

# N180000001782

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HARMONY WEST HOMEOWNERS ASSOCIATION, INC.

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February 18, 2021

## FLORIDA DEPARTMENT OF STATE

Division of Corporations

HARMONY WEST HOMEOWNERS ASSOCIATION, INC.

1750 W BROADWAY STE 111

OVIEDO, FL 32765

SUBJECT: HARMONY WEST HOMEOWNERS ASSOCIATION, INC.

REF: N18000001782

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Yasemin Y Sulker  
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FAX Aud. #: E21000061450  
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ARTICLES OF AMENDMENT TO ARTICLES OF INCORPORATION  
OF  
HARMONY WEST HOMEOWNERS ASSOCIATION, INC.,  
A FLORIDA NOT-FOR-PROFIT CORPORATION

DOCUMENT NO.: N18000001782

Pursuant to the provisions of Section 617.1006, Florida Statutes, this Florida not-for-profit corporation adopts the following amendment(s) to the Articles of Incorporation of Harmony West Homeowners Association, Inc. (the "**Articles**");

Words in the text which are lined through (-----) indicate deletions from the present text; words in the text which are underlined indicate additions to the present text.

1. **The first paragraph of Article 5 of the Articles is hereby amended as follows:**

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, operation, preservation and architectural control of the Open Space, Common Property, Recreation Amenities, private roads and sidewalks (if any) within the Property and all street lights and landscaping on and around such private roads, ~~and to promote the health, safety and welfare of the residents of the Property for the following purposes~~

2. **Article 6 of the Articles is hereby amended as follows:**

Every Owner of a Lot, other than the Association shall be a Member of the Association; provided, however, each Builder shall not be deemed a Member until after the Turnover. Membership shall be appurtenant to, run with, and may not be separated from ownership of a Lot; except that Builders shall not be considered Members until after the Turnover. Prior to the Turnover, Builders shall not be deemed Members and shall not have any votes. From and after the Turnover, each Builder shall be a Class A Member and shall have one (1) vote for each Lot owned by such Builder.

3. **Section 1 of Article 8 of the Articles is hereby amended as follows:**

Section 1. Number. Until Turnover, the affairs of this Association shall be managed by a Board of not less than three (3) Directors, who need not be Members of the Association and who shall be appointed by the Declarant, except for the Pre-Turnover Director, as provided below. After Turnover and for so long as Declarant holds any portion of the Property for sale in the ordinary course or business the Declarant shall be entitled (but not obligated) to appoint at least one member of the Board, unless otherwise required by law. At such time as Declarant no longer owns any Lots within the Property, the number of Directors may be increased or decreased by amendment to these Articles, provided there shall never be less than three (3) Directors. All affairs of the Association shall be governed by the affirmative vote of a majority of the Directors in attendance at a duly called meeting unless otherwise specifically provided for in the Declaration. Pursuant to Section 720.307(2), Florida Statutes (2019), Members are entitled to elect one (1) member of the Board (a "Pre-Turnover Director") when fifty percent (50%) of all the Lots ultimately planned for the Neighborhood are conveyed to Class A Members, provided such Members exercise this right. In the event the Class A Members do not exercise the right to elect a Pre-Turnover Director, then a vacancy on the Board shall occur and the remaining members of the Board may fill such vacancy. The term of office for the

Pre-Turnover Director shall end at the next annual Members meeting after the Pre-Turnover Director's election, or on the date the election after Declarant is no longer the Class B Member takes place, whichever occurs first.

4. Section 3 of Article 8 of the Articles is hereby amended and restated in its entirety as follows:

**Section 3. Directors.** The names and addresses of the person who are appointed by Declarant to act in the capacity of directors are:

Mary E. Moulton 4042 Park Oaks Blvd., Suite 200, Tampa, FL 33610

Melissa Dotson 4042 Park Oaks Blvd., Suite 200, Tampa, FL 33610

Alex J. Madison 4042 Park Oaks Blvd., Suite 200, Tampa, FL 33610

The date of adoption of the amendment(s) was: the 2<sup>nd</sup> day of February, 2021.

Effective date: the 20<sup>th</sup> day of February, 2021.

Adoption of Amendment(s):

\_\_\_\_\_ the amendment(s) was (were) adopted by the members and the number of votes cast for the amendment was sufficient for approval.

X pursuant to Article 12 of the Articles, there are no members entitled to vote on the amendment(s), and the amendment(s) was (were) adopted by the Board by unanimous consent.

Signed this 2<sup>nd</sup> day of February, 2021.

BOARD OF DIRECTORS:

  
Name: Mary E. Moulton

  
Name: Melissa Dotson

  
Name: Robyn Bronson