

Division of Corporations

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N 99000005451

Florida Department of State

Division of Corporations

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BASIC AMENDMENT

WATERFRONT GARDENS CONDOMINIUM ASSOCIATION, INC.

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AMEND
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FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State

August 1, 2000

WATERFRONT GARDENS CONDOMINIUM ASSOCIATION, INC.
1710 E CAPE CORAL PARKWAY
CAPE CORAL, FL 33904

SUBJECT: WATERFRONT GARDENS CONDOMINIUM ASSOCIATION, INC.
REF: N99000005451

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Darlene Connell
Corporate Specialist

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Division of Corporations - P.O. BOX 6327 Tallahassee, Florida 32314

ARTICLES OF AMENDMENT

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to
ARTICLES OF INCORPORATION
of

WATERFRONT GARDENS CONDOMINIUM ASSOCIATION, INC.

(present name)

Pursuant to the provisions of section 617.1006, Florida Statutes, the undersigned Florida nonprofit corporation adopts the following articles of amendment to its articles of incorporation.

FIRST: Amendment(s) adopted: (INDICATE ARTICLE NUMBER(S) BEING AMENDED, ADDED OR DELETED.)

Article IX, sections G., F. and G. are amended as per the attached sheet.

SECOND: The date of adoption of the amendment(s) was: 12/5/99

THIRD: Adoption of Amendment (CHECK ONE)

- ☐ The amendment(s) was(were) adopted by the members and the number of votes cast for the amendment was sufficient for approval.
- ☒ There are no members or members entitled to vote on the amendment. The amendment(s) was(were) adopted by the board of directors.

WATERFRONT GARDENS CONDOMINIUM ASSOCIATION, INC.

Corporation Name

 PRESIDENT
Signature of Chairman, Vice Chairman, President or other officerTHOMAS RIEDLINGER

Typed or printed name

PRESIDENT

Title

1/13/00

Date

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C. Seven years after recordation of the Declaration of Condominium; provided, however, that in the case of an association which may ultimately operate more than one condominium, seven (7) years after recordation of the Declaration for the first condominium it operates, or, in the case of an association operating a phase condominium created pursuant to section 718.403 Florida Statutes, seven (7) years after recordation of the Declaration creating the initial phase, whichever occurs first;

D. When fifteen percent (15%) or more of the Condominium Units that will be operated ultimately by the Association and conveyed to owners other than the Developer, the owners of such Condominium Units shall be entitled to elect not less than one-third (1/3) of the Board of Directors;

E. Within three (3) years after fifty percent (50%), or within three (3) months after ninety percent (90%), of the Condominium Units that will be operated ultimately by the Association are conveyed to owners other than Developer, the owners of such Condominium units shall be entitled to elect a majority of the Board of Directors;

F. The Developer shall be entitled to elect at least one (1) member of the Board of Directors as long as the Developer holds at least 5 percent (5%) of the Condominium Units for sale in the ordinary course of business; in condominiums with fewer than 500 units, and 2 percent (2%) in condominiums with more than 500 units, of the units in the condominium operated by the Association;

G. Following the time the Developer relinquishes control of the Association, the Developer may exercise the right to vote any Developer-owned Units in the same manner as any other Unit Owner except for purposes of reacquiring control of the Association or selecting the majority members of the Board of Directors;

ARTICLE X - BYLAWS

The Bylaws of the Association are to be made or approved by the Board of Directors initially and thereafter may only be amended, altered, modified, or rescinded by the action or approval of the members Of the Association, except that any such change of the Bylaws shall not affect the rights or interests of the Developer, or its successors or assigns, without the written consent of the Developer. Amendment of the Bylaws shall also be subject to the written consent of mortgagees of the Condominium property or Condominium units in accordance with the provisions of the Declaration of Condominium. The manner of altering, modifying, amending or rescinding the Bylaws shall be provided for in the Bylaws.

ARTICLE XI - AMENDMENTS TO THESE ARTICLES

Section 1. Amendments to these Articles of Incorporation shall be proposed by a resolution adopted by a two-thirds (2/3) vote of the Board of Directors. Such resolution shall then be presented to the membership of the Association. A majority vote of the voting interests cast at a duly called meeting of the members of the Association shall be necessary to amend the Articles of Incorporation.

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