

N26659

(Requestor's Name)

(Address)

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(City/State/Zip/Phone #)

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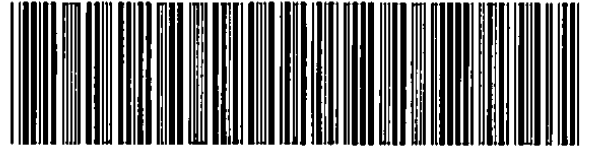
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06/18/19--01022--014 ♦♦35.00

DIVISION OF CORPORATIONS
19 JUN 19 AM 9:22

Amend

JUN 27 2019

D CUSHING

RICHARD AND RICHARD

ATTORNEYS AT LAW
825 BRICKELL BAY DRIVE
SUITE 1740
THE FOUR AMBASSADORS
MIAMI, FLORIDA
33131

LAUREL W. MARC-CHARLES
E-mail: Laurel@richardandrj.com

PHONE (305) 374-6888
FAX (305) 374-0384

June 17, 2019

Via Federal Express
Amendment Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
2661 Executive Center circle
Tallahassee, FL 32301

Re: Articles of Amendment – St. James/Santiago Apostol Evangelical Lutheran Church, Inc.

Dear Sir or Madam:

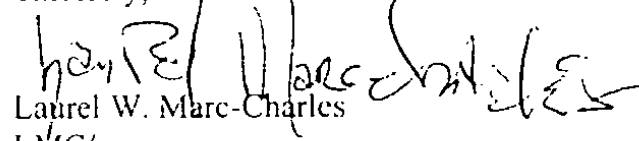
I represent the Florida Bahamas Synod of the Evangelical Lutheran Church in America Inc. ("Synod"), which presently controls St. James/Santiago Apostol Evangelical Lutheran Church, Inc. (the "Church"), pursuant to the resolution of the Synod Council dated May 2, 2019, and pursuant to a Temporary Injunction entered June 4, 2019, prohibiting the present officers and the resident agent from exercising any control over the Church, and changing the names of those who control the assets of the Church into a representative of the Synod. A copy of the Secretary's certification of the Synod action and a copy of the Temporary Injunction are enclosed.

On May 26, 2019, the Synod sent you Articles of Amendment removing the present officers and registered agents (all defendants enjoined by the Temporary Injunction enclosed) and replacing them with the Bishop of the Synod (albeit without the Temporary Injunction which was later entered). It was sent in with a check in the appropriate amount, but the check was not cashed, and the Amendment does not appear on your Division's records.

Accordingly, we re-submit this Amendment with a new check, and a copy of the Temporary Injunction and request that the Amendment be processed without delay.

Thank you for your assistance.

Sincerely,


Laurel W. Marc-Charles
LMC/mc

cc: Bishop Pedro Suarez, of the Florida-Bahamas Synod, via email
cc: Amendment Section, Division of Corporations, via P. O. Box

SECRETARY OF STATE
DIVISION OF CORPORATIONS
JUN 18 AM 9:22

COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: St. James/Santiago Apostol Evangelical Lutheran Church, Inc.

DOCUMENT NUMBER: N26659

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

Please return all correspondence concerning this matter to the following:

Bishop Pedro M. Suarez

(Name of Contact Person)

Florida-Bahamas Synod, Evangelical Lutheran Church in America

(Firm/ Company)

3838 W. Cypress Ave.

(Address)

Tampa, FL 33607

(City/ State and Zip Code)

bishop@fbsynod.org

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

For further information concerning this matter, please call:

Bishop Pedro M. Suarez

954

480-7347

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:

☒ \$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

12 11 9 22
SECRETARY OF CORPORATIONS

Articles of Amendment
to
Articles of Incorporation
of

St James/Santiago Apostol Evangelical Lutheran Church, Inc.

(Name of Corporation as currently filed with the Florida Dept. of State)

N26659

(Document Number of Corporation (if known))

Pursuant to the provisions of section 617.1006, Florida Statutes, this *Florida Not For Profit Corporation* adopts the following amendment(s) to its Articles of Incorporation:

A. If amending name, enter the new name of the corporation:

The new name must be distinguishable and contain the word "corporation" or "incorporated" or the abbreviation "Corp." or "Inc." "Company" or "Co." may not be used in the name.

B. Enter new principal office address, if applicable:

(Principal office address MUST BE A STREET ADDRESS)

C. Enter new mailing address, if applicable:

(Mailing address MAY BE A POST OFFICE BOX)

D. If amending the registered agent and/or registered office address in Florida, enter the name of the new registered agent and/or the new registered office address:

Name of New Registered Agent:

Bishop Pedro M. Suarez

3838 West Cypress Street

New Registered Office Address:

(Florida street address)

Tampa,

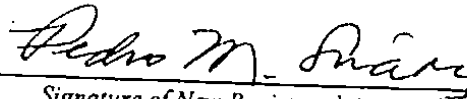
(City)

Florida 33607

(Zip Code)

New Registered Agent's Signature, if changing Registered Agent:

I hereby accept the appointment as registered agent. I am familiar with and accept the obligations of the position.



Signature of New Registered Agent, if changing

If amending the Officers and/or Directors, enter the title and name of each officer/director being removed and title, name, and address of each Officer and/or Director being added:

(Attach additional sheets, if necessary)

Please note the officer/director title by the first letter of the office title:

P = President; V = Vice President; T = Treasurer; S = Secretary; D = Director; TR = Trustee; C = Chairman or Clerk; CEO = Chief Executive Officer; CFO = Chief Financial Officer. If an officer/director holds more than one title, list the first letter of each office held. President, Treasurer, Director would be PTD.

Changes should be noted in the following manner. Currently John Doe is listed as the PST and Mike Jones is listed as the V. There is a change, Mike Jones leaves the corporation, Sally Smith is named the V and S. These should be noted as John Doe, PT as a Change, Mike Jones, V as Remove, and Sally Smith, SV as an Add.

Example:

<input checked="" type="checkbox"/> Change	<u>PT</u>	<u>John Doe</u>
<input checked="" type="checkbox"/> Remove	<u>V</u>	<u>Mike Jones</u>
<input checked="" type="checkbox"/> Add	<u>SV</u>	<u>Sally Smith</u>

<u>Type of Action</u> (Check One)	<u>Title</u>	<u>Name</u>	<u>Address</u>
1) <input type="checkbox"/> Change	<u>Reg. Ag.</u>	<u>Ana Rosa Savignon</u>	<u>2300 North Sherman Circle</u>
<input type="checkbox"/> Add			<u>Apt. 101</u>
<input checked="" type="checkbox"/> Remove			<u>Miramar, FL 33025</u>
2) <input type="checkbox"/> Change	<u>Reg. Ag.</u>	<u>Bishop Pedro M. Suarez</u>	<u>3838 W. Cypress Street</u>
<input checked="" type="checkbox"/> Add			<u>Tampa, FL 33607</u>
<input type="checkbox"/> Remove			
3) <input type="checkbox"/> Change	<u>Pres.</u>	<u>Idalberto Montero</u>	<u>110 Phoenetia Ave.</u>
<input type="checkbox"/> Add			<u>Coral Gables, FL 33134</u>
<input checked="" type="checkbox"/> Remove			
4) <input type="checkbox"/> Change	<u>P.S.D.</u>	<u>Bishop Pedro M. Suarez</u>	<u>3838 W. Cypress Street</u>
<input checked="" type="checkbox"/> Add			<u>Tampa, FL 33607</u>
<input type="checkbox"/> Remove			
5) <input type="checkbox"/> Change	<u>M.</u>	<u>Yessy Montenegro</u>	<u>110 Phoenetia Ave.</u>
<input type="checkbox"/> Add			<u>Coral Gables, FL 33134</u>
<input checked="" type="checkbox"/> Remove			
6) <input type="checkbox"/> Change	<u>M.</u>	<u>Benjamin Urra</u>	<u>110 Phoenetia Ave.</u>
<input type="checkbox"/> Add			<u>Coral Gables, FL 33134</u>
<input checked="" type="checkbox"/> Remove			

E. If amending or adding additional Articles, enter change(s) here:
(attach additional sheets, if necessary). (Be specific)

Remove: Secty, Moises Matos, 110 Phoenetia Ave., Coral Gables, FL 33134

Remove: Director, Ana Rosa Savignon, 110 Phoenetia Ave., Coral Gables, FL 33134

The date of each amendment(s) adoption: 5/26/19, if other than the date this document was signed.

Effective date if applicable: May 26, 2019
(no more than 90 days after amendment file date)

Note: If the date inserted in this block does not meet the applicable statutory filing requirements, this date will not be listed as the document's effective date on the Department of State's records.

Adoption of Amendment(s) (CHECK ONE)

- ☐ The amendment(s) was/were adopted by the members and the number of votes cast for the amendment(s) was/were sufficient for approval.
- ☒ There are no members or members entitled to vote on the amendment(s). The amendment(s) was/were adopted by ~~the board of directors~~ Council of the Florida-Bahamas Synod, ELCA
(See Attached)

Dated May 26, 2019

Signature Pedro M. Suarez
(By the chairman or vice chairman of the board, president or other officer-if directors have not been selected, by an incorporator - if in the hands of a receiver, trustee, or other court appointed fiduciary by that fiduciary)

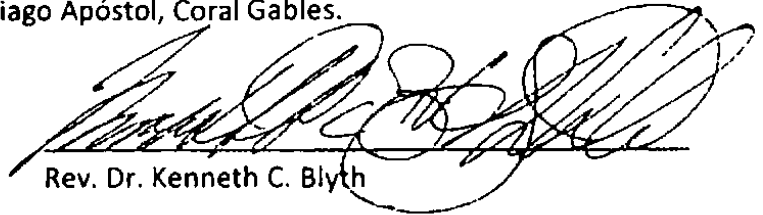
Bishop Pedro M. Suarez
(Typed or printed name of person signing)

Bishop of the Florida-Bahamas Synod, Evangelical Lutheran Church In America
(Title of person signing)

May 26, 2019

As Secretary of the Florida-Bahamas Synod of the Evangelical Lutheran Church in America, I hereby certify that the following action was taken at a meeting of the Florida-Bahamas Synod Council on May 2, 2019, at which a quorum was present:

SC19.05.01 To invoke synod administration pursuant to Art. S13.24. of the Synod Constitution, and thereby take charge and control of the property of St.James/Santiago Apóstol, Coral Gables.

A handwritten signature in black ink, appearing to read "Kenneth C. Blyth", is written over a horizontal line. The signature is stylized with large, sweeping loops and flourishes.

Rev. Dr. Kenneth C. Blyth

Secretary

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO.: 2019-016468-CA-01

SECTION: CA25

JUDGE: Daryl E Trawick

FLORIDA-BAHAMAS SYNOD OF THE EVANGELICAL LUTHERAN

Plaintiff(s) / Petitioner(s)

vs.

ST. JAMES/SANTIAGO APOSTOL EVANGELICAL LUTHERAN CH et al

Defendant(s) / Respondent(s)

TEMPORARY INJUNCTION

THIS CAUSE coming on to be heard on June 4, 2019, on Plaintiff's Emergency Motion for Temporary Injunction, notice having been provided to defendants who appear through counsel; and the Court having reviewed the motion, the Verified Complaint for Temporary and Permanent Injunctive Relief ("Verified Complaint") upon which it is based, having heard testimony from witnesses and argument from counsel for all parties; and the Court being otherwise advised in the premises, the Court finds, for all the reasons set forth on the record, that:

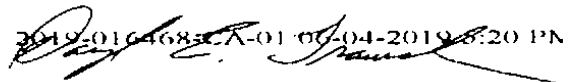
1. There is a substantial likelihood that plaintiff will suffer irreparable injury should a temporary injunction not be entered
2. That plaintiff has no adequate remedy at law;
3. There is a substantial likelihood that plaintiff will prevail in this suit;
4. The entry of an injunction will serve the public interest; and.
5. Only a minimal bond of One Thousand (\$1,000.00) dollars, is required.

Accordingly, it is ORDERED AN ADJUDGED AS FOLLOWS:

- a. A temporary injunction is hereby entered, enjoining the defendants, ST. JAMES/SANTIAGO APOSTOL EVANGELICAL LUTHERAN CHURCH, INC., the individual defendants, ANA ROSA SAVIGNON, IDALBERTO MONTERO, YESSY MONTENEGRO, MOISES MATOS, JOHN OBER, and BENJAMIN URRRA, as well as the defendants' officers, agents, servants and employees, and all other persons who are in active concert or participation with any of them who receive notice, from, whether acting directly or indirectly, exercising any control or authority over the property or assets of St. James, including, but not limited to:
 - i. Attempting to sell, transfer, lease, mortgage the St. James real property;
 - ii. Withdrawing any money from any account or other source of funds of St. James; or
 - iii. Removing any personal property owned from St. James;
 - iv. Causing any of the utilities to be cut off or suspended otherwise impairing the operation of the church or school;until further order of Court.
- b. Ordering the defendants to turn over all keys, alarm codes, records and financial accounts of any type whatsoever, together with any user id's and passwords required to access them; and directing that the signature authority be changed on any financial account to remove the present signatories and add those signatories identified by the Synod to act on their behalf.

IT IS FURTHER ORDERED that plaintiff shall post a bond in the amount of One Thousand (\$1,000.00) Dollars, pursuant to Rule 1.610(b), Fla.R.Civ.P., within forty-eight (48) hours of the entry of this Temporary Injunction.

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this 4th day of June, 2019.


2019-016468-CA-01 06-04-2019 5:20 PM

2019-016468-CA-01 06-04-2019 5:20 PM

Hon. Daryl E Trawick

CIRCUIT COURT JUDGE

Electronically Signed

No Further Judicial Action Required on **THIS MOTION**

CLERK TO **RECLOSE** CASE IF POST JUDGMENT

Copies Furnished To:

Laurel W Marc-Charles , Email : laurel@richardandrichard.com

Laurel W Marc-Charles , Email : elizabeth@richardandrichard.com

Laurel W Marc-Charles , Email : valerie@richardandrichard.com