

N25975

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP ☐ WAIT ☐ MAIL

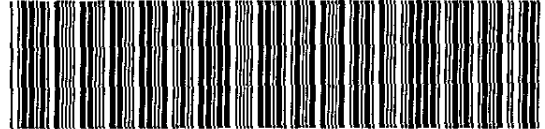
(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

Office Use Only



500020308695

06/06/03--01023--004 **35.00

FILED

03 JUL -3 AM 9:53

SECRETARY OF STATE
TALLAHASSEE, FL 32399

N25975
Rslatw/Arak
7-3-03 an
5P*

SACHS SAX KLEIN

ATTORNEYS AT LAW

SUITE 4150
301 YAMATO ROAD
BOCA RATON, FLORIDA 33431

TELEPHONE (561) 994-4499
DIRECT LINE (561) 237-6840
FACSIMILE (561) 994-4985

MAILING ADDRESS
POST OFFICE BOX 810037
BOCA RATON, FLORIDA 33481-0037

LOUIS CAPLAN, ESQ.
e-mail: lc@sachs-sax-klein.com

June 3, 2003

The Secretary of State
Department of State
Division of Corporations
Post Office Box 6327
Tallahassee, Florida 32314

**Re: Golf Colony Homeowners' Association, Inc., now known as
Pipers Glen Estates Homeowners Association, Inc.
Articles of Amendment to Articles of Incorporation
Our File No. 2030.01**

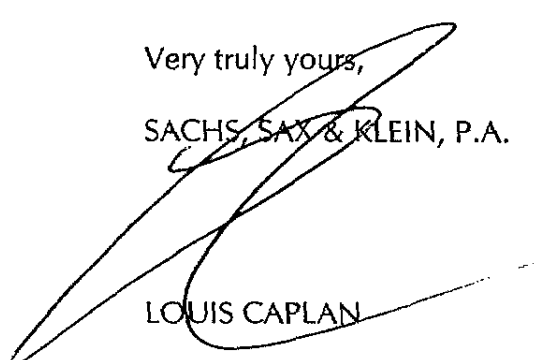
Ladies and Gentlemen:

Enclosed for filing please find the original Articles of Amendment to the Articles of Incorporation of the above-named Association together with this firm's check made payable to the Secretary of State in the amount of \$35.00. Please return a certified copy of the recorded document to me in the self-addressed stamped envelope enclosed for your convenience.

Thank you for your attention to this matter.

Very truly yours,

SACHS, SAX & KLEIN, P.A.



LOUIS CAPLAN

LC/chg
Enclosure

M:\Association\Pipers Glen Estates\Secretary of State 060303.wpd



FLORIDA DEPARTMENT OF STATE

Glenda E. Hood
Secretary of State

June 13, 2003

SACHS SAX KLEIN
% LOUIS CAPLAN
P.O. BOX 810037
BOCA RATON, FL 33481-0037

SUBJECT: PIPERS GLEN ESTATES HOMEOWNERS ASSOCIATION, INC.
Ref. Number: N25975

We have received your document for PIPERS GLEN ESTATES HOMEOWNERS ASSOCIATION, INC. and your check(s) totaling \$35.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

Please remove any reference to the old name from your document.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6916.

Carol Mustain
Document Specialist

Letter Number: 003A00036849

ARTICLES OF RESTATEMENT
TO THE
ARTICLES OF INCORPORATION
FOR

PIPERS GLEN ESTATES HOMEOWNERS ASSOCIATION, INC.

Pursuant to the provisions of Chapter 617 and 720 of the Florida Statutes, the undersigned corporation adopts the following Articles of Restatement to its Articles of Incorporation.

FIRST: The Restated Articles of Incorporation adopted are attached as Exhibit "A".

SECOND: On the 31 day of May, 2003, the Restated Articles of Incorporation were adopted by the Board of Directors, without further amendments requiring Member approval.

DATED: May 31, 2003.

PIPERS GLEN ESTATES HOMEOWNERS
ASSOCIATION, INC.

By: Mildred Rubino
MILDRED RUBINO, President

By: Sylvia Rosenberg
Sylvia Rosenberg, Secretary

FILED
JUL -3 AM 9:53
CLERK OF STATE
TALLAHASSEE, FLORIDA

**RESTATED ARTICLES OF INCORPORATION
OF
PIPERS GLEN ESTATES HOMEOWNERS ASSOCIATION, INC.**

The undersigned hereby associate to form a corporation not for profit under Chapter 617 of the Florida Statutes.

**ARTICLE I
NAME**

The name of this corporation shall be PIPERS GLEN ESTATES HOMEOWNERS ASSOCIATION, INC., (hereinafter referred to as the "Association"). All references herein to the "Association" or to Golf Colony Homeowners' Association, Inc., shall refer to Pipers Glen Estates Homeowners Association, Inc.

**ARTICLE II
PURPOSES**

The purposes of the Association are to acquire title to, own, operate, maintain and preserve the Common Properties in the development located in Palm Beach County, Florida, known as GOLF COLONY HOMES and may maintain, install, replace, and improve the lawns and sprinkler systems of Owners' Units and impose the cost of same as a Common Expense of the Association. The Association may enter into a bulk contract for cable television service and impose the cost of same as a Common Expense.

**ARTICLE III
POWERS**

The Association shall have all of the powers now or hereafter given to corporations not for profit by the Florida Statutes and all of the powers expressly conferred upon it by the Declaration of Covenants, Restrictions and Easements of GOLF COLONY HOMES, which will be recorded among the Public Records of Palm Beach County, Florida (hereinafter referred to as the "Declaration"), together with all powers necessary to fulfill both such stated powers and the duties expressly given to it in such Declaration. These powers include, but are not limited to, the power to:

A. Maintain, repair, improve and insure the landscaping, private roadways, parking spaces, recreational facilities, exterior lighting, if such items are not subject to a special taxing district, lakes, if any, which abut any of the Parcels or Units in Golf Colony Homes, or which may be a part of the Common Properties of Golf Colony Homes, and other Common Properties which the Association owns or which it has assumed the obligation to maintain.

B. Make and collect assessments from its members.

- C. Pay all Association expenses.
- D. Acquire title to and exercise all rights of ownership in and to any real or personal property.
- E. Make, amend and enforce reasonable rules and regulations for the use of the property it owns or maintains.
- F. Enforce the terms of the Declaration, these Articles, and the By-Laws of the Association.
- G. Maintain, install, replace, and improve the lawns and sprinkler systems of Owners' Units and impose the cost of same as a Common Expense of the Association collectable as any other assessments imposed by the Association.
- H. Enter into a bulk contract for cable television service and impose the cost of same as a Common Expense of the Association collectable as any other assessments imposed by the Association.

ARTICLE IV MEMBERS

1. Every record owner of a fee interest in any residential parcel (hereinafter referred to as a "Parcel" or a "Unit") which is subject to assessment by the Declaration, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to, and may not be separated from, ownership of a Parcel.
2. Change of membership in the Association shall be established by the recording in the Public Records of Palm Beach County, Florida, of a deed or other instrument establishing a record title to a Parcel and shall be evidenced by delivery to the Association of a copy of such instrument. The membership of the prior owner shall be terminated as of the date of delivery of such deed or other instrument.
3. The share of a member in the funds and assets of the Association cannot be assigned, hypothecated or transferred in any manner except upon transfer of his residential parcel.
4. There shall be one (1) class of membership. Any requirements for class voting of Members shall refer to and require a vote of the only one (1) existing class of Members, which consists of all Owners.

ARTICLE V BOARD OF DIRECTORS

1. The affairs of the Association shall initially be managed by a Board of three (3) Directors, whose names and addresses are:

Daniel C. Perez	Suite 400 1401 Ponce de Leon Boulevard Coral Gables, Florida 33134
-----------------	--

Adelena Quevedo	Suite 400 1401 Ponce de Leon Boulevard Coral Gables, Florida 33134
-----------------	--

W.I. Consuegra	Suite 400 1401 Ponce de Leon Boulevard Coral Gables, Florida 33134
----------------	--

2. New Directors shall be appointed or elected and the number of Directors shall be increased or diminished in accordance with the By-Laws of the Association.

ARTICLE VI OFFICERS

The officers of the Association shall be a President, Vice- President, Secretary and Treasurer, and such additional officers as the By-Laws specify. The officers shall be elected by the Directors at their annual meeting or at any special meeting called for that purpose. The first officers who shall serve until the first election are:

Daniel C. Perez	- President
Fatima Fernandez	- Vice-President
W.I. Consuegra	- Secretary/Treasurer

ARTICLE VII BY-LAWS

The By-Laws of the Association shall be adopted by the first Board of Directors and may be altered as follows:

1. An amendment may be proposed by any member or any Director prior to a meeting at which it will be considered.

2. Notice of the subject matter of the proposed amendment shall be included in the notice of the meeting at which the amendment is to be considered.

3. Except as otherwise provided in the By-Laws, the amendment must be approved, either in person or by proxy by (i) at least two-thirds (2/3rds) of the entire membership of the Board of Directors and sixty percent (60%) of each class of the entire membership of the Association; or (ii) at least eighty percent (80%) of each class of the entire membership of the Association; or (iii) by the Class B member alone.

4. No amendment may change the qualifications for membership in the Association.

5. No amendment which will affect the Developer or the Declaration of Covenants, Restrictions and Easements of Golf Colony Homes shall be adopted unless the Developer has consented thereto in writing.

6. A copy of the amendment shall be recorded in the Public Records of Palm Beach County, Florida.

ARTICLE VIII AMENDMENT OF ARTICLES

These Articles of Incorporation may be amended as follows:

1. The Board of Directors shall adopt a resolution setting forth the proposed amendment, and directing that it be submitted to a vote at any annual or special meeting of members.

2. Within the time and in the manner provided in the ByLaws for the giving of notice of meetings of members, written notice setting forth the proposed amendment or a summary of the changes to be effected thereby shall be given to each member of record entitled to vote thereon. If the meeting is an annual meeting, the proposed amendment or such summary may be included in the notice of such annual meeting.

3. At such meeting, a vote of the members entitled to vote thereat shall be taken on the proposed amendment. The proposed amendment shall be adopted upon receiving the affirmative vote of a majority of the votes of members entitled to vote thereon unless any class of members is entitled to vote thereon as a class in which event the proposed amendment shall be adopted upon receiving both the affirmative vote of a majority of the votes of members of each class entitled to vote thereon as a class and the affirmative vote of a majority of the votes of all members entitled to vote thereon.

4. In lieu of the above, if all of the Directors and Members eligible to vote sign a written statement manifesting their intention that an amendment to these Articles be adopted, then the amendment shall thereby be adopted, or, instead, the members alone may adopt an amendment at any meeting for which notice of the change being made has been given.

5. Notwithstanding the provisions of the Article, for so long as the Developer holds Units for sale in the ordinary course of business, no amendment to these Articles of Incorporation shall be made without the prior written approval of the Developer, which would:

- (i) Assess the Developer as a Unit Owner for capital improvements; or
- (ii) Be detrimental to the sale of Units by the Developer; however an increase for common expenses without discrimination against the Developer shall not be deemed detrimental to the sale of such Units; or
- (iii) Abridge, amend or alter the rights of the Developer to designate and select members of the Board of Directors of the Association as provided herein, or affect the Declaration of Covenants, Restrictions and Easements of Golf Colony Homes.

ARTICLE IX DISSOLUTION OF THE ASSOCIATION

The term of the Association shall be perpetual unless dissolved by the written consent of at least three-fourths (3/4ths) of each class of the members and two-thirds (2/3rds) of any Institutional Mortgagees (as that term is defined in the Declaration of Covenants, Restrictions and Easements of Golf Colony Homes).

Upon dissolution of the Association for any reason, any member of the Association may petition the Circuit Court of the Judicial Circuit of the State of Florida for the appointment of a Receiver to manage the affairs of the dissolved Association and its properties in the place and in the stead of the Association and to make such provisions as may be necessary for continued management of the affairs of the dissolved Association and its properties.

Upon dissolution, the Association's assets (including any real property and improvements thereon) remaining after payment to creditors and payment of all costs and expenses relating to such dissolution shall be distributed in the following priority:

- A. As to property consisting of the surface water management system:
 - (i) By dedication to an appropriate public agency or entity to be devoted to surface water management purposes, and if such dedication is not accepted, then:
 - (ii) By grant, conveyance or assignment to any nonprofit corporation, association, trust, or other organization to be devoted to surface water management purposes.
- B. As to the rest of the Association's Property:
 - (i) To the members in such proportions as they agree upon or, failing such agreement,

in such proportions as are determined by a Court having jurisdiction thereof, or, if the members prefer,

- (ii) To any municipal or governmental authority which is willing to accept such assets.

ARTICLE X SUB-ASSOCIATION

Golf Colony Homeowners' Association, Inc., and the Declaration of Covenants, Restrictions and Easements of Golf Colony Homes are a Sub-Association and Sub-Declaration respectively as defined in the Declaration of Covenants, Conditions and Restrictions of Westchester recorded in Official Record Book 3996, at Page 303 of the Public Records of Palm Beach County, Florida, and as such the provisions of these Articles shall be subject to the (a) Declaration of Covenants, Conditions and Restrictions of Westchester, and (b) Articles of Incorporation of Westchester Community Master Association, Inc. ("Master Association") a non-profit Florida corporation as they may exist from time to time, and (c) By-Laws of the Master Association, as they may exist from time to time. The provisions of said Declaration, Articles and By-Laws shall prevail in case of any inconsistency or conflict between these Articles and the provisions of any of said instruments.

ARTICLE XI INITIAL SUBSCRIBERS

The names and addresses of the initial subscriber are as follows:

W.I. Consuegra	Suite 400 1401 Ponce de Leon Boulevard Coral Gables, Florida 33134
----------------	--

ARTICLE XII REGISTERED OFFICE AND REGISTERED AGENT

The initial registered office of this corporation shall be located at suite 400, 1401 Ponce de Leon Boulevard, Coral Gables, Florida, 33134, and the initial registered agents of this corporation at such office shall be Daniel C. Perez and W.I. Consuegra, either of whom shall be authorized to accept service of process for this corporation. This corporation shall have the right to change such

registered office and such registered agents from time to time, as provided by law.

IN WITNESS WHEREOF, we the undersigned, have executed these Articles of Incorporation this 31 day of May, 2003.

Mildred Rubinovitz
Mildred Rubinovitz, President

Judith Markowitz
(MRS) Judith Markowitz, Secretary
SYLVIA ROSENBERG

STATE OF FLORIDA)
) ss: Boynton Beach
COUNTY OF Palm Beach)

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, personally appeared Mildred Rubinovitz, as President and ~~Judith Markowitz~~, as Secretary of PIPERS GLEN ESTATES HOMEOWNERS ASSOCIATION, INC., who is SYLVIA ROSENBERG

☐ personally known to me, or
☒ has produced id. as identification

and who executed the foregoing instrument and acknowledged before me that he/she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 31st day of May, 2003.

Murice D. Lewis
(Signature)
Murice D. Lewis
(Printed Name)

My Commission Expires: Nov 2006
My Commission No is: 00156998