

N18000002218

Florida Department of State
Division of Corporations
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**COR AMND/RESTATE/CORRECT OR O/D RESIGN
LAKES AT POLO TRACE HOMEOWNERS ASSOCIATION, INC.**

Certificate of Status	1
Certified Copy	1
Page Count	03
Estimated Charge	\$52.50

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Prepared by:

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

**CERTIFICATE OF FILING
FIRST AMENDMENT TO THE
AMENDED AND RESTATED ARTICLES OF INCORPORATION OF
LAKES AT POLO TRACE HOMEOWNERS ASSOCIATION, INC.**

WHEREAS, Lakes at Polo Trace Homeowners Association, Inc. (the "Association") is a Florida not-for-profit corporation pursuant to the Articles of Incorporation of Lakes at Polo Trace Homeowners Association, Inc., February 27, 2018 under Document Number N18000002218, as amended from time to time (the "Articles"); and

WHEREAS, pursuant to Article XIII, Section B of the Articles, after the "First Conveyance" (as such term is defined in the Articles) and prior to the "Turnover Date" (as such term is defined in the Articles), the Articles may be amended by a majority vote of the Association's Board of Directors (the "Board") at a duly called meeting of the Board, without the prior written consent of the "Members" (as such term is defined in the Articles); and

WHEREAS, pursuant to Section 4.15 of the Bylaws, prior to the Turnover Date and except as to assessments, any action required or permitted to be taken at a meeting of the Board may be taken without a meeting if a consent in writing, specifically setting forth the action to be taken, is signed by all of the members of the Board entitled to vote with respect to the subject matter thereof, and such consent has the same force and effect as a unanimous vote of the Board; and

WHEREAS, the First Conveyance has occurred as of the date of this Certificate of Filing, and the Turnover Date has not occurred as of the date of this Certificate of Filing; therefore, the Association's members are not entitled to vote on a proposed amendment to the Articles; and

WHEREAS, in accordance with Article XIII, Section B of the Articles, on April 23, 2021, the Board approved the First Amendment to the Articles, as further set forth herein, by unanimous written consent in accordance with Section 4.15 of the Bylaws.

NOW, THEREFORE, the undersigned hereby certify that the following Second Amendment to the Articles is a true and correct copy of the amendment approved by the Board.

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**FIRST AMENDMENT TO THE AMENDED AND
RESTATED ARTICLES OF INCORPORATION OF
LAKES AT POLO TRACE HOMEOWNERS ASSOCIATION, INC.**

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

1. Article VIII, Section C of the Articles is hereby amended to provide the following:

C. In accordance with Section 720.307(2) of the HOA Act, the Members other than Declarant ("Purchaser Members") shall be entitled to elect one member of the Board after fifty percent (50%) of all of the Lots in Lakes at Polo Trace to be constructed with a Home thereon (the "Total Developed Lots") have been conveyed to Members. The election of such one (1) Purchaser Member to the Board shall occur at the annual meeting of the Members following such conveyance. The term of such Purchaser Member elected to the Board shall terminate upon the sooner of i) the Turnover Date and the election of the "Initial Elected Board" (as such term is hereinafter defined), or ii) 1 year from the date of the prior Purchaser Member election.

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[SIGNATURE PAGE FOLLOWS]

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

ASSOCIATION:

**LAKES AT POLO TRACE
HOMEOWNERS ASSOCIATION, INC.**

a Florida not-for-profit corporation

By: *Nina Goldstein*
Nina Goldstein, its President

Date: 4/30/21

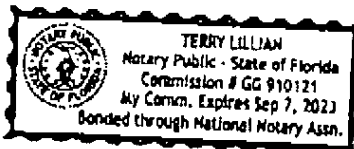
Attest: *N. Maria Menendez*
N. Maria Menendez, its Secretary

Date: 4/30/21

STATE OF FLORIDA)
) ss:
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of ☒ physical appearance or ☐ online notarization, this 30th day of April, 2021, by Nina Goldstein as President for **LAKES AT POLO TRACE 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.

[NOTARIAL SEAL]



Terry Lillian
Notary Public, State of Florida

Print Name: TERRY LILLIAN

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