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MAY 31 2019

# **SACHS SAX CAPLAN**

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LOUIS CAPLAN, ESQ.  
lcaplan@ssclawfirm.com

May 2, 2019

To: Amendment Section  
Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32314

NAME OF CORPORATION: Cascade Lakes Residents' Association, Inc.

DOCUMENT NUMBER: N99000005888

The enclosed *Articles of Amendment to the Articles of Incorporation of Cascade Lakes Residents' Association, Inc.* are submitted for filing.

Please return all correspondence concerning this matter to the following:

**Steven G. Rappaport, Esquire**  
**Sachs Sax Caplan, PL**  
**6111 Broken Sound Parkway NW, Suite 200**  
**Boca Raton, FL 33487**  
**Attention: Clara Garcia**

Also enclosed is a check in the amount of \$35.00 made payable to the Florida Department of State for filing of the Articles of Amendment.

For further information concerning this matter, please call **Clara Garcia at (561) 237-6839**.

Thank you.

Mailing Address:  
Amendment Section  
Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32314



FLORIDA DEPARTMENT OF STATE  
Division of Corporations

May 16, 2019

SACHS SAX CAPLAN  
6111 BROKEN SOUND PKWY NW STE 200  
BOCA RATON, FL 33487

SUBJECT: CASCADE LAKES RESIDENTS' ASSOCIATION, INC.  
Ref. Number: N99000005888

We have received your document for CASCADE LAKES RESIDENTS' 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):

The document can only be titled Articles of Amendment or Amended and Restated but not both.

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) 245-6050.

Tracy L Lemieux  
Regulatory Specialist II

Letter Number: 019A00009949

RECEIVED

2019 MAY 30 AM 11:10  
TALLAHASSEE, FL

ARTICLES OF AMENDMENT  
TO THE  
ARTICLES OF INCORPORATION OF  
CASCADE LAKES RESIDENTS' ASSOCIATION, INC.

FILED

2019 MAY 30 P 1:37

CLARK COUNTY, FLORIDA

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

FIRST: The Amendments adopted are attached as Exhibit "A".

SECOND: On March 14, 2019 the above Amendment was adopted by the members and the number of votes cast for the amendment was sufficient for approval.

DATED: April 24, 2019.

CASCADE LAKES RESIDENTS'  
ASSOCIATION, INC.

By: MARION WEIL  
Marion Weil, President

By: LINDA ARBEIT  
Linda Arbeit, Secretary

**PART 2**  
**ARTICLES OF AMENDMENT**  
**TO THE**  
**ARTICLES OF INCORPORATION OF**  
**CASCADE LAKES RESIDENTS' ASSOCIATION, INC.**

(through February 2019)

In compliance with the requirements of Florida Statutes, Chapter 617, the undersigned, who is a resident of the State of Florida, and who is of full age, for the purpose of forming a Florida corporation not for profit, hereby certified:

**ARTICLE I**  
**NAME OF CORPORATION**

The name of the Corporation is CASCADE LAKES RESIDENTS' ASSOCIATION, INC., a Florida corporation not for profit (hereinafter called the "Association").

**ARTICLE II**  
**PRINCIPAL OFFICE OF THE ASSOCIATION**

The principal office of the Association is located at 5075 Cascade Lakes Boulevard, Boynton Beach, Florida 33437.

**ARTICLE III**  
**REGISTERED OFFICE AND REGISTERED AGENT**

The street address of the initial registered office of the Association is 200 East Las Olas Boulevard, Suite 1900, Fort Lauderdale, Florida 33301, and Kenneth P. Wurtenberger is hereby appointed the initial registered agent of the Association at that address.

**ARTICLE IV**  
**PURPOSE AND POWERS OF THE ASSOCIATION**

The Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the Units, Lots, Residences and Common Area within that certain tract of property described as:

See Exhibit "A" attached hereto and made a part hereof, together with such Additional Property located in Palm Beach County, Florida, if any, which may be brought within the jurisdiction of the Association from time to time, as provided in the "Declaration" referred to hereinabove, and to promote the health, safety and welfare of the residents within the above-described property and any additions thereto as may hereto be brought within the jurisdiction of this Association and for this purpose to:

(a) exercise all of the powers and privileges and to perform all duties and obligations of the Association as set forth in that certain Declaration of Conditions, Covenants, Easements and Restrictions for Cascade Lakes, hereinafter called the "Declaration" (for purposes hereof all capitalized terms, unless provided otherwise herein, shall have the same meaning as in the Declaration), applicable to the property and recorded or to be recorded in the office of the

Clerk of the Circuit Court, Palm Beach County, Florida, and as the same may be amended from time to time as herein provided, said Declaration being incorporated herein as if set forth at length; and to

(b) have and to exercise any and all powers, rights and privileges which a corporation organized under the Florida Not For Profit Corporation Act by law may now or hereafter have or exercise; and to

(c) operate, maintain and manage the Surface Water or Stormwater Management System in a manner consistent with the South Florida Water Management District permit no. 50-04341-P-02 requirements and applicable District rules and to assist in the enforcement of the provisions of the Declaration which relate to the Surface Water or Stormwater Management System.

## **ARTICLE V MEMBERSHIP**

Every person or entity who is a record Owner of a fee or undivided fee interest in any Unit or Lot shall be a Member of the Association. Notwithstanding anything else to the contrary set forth in this Article V, any such person or entity who holds such interest merely as security for the performance of an obligation shall not be a Member of the Association. Membership in the Association shall be appurtenant to each Unit or Lot and may not be separated from ownership of said Unit or Lot. The record title holder to each Unit or Lot shall automatically become a Member of the Association and shall be assured of all rights and privileges thereof upon presentation of a photostatically or otherwise reproduced copy of said Owner's deed to the Association Secretary for placement in the records of the Association. To the extent that said deed shall pass title to a new Unit or Lot Owner from an existing Unit or Lot Owner, membership in the Association shall be transferred from the existing Unit or Lot Owner to the new Unit or Lot Owner. In no event shall any mortgagee or other party holding any type of security interest in a Unit or Lot or the Residence constructed thereon be a Member of the Association and until any of said parties obtain or receive fee simple title to such Unit or Lot.

## **ARTICLE VI VOTING RIGHTS**

All Owners shall be entitled to one (1) vote for each Unit or Lot in which they hold the interests required for membership. When more than one (1) person holds such interest or interests in any Unit or Lot, all such persons shall be Members, but the vote for such Unit or Lot shall be exercised only by that one person who is Entitled to Vote. In no event shall more than one vote be cast with respect to any such Unit or Lot.

## **ARTICLE VII INCORPORATOR**

The name and address of the Incorporator of these Articles of Incorporation is Kenneth P. Wurtenberger, Suite 1900, 200 East Las Olas Boulevard, Fort Lauderdale, Florida 33301.

## **ARTICLE VIII BOARD OF DIRECTORS**

The affairs of the Association shall be managed by a Board of Directors consisting of seven (7) Directors, who must be members of the Association or the legally married spouse of a member of the Association. Legally married spouses may not serve on the Board of Directors at the same time.

## **ARTICLE IX OFFICERS**

The affairs of the Association shall be administered by the Officers as designated in the Bylaws. The Officers shall be elected by the Board of Directors at its first meeting following the annual meeting of the Members of the Association, and they shall serve at the pleasure of the Board of Directors.

## **ARTICLE X DISSOLUTION**

The Association may be dissolved with the assent given in writing and signed by not less than seventy-five percent (75%) of the Members. 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 the Association was created or such assets shall be granted, conveyed and assigned to any non-profit corporation, association, trust or other organization to be devoted to such similar purposes. In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the Surface Water or Stormwater Management System must be transferred to and accepted by an entity which would comply with Section 40C-42.027, F.A.C., and be approved by the South Florida Water Management District prior to such termination, dissolution or liquidation. The dissolution procedures described in this Article X shall be subject to Court approval pursuant to the provisions of The Florida Not For Profit Corporation Act.

## **ARTICLE XI DURATION**

The Association shall exist in perpetuity, unless legally dissolved.

## **ARTICLE XII AMENDMENTS**

Amendment of these Articles of Incorporation requires the approval of at least sixty-six and two-thirds percent (66 2/3%) of the Members, present and voting, in person or by proxy, at a meeting at which a quorum is established or by written agreement, so long as at least a quorum of the Members participates.

**ARTICLE XIII  
BYLAWS**

The first Bylaws of the Association shall be adopted by the Board of Directors at the first meeting of Directors, and may be altered, amended or rescinded thereafter in the manner provided in the Bylaws.

**ARTICLE XIV  
DECLARATION AND BYLAWS**

In the event of any conflict between the terms and provisions of the Declaration and the terms and provisions of these Articles, the terms and provisions of the Declaration shall control. In the event of any conflict between the terms and provisions of these Articles and the terms and provisions of the Bylaws, the terms and provisions of these Articles shall control.



IN WITNESS WHEREOF, we, being all of the Directors of Cascade Lakes Residents' Association, Inc., have hereto set our hands this 24 day of April, 2019.

Mallon Weil President

Terrell Dinerman Vice President

Linda Aubert Secretary

[Signature] Treasurer

Giles Ditzky Director

[Signature] Director

[Signature] Director

#### CERTIFICATION

I, the undersigned, do hereby certify:

That I am duly elected and Secretary of Cascade Lakes Residents' Association, Inc., a Florida corporation not for profit, and

That the foregoing Amended and Restated Declaration of Conditions, Covenants, Easements and Restrictions, and Amended and Restated Articles of Incorporation constitute these Amended and Restated Declaration of Conditions, Covenants, Easements and Restrictions, and Amended and Restated Articles of Incorporation of said Association, as duly adopted at a meeting of the Board of Directors thereof, held on the 14 day of March, 2019.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 24<sup>th</sup> day of April, 2019.

Linda Aubert  
Secretary

Cascade Lakes Residents' Association, Inc.,  
a Florida Not-for-Profit Corporation