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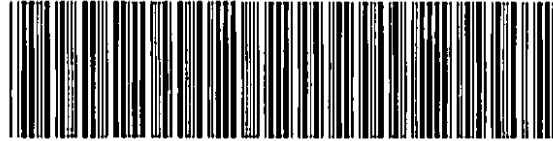
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ARTICLES OF AMENDMENT
TO
ARTICLES OF INCORPORATION

2011617

Pursuant to the provisions of Chapter 617, Florida Statutes, the undersigned corporation files these Articles of Amendment to its Articles of Incorporation.

1. The name of the corporation is Old Pelican Bay Homeowners Association, Inc.
2. The Articles of Incorporation of Old Pelican Bay Homeowners Association, Inc. were amended and restated in their entirety, as set forth in Exhibit "A" attached hereto.
3. The attached Amended and Restated Articles of Incorporation were duly adopted by the membership at a duly noticed meeting held on November 11, 1995.
4. The number of votes cast were sufficient for approval.

WITNESSES (TWO):

OLD PELICAN BAY HOMEOWNERS
ASSOCIATION, INC.

Alejandra Rodriguez
Signature

Print Name: Alejandra Rodriguez

Cara Clark
Signature

Print Name: CARA CLARK

By:

Ronald Blaszczyński
Ronald Blaszczyński, President

Date:

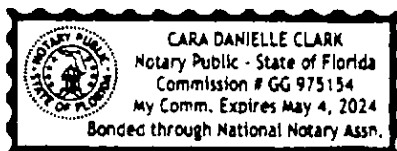
9-18-2020

(CORPORATE SEAL)

STATE OF FLORIDA

COUNTY OF LEE) SS)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18th day of SEPTEMBER, 2020, by Ronald Blaszczyński as President of Old Pelican Bay Homeowners Association, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced (type of identification) _____ as identification.



Cara Clark
Notary Public

Print Name:

CARA CLARK

My commission expires:

5/4/2024

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ASSOCIATION, INC.

Alejandra Rodriguez
Signature

Print Name: Alejandra Rodriguez

Cara Clark
Signature

Print Name: CARA CLARK

By: Ronald Blaszczyński
Ronald Blaszczyński, President

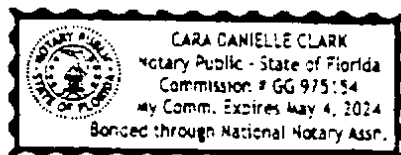
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Cara Clark
Notary Public

Print Name: CARA CLARK

My commission expires: 5/4/2024

EXHIBIT "A"

AMENDED AND RESTATED
ARTICLES OF INCORPORATION
OF OLD PELICAN BAY HOMEOWNER'S ASSOCIATION, INC.

We, the undersigned, acting as incorporators of a non-profit corporation under Chapter 617 of the Florida Statutes, do hereby adopt the following Articles of Incorporation for such corporation:

ARTICLE I

The name of the corporation (hereinafter called the Association) is OLD PELICAN BAY HOMEOWNER'S ASSOCIATION, INC.

ARTICLE II

The specific primary purposes for which the Association is formed are to provide for maintenance, preservation, and architectural control of the residential lots and common elements within a certain tract of real property as recorded in the Public Records of Lee County, O.P. Book 1958, Pages 0369 - 0375, on the 10th of December 1987, as well as any additional lands which may be added hereto, and to promote the health, safety and welfare of the residents within the above-described development and such additions thereto as may hereafter be brought within the jurisdiction of the Association for such purpose.

In furtherance of such purposes, the Association shall have the power to:

- a) Perform all of the duties and obligations of the Association as set forth in a certain Declaration of Covenants, Conditions and Restrictions (the Declaration) applicable to the development and to be recorded in the Public Records of Lee County, Florida;
- b) Affix, levy and collect and enforce payment by any lawful means of all charges and assessments pursuant to the terms of the Declaration; and pay all expenses in connection therewith, and all office and other expenses incidental to the conduct of the business of the Association, including all licenses, taxes, or governmental charges levied on or imposed against the property of the Association;
- c) Acquire (by gift, purchase or otherwise), own, hold, and improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate to public use, or otherwise dispose of real and personal property in connection with the affairs of the Association;
- d) Dedicate, sell, or transfer all or any part of the common areas to any municipality, public agency, authority, or utility for such purposes and subject to such conditions as may be agreed upon by the members. No such dedication or transfer shall be effective unless an instrument has been signed by the majority of members, agreeing to such dedication, sale or transfer;
- e) Participate in mergers and consolidations with other non-profit corporations organized for the same purposes, or annex additional residential property or common elements,

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provided that any merger or consolidation shall have the assent by vote or written instrument of majority of each member, annexation of additional residential property or common elements.

f) Have and exercise any and all powers, rights, and privileges that a non-profit corporation organized under Chapter 617 of the Florida Statutes by law may now or hereafter have or exercise.

The Association is organized and shall be operated exclusively for the purposes set forth above. The activities of the Association will be financed by assessments against members as provided in the Declaration, and no part of any net earnings of the Association will inure to the benefit of any member.

ARTICLE III

Every person or entity who is a record owner of a fee or undivided fee interest in any unit which is subject by covenants of record to assessment by the Association, including contract sellers, but excluding persons or entities holding title merely as security for performance of an obligation, shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of a unit which is subject to assessment by the Association.

ARTICLE IV

The period of duration of the Association shall be perpetual.

ARTICLE V

The name and mailing address of each subscriber is:

<u>Name</u>	<u>Address</u>
Dan Markle President	18141 Old Pelican Bay Drive Fort Myers Beach, FL 33931
Ron McCarty Vice President	18292 Deep Passage Lane Fort Myers Beach, FL 33931
Ruth Gapp Secretary	4717 Harbortown Lane Fort Myers, FL 33919

ARTICLE VI

The affairs of the Association shall be managed by a Board of Directors, a President and Vice President, who shall at all times be members of the Board of Directors, and Secretary and Treasurer. Such officers shall be elected at the first meeting of the Board of Directors following each annual meeting of the members.

The names of the officers who are to serve until the first election are:

<u>Name</u>	<u>Office</u>
Dan Markle	President
Ron McCarty	Vice President
Ruth Gapp	Secretary

ARTICLE VII

The number of persons constituting the first Board of Directors of the Association shall be three (3), and thereafter, the membership shall consist of not more than five (5), and the names and address of the persons who shall serve as Directors until the first election are:

<u>Name</u>	<u>Address</u>
Dan Markle President	18141 Old Pelican Bay Drive Fort Myers Beach, FL 33931
Ron McCarty Vice President	18292 Deep Passage Lane Fort Myers Beach, FL 33931
Ruth Gapp Secretary	4717 Harbortown Lane Fort Myers, FL 33919

ARTICLE VIII

The By-Laws of the Association may be made, altered or rescinded at any annual meeting of the Association, or at any special meeting duly called for such purpose, on the affirmative vote of majority of members existing at the time of and present in person or by proxy at such meeting, except that the initial By-Laws of the Association shall be made and adopted by the Board of Directors.

ARTICLE IX

Amendments to the Articles of Incorporation may be proposed by any member of the Association. These Articles may be amended at any annual meeting of the Association, or at any special meeting duly called and held for such purpose, on the affirmative vote of a majority of each class of voting members existing at the time of such meeting.

ARTICLE X

The Association shall have one class of voting members:

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Members shall be all owners, and shall be entitled to one vote for each unit owned. when more than one person holds an interest in any unit, all such persons shall be members. The vote of such unit shall be exercised as such members may determine among themselves, but in no event shall more than one vote be cast with respect to any unit owned by members.

ARTICLE XI


On dissolution, the assets of the Association shall be distributed to an appropriate public agency to be used for purposes similar to those for which the Association was created. In the event such distribution is refused acceptance, such assets shall be granted, conveyed, and assigned to any non-profit corporation, association, trust, or other organization organized and operated for such similar purposes.

ARTICLE XII

REGISTERED AGENT AND REGISTERED ADDRESS: The initial registered agent of the corporation shall be DAN MARKLE, and the initial registered address of the corporation shall be 18141 Deep Passage Lane, Fort Myers Beach, Florida 33931.

Having been named to accept service of process for the above-stated corporation at place designated in this certificate I hereby accept to act in this capacity and agree to comply with the provision of said Act relative to keeping open said office.

ACCEPTED:



Dan Markle

ARTICLE XIII

EFFECTIVE DATE: The effective date of this corporation shall be upon filing with the Office of the Secretary of State of the State of Florida.

ARTICLE XIV

Each Director and Officer of this Association shall be indemnified by the Association against all costs and expenses reasonably incurred or imposed upon him in connection with or arising out of any actions, suite or proceedings in which he may be involved or to which he may be made a party be reason of his having been a Director or Office of this Associations, such expense to include the cost of reasonable settlements (other than amounts paid to the Association itself).

IN WITNESS WHEREOF, the undersigned subscribers have executed these Articles of Incorporation on the 8 day of Feb, 1996.

Witness

Jenny K. of Cal
Donald Carl
Deborah S. Lombardo

Dan Markle
Dan Markle

Ron McCarty
Ron McCarty

Ruth Gapp
Ruth Gapp

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STATE OF FLORIDA

COUNTY OF LEE

Before me, the undersigned authority personally appeared Dan Markle, Ron McCarty and Ruth Gapp, who is personally known to me/produced _____ as identification, who executed the foregoing Articles of Incorporation and acknowledged before me, according to law, that they executed the same for the purposes therein mentioned and set forth.

In Witness Whereof, I have hereunto set my hand and official seal in the County and State above mentioned, this 8 day of Feb, 1996.

Leslie Erschen
Notary Public

My Commission expires:

