

**N210000109107**

Florida Department of State  
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**COR AMND/RESTATE/CORRECT OR O/D RESIGN  
LOTUS PALM HOMEOWNERS ASSOCIATION, INC.**

Certificate of Status	1
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**J. HORNE**  
**MAY - 2 2024**

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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

After recording return to:

Lotus Palm Homeowners Association, Inc.  
1600 Sawgrass Corporate Parkway, Suite 400  
Sunrise, Florida 33323

**CERTIFICATE OF FILING  
FIRST AMENDMENT TO THE  
AMENDED AND RESTATED ARTICLES OF INCORPORATION OF  
LOTUS PALM HOMEOWNERS ASSOCIATION, INC.**

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**WHEREAS**, Lotus Palm Homeowners Association, Inc. (the "Association") is a Florida not for profit corporation pursuant to the Articles of Incorporation of Lotus Palm Homeowners Association, Inc., filed September 14, 2021 under Document Number N21000010907, 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 May 1, 2024, 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 First 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  
LOTUS PALM 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 the Lots in Lotus Palm 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 Turnover Date and the election of the "Initial Elected Board" (as such term is hereinafter defined).

2. Article VIII, Section E of the Articles is hereby amended to provide the following:

E. The Initial Election Meeting shall be called by the Association, through the Board, within sixty (60) days after prior to the Turnover Date. All notice of meeting notices shall be forwarded to all Members in accordance with the Bylaws; ~~provided, however, that the Members shall be given at least fourteen (14) days prior notice of such meeting.~~ The notices shall also specify the number of Directors which shall be elected by the Purchaser Members and the remaining number of Directors designated by Declarant.

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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:

LOTUS PALM HOMEOWNERS  
ASSOCIATION, INC., a Florida not for  
profit corporation

By: Kara Babcock  
Kara Babcock, its President

Date: 5.1.2024

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

Date: 5.1.2024

STATE OF FLORIDA )  
COUNTY OF PALM BEACH ) ss:

The foregoing instrument was acknowledged before me by means of ☒ physical appearance or ☐ online notarization, this 1<sup>st</sup> day of May, 2024, by Kara Babcock as President for LOTUS PALM HOMEOWNERS ASSOCIATION, INC., a Florida not for profit corporation, who is personally known to me and did not take an oath.

[NOTARIAL SEAL]



Cynthia Tyrwhitt-Drake  
Notary Public, State of Florida

Print Name: Cynthia K Tyrwhitt-Drake

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