

Division of Corporations

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N18000011311

Florida Department of State
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**COR AMND/RESTATE/CORRECT OR O/D RESIGN
GARDEN HOMES AT ESPLANADE PALMER RANCH
CONDOMINIUM A**

Certificate of Status	1
Certified Copy	1
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RECEIVED
MAY 22 2019

**CERTIFICATE OF AMENDMENT TO ARTICLES OF INCORPORATION OF
GARDEN HOMES AT ESPLANADE PALMER RANCH
CONDOMINIUM ASSOCIATION, INC.**
(A Florida corporation not for profit)

Pursuant to Chapter 617.1006 of the Florida Not For
Profit Corporation Act

JOHN WOLLARD, Secretary of **GARDEN HOMES AT ESPLANADE PALMER RANCH CONDOMINIUM ASSOCIATION, INC.**, a Florida corporation not for profit ("Association"), does hereby certify under the seal of the Association as follows:

1. The Association was originally incorporated on October 24, 2018, Document Number N18000011341, under Chapter 617 of the laws of the State of Florida.

2. Article XIII, Section A, of the Articles provides that prior to the recording of the Declaration amongst the Public Records, these Articles may be amended by an instrument in writing signed by the President (or a Vice President) and the Secretary (or an Assistant Secretary) and filed in the Office of the Secretary of State of the State of Florida.

3. Article IV of the Declaration provides that until such time as Garden Homes at Esplanade Palmer Ranch is submitted to condominium ownership by the recordation of the Declaration, the membership of this Association shall be comprised solely of the members of the "First Board" (as defined in Article IX thereof).

4. As of the date of this Certificate, the Declaration has not been recorded.

5. Developer and the Board of Directors of the Association are desirous of amending the Articles, in accordance with the requirements of Articles IV and XIII of the Articles, as set forth below.

6. The following Amendment was adopted by the Board of Directors by Written Consent in Lieu of Meeting on May 10, 2019, and there are no members entitled to vote on the Amendment.

NOW, THEREFORE, the Articles are hereby amended as follows:

1. Paragraph T of the Definitions of the Articles is hereby amended to read as follows:

T. "Garden Homes at Esplanade Palmer Ranch" means the name given to the planned residential development which is currently being developed by Developer, and which is planned to contain ~~eighty-eight (808)~~ Homes in ~~eleven (11)~~ phases, each of which is planned to contain a two (2) story residential building containing eight (8) Homes each, with detached one (1)-car Garages, landscaped areas, sidewalks and other Common Elements.

2. Article IX, Board of Directors, Section D, subsection 1(a)-(g) of the Articles is hereby amended to read as follows:

D. ~~Purchaser Members are entitled to elect not less than a majority of the Board upon the happening of any of certain events:~~ **Transfer of Association Control.**

1. ~~Purchaser Members other than Developer are entitled to elect not less than a majority of the Board upon the happening of any of the following events:~~ **If unit owners other than the developer own 15 percent or more of the units in a condominium that will be operated ultimately by an association, the unit owners other than the developer are entitled to elect at least one-third of the members of the board of administration of the association. Unit owners other than the developer are entitled to elect at least a majority of the members of the board of administration of an association, upon the first to occur of any of the following, whichever shall first occur (reciting the provisions of Sections 718.301(1)(a)-(g), F.S., as required by Rule 61B-17.0012, F.A.C.):**

(a) Three years after 50 percent of the units that will be operated ultimately by the association have been conveyed to purchasers;

(b) Three months after 90 percent of the units that will be operated ultimately by the association have been conveyed to purchasers;

(c) When all the units that will be operated ultimately by the association have been completed, some of them have been conveyed to purchasers, and none of the others are being offered for sale by the developer in the ordinary course of business;

(d) When some of the units have been conveyed to purchasers and none of the others are being constructed or offered for sale by the developer in the ordinary course of business;

(e) When the developer files a petition seeking protection in bankruptcy;

(f) When a receiver for the developer is appointed by a circuit court and is not discharged within 30 days after such appointment, unless the court determines within 30 days after appointment of the receiver that transfer of control would be detrimental to the association or its members; or

(g) Seven years after the date of the recording of the certificate of a surveyor and mapper pursuant to s. 718.104(4)(e) or the recording of an instrument that transfers title to a unit in the condominium which is not accompanied by a recorded assignment of developer rights in favor of the grantee of such unit, whichever occurs first; or, in the case of an association that may ultimately operate more than one condominium, 7 years after the date of the recording of the certificate of a surveyor

and mapper pursuant to s. 718.104(4)(c) or the recording of an instrument that transfers title to a unit which is not accompanied by a recorded assignment of developer rights in favor of the grantee of such unit, whichever occurs first; for the first condominium it operates; or, in the case of an association operating a phase condominium created pursuant to s. 718.403, 7 years after the date of the recording of the certificate of a surveyor and mapper pursuant to s. 718.104(4)(c) or the recording of an instrument that transfers title to a unit which is not accompanied by a recorded assignment of developer rights in favor of the grantee of such unit, whichever occurs first.

The developer is entitled to elect at least one member of the board of administration of an association as long as the developer holds for sale in the ordinary course of business at least 5 percent, in condominiums with fewer than 500 units, and 2 percent, in condominiums with more than 500 units, of the units in a condominium operated by the association. After the developer relinquishes control of the association, the developer may exercise the right to vote any developer-owned units in the same manner as any other unit owner except for purposes of reacquiring control of the association or selecting the majority members of the board of administration.

3. Article IX, Board of Directors, Section D, subsection 2.K of the Articles is hereby amended to read as follows:

K. At each Annual Members' Meeting held subsequent to the year in which the Developer's Resignation Event occurs, the number of Directors to be elected shall be determined by the Board from time to time, but there shall not be less than ~~three~~ **three (3)** Directors nor more than ~~seven~~ **five (5)**, however the number of Directors must always be an odd number.

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

IN WITNESS WHEREOF, this Certificate of Amendment has been executed by the President and Secretary of the Association this 13 day of May, 2019.

WITNESSES:

GARDEN HOMES AT ESPLANADE PALMER RANCH CONDOMINIUM ASSOCIATION, INC.,
a Florida not-for-profit corporation

Deborah Beckett
Print Name: Deborah Beckett

By: [Signature]
NATHAN STITH, President

Becky E. Hopkins
Print Name: Becky E. Hopkins

Deborah Beckett
Print Name: Deborah Beckett

By: [Signature]
JOHN WOLLARD, Secretary

Becky E. Hopkins
Print Name: Becky E. Hopkins

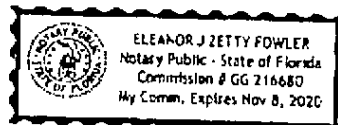
(CORPORATE SEAL)

STATE OF FLORIDA)
COUNTY OF SARASOTA)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by NATHAN STITH and JOHN WOLLARD, as President and Secretary, respectively, of GARDEN HOMES AT ESPLANADE PALMER RANCH CONDOMINIUM ASSOCIATION, INC., a Florida corporation, freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation, who is personally known to me.

WITNESS my hand and official seal in the County and State last aforesaid this 13 day of May, 2019.

My Commission Expires:



[Signature]
Notary Public
Eleanor J. Zetty Fowler
Typed, printed or stamped name of Notary Public

TAYLOR MORRISON OF FLORIDA, INC., Developer, hereby consents to the foregoing Certificate of Amendment to Articles of Incorporation of **Garden Homes at Esplanade Palmer Ranch Condominium Association, Inc.**

WITNESSES:

Deborah Beckwith
Printed Name: Deborah Beckwith

Becky E. Hopkins
Printed Name: Becky E. Hopkins

TAYLOR MORRISON OF FLORIDA, INC.,
a Florida corporation

By: *Timothy Martin*
Printed Name: Vice President Timothy Martin
Title: Vice President

STATE OF FLORIDA

COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 13 day of May, 2019, by Timothy Martin, as Vice President of TAYLOR MORRISON OF FLORIDA, INC., a Florida corporation, on behalf of the corporation, who is personally known to me.

My Commission expires:

Eleanor J. Zetty Fowler
Notary Public
Eleanor J. Zetty Fowler
Typed, Printed or Stamped Notary Name

