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**COR AMND/RESTATE/CORRECT OR O/D RESIGN
THE HEIGHTS COMMUNITY ASSOCIATION, INC.**

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**ARTICLES OF AMENDMENT
TO THE
ARTICLES OF INCORPORATION
OF
THE HEIGHTS COMMUNITY ASSOCIATION, INC.**

Taylor Morrison of Florida, Inc., a Florida corporation (the "Declarant"), pursuant to Section A of Article XIII of the Articles of Incorporation of The Heights Community Association, Inc., a Florida not-for-profit corporation (the "Association"), filed with the Secretary of State of the State of Florida under document number N18000011258 ("Articles"), which provides that prior to the First Conveyance (as defined in the Articles), the Articles may be amended only by an instrument in writing signed by Declarant and filed in the Office of the Secretary of State of the State of Florida, hereby adopts the following amendments:

FIRST: Section A of Article X is hereby amended to read as follows:

A. The number of Directors on the first Board of Directors of the Association ("First Board") and the "Initial Elected Board" (as hereinafter defined) shall be no less than three (3) nor more than five (5) as determined by Declarant. The number of Directors elected by the Members subsequent to the "Declarant's Resignation Event" (as hereinafter defined) shall be five (5), three (3) of which shall be "Class A Directors" elected by the Class A Members and two (2) of which shall be "Class B Directors" (as such terms are hereinafter defined) elected by the Class B Members an odd number of not less than three (3) nor more than seven (7), as the Board shall from time to time determine 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 or officers or directors of Members. There shall be only one (1) vote for each Director.

SECOND: Section D of Article X is hereby amended to read as follows:

D. Upon the Turnover Date, the Members (other than Declarant) ("Purchaser Members") shall be entitled to elect not less than a majority of the Board. The Class A Members shall elect three (3) Directors ("Class A Directors") and the Class B Members shall elect two (2) Directors ("Class B Directors"). The election of not less than a majority of the Board by the Purchaser Members shall occur at a special meeting of the Membership to be called by the Board for such purpose ("Initial Election Meeting"). The First Board shall serve until the Initial Election Meeting.

THIRD: Section E of Article X is hereby amended to read as follows:

E. The Initial Election Meeting shall be called by the Association, through the Board, within sixty (60) days after the Purchaser Members are to

elect a majority of Directors as provided in Paragraph D hereof. A notice of meeting shall be forwarded to all Members in accordance with the Bylaws; provided, however, that the Members shall be given at least fourteen (14) days' notice of such meeting. The notice shall also specify the number of Directors which shall be elected by the Class A Members, the Class B Members, Purchaser Members and the remaining number of Directors designated by Declarant.

FOURTH: Section F of Article X is hereby amended to read as follows:

F. At the Initial Election Meeting, ~~Purchaser Members, the number of which may change from time to time,~~ the Class A Members shall elect two (2) of the Directors, the Class B Members shall elect two (2) of the Directors and Declarant, until the Declarant's Resignation Event, shall be entitled to (but not obligated to) designate one (1) Director (same constituting the "Initial Elected Board"). Declarant reserves and shall have the right, until the Declarant's Resignation Event, to name the successor, if any, to any Director it has so designated. If Declarant elects not to designate one (1) Director, the Class A Members shall elect three (3) Directors.

FIFTH: Section H of Article X is hereby amended to read as follows:

H. Upon the earlier to occur of the following events ("Declarant's Resignation Event"), Declarant shall cause all of its designated Directors to resign:

1. When Declarant no longer holds at least five percent (5%) of the Total Developed Homes for sale in the ordinary course of business and all Lots sold by Declarant have been conveyed as evidenced by the recording of instruments of conveyance of such Lots amongst the Public Records of the County; or

2. When Declarant causes the voluntary resignation of all of the Directors designated by Declarant and does not designate replacement Directors.

Upon Declarant's Resignation Event, the Class A Directors ~~elected by Purchaser Members~~ shall elect a successor Class A Director to fill the vacancy caused by the resignation or removal of Declarant's designated Director. This successor Director shall serve until the next Annual Members' Meeting and until his successor is elected and qualified. In the event Declarant's Resignation Event occurs prior to the Initial Election Meeting, the Initial Election Meeting shall be called in the manner set forth in Paragraph D E of this Article X, and all of the Directors shall be elected by the Purchaser Members at such meeting.

SIXTH: Section I of Article X is hereby deleted:

~~1. At each Annual Members' Meeting held subsequent to Declarant's Resignation Event, all of the Directors shall be elected by the Members. At the first Annual Members Meeting held after the Initial Election Meeting, a "staggered" term of office of the Board shall be created as follows:~~

~~1. a number equal to fifty percent (50%) of the total number of Directors rounded to the nearest whole number is the number of Directors whose term of office shall be established at two (2) years and the Directors serving for a two (2) year term will be the Directors receiving the most votes at the meeting; and~~

~~2. the remaining Directors' terms of office shall be established at one (1) year.~~

~~At each Annual Members' Meeting thereafter, as many Directors of the Association shall be elected as there are Directors whose regular term of office expires at such time, and the term of office of the Directors so elected shall be for two (2) years, expiring when their successors are duly elected and qualified.~~

(Words struck-through are deleted; words **bolded and double-underlined** are added)

SEVENTH: This Amendment was approved by Declarant on the 14th day of January, 2020.

EIGHTH: The Board of Directors and the Members are not entitled to vote on the amendment as the First Conveyance has not occurred.

Dated: January 14th, 2020.

DECLARANT:

TAYLOR MORRISON OF FLORIDA, INC.,
a Florida corporation

By: 

Printed Name: Timothy Martin

Title: Vice President