice of the meeting, unless the person objects at the beginning of the meeting to the holding of the meeting or the transacting of any business at the meeting, or (b) lack of defective notice of a particular matter at a meeting that is not within the purpose or purposes described in the meeting notice, unless the person objects to considering the matter when it is presented.


Members' List. The Association shall prepare an alphabetical list of the names of all its Members entitled to notice of the meeting with the address and


contact information for each Member. The Members list shall be kept by the board of directors and shall be available for inspection by any Member upon demand, and shall be available for inspection at each meeting.

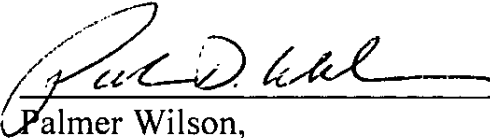
This amendment was adopted on the 27th day of April 2016.

The amendment was adopted by the members of the corporation, and the number of votes cast for the amendment was sufficient for approval.

Signed on the 18th day of June, 2016.

By: 
Drew Kaiser,
Director

By: 
Mark Wallschlaeger,
Director

By: 
Palmer Wilson,
Director