

N22325

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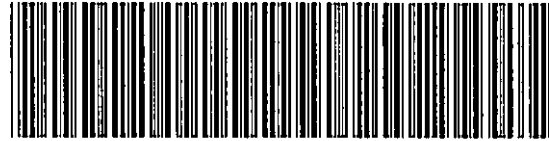
(Business Entity Name)

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Amend

FEB 21 2019

ALBRITTON

COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: BIMINI BAY CLUB CONDOMINIUM ASSOCIATION, INC.

DOCUMENT NUMBER: N22325

The enclosed *Articles of Amendment* and fee are submitted for filing.

Please return all correspondence concerning this matter to the following:

Ernest W. Sturges, Jr., Esq.

(Name of Contact Person)

Goldman, Tiseo & Sturges, P.A.

(Firm/ Company)

701 JC Center Court, Suite 3

(Address)

Port Charlotte Florida 33954

(City/ State and Zip Code)

esturges@gtslawfirm.com

E-mail address: (to be used for future annual report notification)

For further information concerning this matter, please call:

Ernest W. Sturges, Jr., Esq.

941

625-6666

at

(Name of Contact Person)

(Area Code)

(Daytime Telephone Number)

Enclosed is a check for the following amount made payable to the Florida Department of State:

- | | | | |
|---|--|---|--|
| <input checked="" type="checkbox"/> \$35 Filing Fee | <input type="checkbox"/> \$43.75 Filing Fee &
Certificate of Status | <input type="checkbox"/> \$43.75 Filing Fee &
Certified Copy
(Additional copy is
enclosed) | <input type="checkbox"/> \$52.50 Filing Fee
Certificate of Status
Certified Copy
(Additional Copy is
Enclosed) |
|---|--|---|--|

Mailing Address

Amendment Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Street Address

Amendment Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301

**CERTIFICATE OF AMENDMENT TO
ARTICLES OF INCORPORATION OF
BIMINI BAY CLUB CONDOMINIUM ASSOCIATION, INC.**

THIS CERTIFICATE is made to reflect and document an Amendment of the Articles of Incorporation of Bimini Bay Club Condominium Association, Inc. The Articles of Incorporation of Bimini Bay Club Condominium Association, Inc. have been recorded in the Public Records of Charlotte County as follows:

<u>Instrument and Date</u>	<u>O.R. Book/Page(s)</u>
a. Articles of Incorporation of Bimini Bay Club Condominium Association, Inc. Filed: September 2, 1987 / Recorded: January 20, 1988	0956/1363 <i>et seq.</i>

The undersigned officers of the Board of Directors of Bimini Bay Club Condominium Association, Inc., a Florida not-for-profit corporation, hereby certify as follows:

1. The Articles of Incorporation of Bimini Bay Club Condominium Association, Inc. is hereby amended in accordance with Exhibit "1" attached hereto and entitled First Amendment to Articles of Incorporation of Bimini Bay Club Condominium Association, Inc.

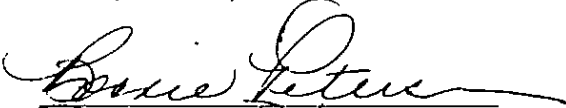
2. The amendment was adopted by the Members of the Association and the number of votes cast for the amendment was sufficient for approval at a duly noticed meeting held on

January 27, 2019.

Executed this 6th day of February, 2019, at Punta Gorda, Florida.

BIMINI BAY CLUB CONDOMINIUM ASSOCIATION, INC.,

a Florida not-for-profit corporation

By: 
Name: Bonnie Peterson
Its: President

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SECTION 11.06-106

EXHIBIT "1"

FIRST AMENDMENT TO ARTICLES OF INCORPORATION OF BIMINI BAY CLUB CONDOMINIUM ASSOCIATION, INC.

The Articles of Incorporation of Bimini Bay Club Condominium Association, Inc. are hereby amended to add the following Article 12 thereto:

"ARTICLE 12 AMENDMENTS

12. Amendments. These Articles may be amended in the following manner:

12.1. Proposal of Amendments. An amendment may be proposed by a majority of Directors, or by twenty-five percent (25%) of the entire voting interests.

12.2. Proposed Amendment Format. Proposals to amend existing Articles of Incorporation shall contain the full text of the Article to be amended. New words shall be underlined and words to be deleted shall be ~~lined through~~ with hyphens. If the proposed change is so extensive that this procedure would hinder rather than assist understanding, a notation must be inserted immediately preceding the proposed amendment saying, "SUBSTANTIAL REWORDING OF ARTICLE. SEE ARTICLE NUMBER _____ FOR PRESENT TEXT."

12.3. Notice. Copies of proposed amendments shall be included in the notice of any meeting at which a proposed amendment is to be considered or in connection with documentation for action without a meeting.

12.4. Adoption of Amendments. A resolution for the adoption of a proposed amendment may be adopted by the affirmative vote of no less than fifteen (15) of the voting interests of the Association present (in person or by proxy) and voting at a duly noticed meeting at which a quorum is present, or by the written agreement of not less than fifteen (15) of the entire voting interests. Amendments correcting errors, omissions or scrivener's errors may be executed by the officers of the Association, upon Board approval, without need for Association membership vote.

12.5. Effective Date. An amendment when adopted shall become effective after being recorded in the Charlotte County Public Records according to law and filed with the Secretary of State according to law.

12.6. Automatic Amendment. These Articles shall be deemed amended, if necessary, so as to make the same consistent with the provisions of the Declaration of Condominium. Whenever Chapter 718, Florida Statutes (2017) Chapter 617, Florida Statutes (2017) or other applicable statutes or administrative regulations, as amended from time to time, are amended to impose procedural requirements less stringent than set forth in these Articles, the Board may operate

the Association pursuant to the less stringent requirements. The Board of Directors without a vote of the Owners, may adopt by majority vote, amendments to these Articles of Incorporation as the Board deems necessary to comply with such operational changes as may be enacted by future amendments to Chapters 607, 617, and 718 of the Florida Statutes (2017), or such other statutes or administrative regulations as required for the operation of the Association, all as amended from time to time.

12.7. Proviso. Provided, however, that no amendment shall change the configuration of any Unit or the share in the Common Elements appurtenant to it, or increase the Owner's share of the Common expenses, or change in any manner the qualifications for Membership nor the voting rights of Members unless the Record Owner of the Unit concerned and all record Owners of the mortgages of such apartment shall join in the execution of the Amendment, and all of the Unit Owners approve the amendment."