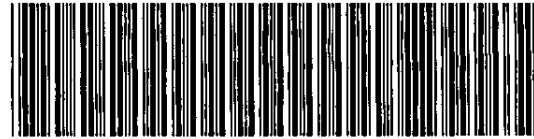


NA5507



500292299995

11/28/16--01037--002 \*\*43.75

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP ☐ WAIT ☐ MAIL

(Business Entity Name)

(Document Number)

Certified Copies \_\_\_\_\_ Certificates of Status \_\_\_\_\_

Special Instructions to Filing Officer:

Office Use Only

NC  
And  
restate

DEC 01 2016

R. WHITE

16 NOV 28 AM 11:58  
16 NOV 28 AM 11:58  
SECURITY  
TALLER  
FBI

**COVER LETTER**

**TO:** Amendment Section  
Division of Corporations

**NAME OF CORPORATION:** Fiddler's Marsh (At L'ATRIUM) Homeowners  
**DOCUMENT NUMBER:** N255 07 Association, Inc.

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

Please return all correspondence concerning this matter to the following:

Michelle P. Haines  
Name of Contact Person  
McCabe Law Group, P.A.  
Firm/ Company  
111 Solana Rd, Suite B  
Address  
Ponte Vedra Beach, FL 32082  
City/ State and Zip Code  
mhaines@jaxlandlaw.com  
E-mail address: (to be used for future annual report notification)

For further information concerning this matter, please call:

Michelle P. Haines at (904) 396-0090  
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:

- ☒ \$35 Filing Fee  
☐ \$43.75 Filing Fee & Certificate of Status  
☒ \$43.75 Filing Fee & Certified Copy (Additional copy is enclosed)  
☐ \$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

FILED

16 NOV 28 AM 11:53

SECTION 1000  
TALLAHASSEE, FLA.

AMENDED AND RESTATED  
ARTICLES OF INCORPORATION  
OF  
FIDDLER'S MARSH (AT L'ATRIUM)  
HOMEOWNERS ASSOCIATION, INC.  
A Corporation Not For Profit

In compliance with the requirements of Chapters 607 and 617 of the Florida Statutes, Fiddler's Marsh At Ponte Vedra Beach Homeowners Association, Inc., a Florida not for profit corporation (the "Association"), hereby amends and restates its Articles of Incorporation and that the member votes for the amendment was sufficient for approval on August 15, 2106, as follows:

**I. NAME**

The name of the corporation shall be FIDDLERS MARSH AT PONTE VEDRA BEACH HOMEOWNERS ASSOCIATION, INC. This corporation is the corporation which was formed for the purpose of operating and managing the land subject to the Covenants (as hereinafter defined) and notwithstanding the references to L'Atrium IV Homeowners Association, Inc., therein, this corporation has all the rights, powers, duties and obligations for the "Association" as set forth in the Covenants.

**II. REGISTERED AGENT AND PRINCIPAL OFFICE**

John T. Ewing, whose address is 151 Sawgrass Corners Drive, Suite 204G, Ponte Vedra Beach, Florida 32082, is hereby appointed registered agent of the "Association" and whose address serves as the principal office of the "Association."

**III. PURPOSE**

The purposes and objects of the Association shall be to provide for maintenance, preservation and architectural control of all the land contained within the plat of L'Atrium Unit IV, Phase A ("Property") recorded in Map Book 19, Pages 23-27, of the public records of St. Johns County, Florida ("County") as such description may be amended from time to time, together with the improvements situated thereon and to own, operate, encumber, lease, manage, sell, convey, exchange and otherwise deal with the lands subjected to the Covenants, the improvements thereon and such other property, real and/or personal, as may be or become part of the Property to the extent necessary or convenient in the administration of the Property as provided for in the Covenants. The Association shall perform the acts and duties incident to the operation and management of the Association in accordance with the provisions of these Articles of Incorporation, the Bylaws of the Association ("Bylaws"), and the Second Restated Declaration of Covenants and Restrictions for FIDDLER'S MARSH AT PONTE VEDRA BEACH HOMEOWNERS ASSOCIATION, INC. as recorded in the public records of the County (the "Covenants"). The Association shall be conducted as a not for profit organization for the benefit of its Members, which does not contemplate gain or profit to Members thereof.

#### **IV. INCORPORATOR**

Name: Reto J. Schneider  
8130 Baymeadows Way W.  
Suite # 102  
Jacksonville, FL 32256

#### **V. BOARD OF DIRECTORS**

The Board of Directors, consisting of a President, Vice President, Secretary, Treasurer and as many Directors as the Board may deem advisable, shall be elected annually by a vote of the membership, as membership is defined in the Bylaws and Covenants.

#### **VI. POWERS**

The powers of the Association shall be subject to and exercised according to the provisions of the Bylaws and Covenants.

#### **VII. MEMBERS**

The qualifications of members, manner of their admission to and termination of membership and voting by members shall be as follows:

A. The owners of all Lots in the Properties shall be members of the Association, and no other persons or entities shall be entitled to membership.

B. Membership shall be established by the Acquisition of a fee title to a lot in the Properties, or by acquisition of a fee ownership interest therein, by voluntary conveyance or operation of law, and the membership of any person or entity shall be automatically terminated when such person or entity is divested of all title or his entire fee ownership in such Lot; provided, that nothing herein contained shall be construed as terminating the membership of any person or entity owning fee title to or a fee ownership interest in two or more lots at any time while such person or entity shall retain fee title to or a fee ownership interest in any lot.

C. The interest of a member in the funds and assets of the Association cannot be assigned, hypothecated or transferred in any manner, except as an appurtenance to the lot(s) owned by such member. The funds and assets of the Association shall be expended, held or used only for the benefit of the membership and for the purposes authorized herein, in the Declaration, and in the Bylaws.

#### **VIII. AMENDMENTS**

An amendment or amendments to these Articles of Incorporation may be proposed by the Board of Directors of the Association acting upon a vote of the majority of the Directors or by


the Members of the Association casting ten percent (10%) of the votes, whether meeting as Members or by instrument in writing signed by them. Upon any amendment or amendments to these Articles of Incorporation being proposed by the Board of Directors or Members, such proposed amendment or amendments shall be transmitted to the President of the Association or the acting Chief Executive Officer in the absence of the President, who shall thereupon call a special meeting of the members of the Association for a date not sooner than thirty (30) days or later than sixty (60) days from the receipt by him of the proposed amendment or amendments, and it shall be the duty of the Secretary to give each Member written notice of such meeting stating the time and place of the meeting and reciting the proposed amendment or amendments in a reasonably detailed form. Such notice shall be deemed to be properly given when sent via U.S. mail to the address on record with the Association or sent via electronic mail and a confirmation of receipt is received from the member by the Secretary. At such meeting, the amendment or amendments proposed must be approved by an affirmative vote of two-thirds (2/3) of the membership, cast in person or by proxy, in order for such amendment or amendments to become effective. Thereupon, such amendment or amendments of these Articles of Incorporation shall be transcribed and certified in such form as may be necessary to file the same in the office of the Secretary of State of the State of Florida.

#### **IX. DISSOLUTION**

The Association may be dissolved with a written affirmative vote of two-thirds (2/3) of the membership, cast in person or by proxy. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created including without limitation obtaining the approval of the St. Johns Water Management District, its successors or assigns, to the transfer of the maintenance obligation of the Association for any drainage facilities for the property. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any not for profit corporation, association, trust or any other organization ~~to be~~ devoted to ~~such~~ similar purposes.

IN WITNESS WHEREOF, the subscriber hereto has hereunto set his hand and seal this  
15 day of AUGUST, 2014

**FIDDLER'S MARSH AT PONTE VEDRA  
BEACH HOMEOWNERS ASSOCIATION,  
INC., a Florida not for profit corporation**

By:   
Name Printed: L. P. DUKES  
Title: PRESIDENT

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 15th day of August, 2016, by L P Dukes as President of **FIDDLER'S MARSH AT PONTE VEDRA BEACH HOMEOWNERS ASSOCIATION, INC.**, a Florida not for profit corporation, on behalf of the corporation.



NOTARY PUBLIC, State of Florida at Large

Print Name: Michelle P. Haines

Commission # FF 043780

My Commission Expires: Aug 7 2017

He/she is: [check one]:

Personally known X

OR Produced I.D. \_\_\_\_\_

