



McKay Law Firm, P.A.

Scott D. McKay, Esq.⁽¹⁾⁽²⁾⁽⁴⁾

Telese B. McKay, Esq.⁽³⁾⁽⁴⁾

December 9, 2014

Via: U.S. Mail

Ms. Judy Mount, Office Manager
c/o The Inlets Common Facilities, Corp., Inc.
200 Inlets Blvd.
Nokomis, FL 34275

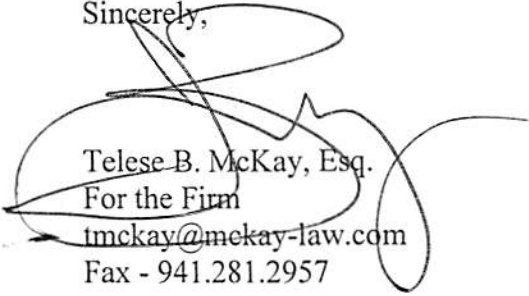
**Re: The Inlets Common Facilities Corporation, Inc. ("Association") /
Certificate of Amendment to the Restated Articles of Incorporation**

Dear Judy:

Enclosed please find the original recorded Certificate of Amendment to the Restated Articles of Incorporation of The Inlets Common Facilities Corporation, Inc. ("Restated Articles") that has been recorded in the Official Records of Sarasota County. Although not required, we recommend that the Association either provide a copy of the Restated Articles to each Owner or provide notice to the Owners that a copy of the Restated Articles may be obtained from the Association upon written request. The Restated Articles became enforceable on the recording date of December 3, 2014.

If you have any questions or would like to discuss this matter further, please do not hesitate to contact me at your earliest convenience.

Sincerely,


Telese B. McKay, Esq.
For the Firm
tmckay@mckay-law.com
Fax - 941.281.2957



Enclosures: 1

*NOT TO BE REMOVED FROM FILE
ORIGINALS*

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RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2014143617 13 PG(S)
December 03, 2014 08:58:53 AM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL

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Prepared by & Return to:
Telese B. McKay, Esq.
McKay Law Firm, P.A.
1904 Manatee Avenue West, Suite 300
Bradenton, FL 34205



**CERTIFICATE OF AMENDMENT TO THE RESTATED ARTICLES OF
INCORPORATION OF THE INLETS COMMON FACILITIES CORPORATION, INC.**

THIS CERTIFICATE OF AMENDMENT is executed this 11th day of OCTOBER, 2014, by THE INLETS COMMON FACILITIES CORPORATION, INC., a Florida not-for-profit corporation (hereinafter "Association").

RECITALS

WHEREAS, the Association has been established for the operation of The Inlets Common Facilities, in accordance with the Declaration of Covenants and Restrictions for The Inlets that was recorded in Official Records Book 1586, Page 1998 of the Public Records of Sarasota County, Florida, as amended from time to time; and,

WHEREAS, the original Articles of Incorporation of The Inlets Common Facilities Corporation, Inc. ("Articles") were filed with the State of Florida on May 11, 1983; and,

WHEREAS, Restated Articles were recorded in Official Records Book 2950, Page 827 of the Public Records of Sarasota County, Florida, on March 21, 1997; and,

WHEREAS, a new version of the Articles was properly approved by the Members of the Board of Directors at a Board of Directors Meeting held on September 18, 2014, at which a quorum was present and which Board of Directors Meeting was duly noticed in accordance with Florida Statutes and the Bylaws of The Inlets Common Facilities Corporation, Inc.; and,

NOW THEREFORE, the Association does hereby state as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. The Articles, as described above in the Official Records Book and Page, are hereby replaced by a new version of the Articles attached hereto.
3. All current and future Members of the Association are hereby bound by the new Articles attached hereto.

[TWO SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, the undersigned have set their hands and seals this 29 day of October, 2014.

WITNESSES:

The Inlets Common Facilities Corporation, Inc., a Florida not-for-profit corporation

James C. Donahoe
Print Name: James C. Donahoe

Marie T. Henry
Print Name: Marie T. Henry

By: Harold D. Baar, President
HAROLD D. BAAR

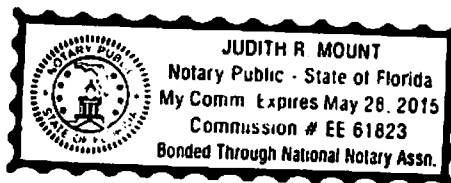
(Seal of Corporation)

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 29th day of October, 2014, by HAROLD D. BAAR, as President of The Inlets Common Facilities Corporation, Inc., a Florida not-for-profit Corporation. He/She (who is personally known to me) (who has produced _____ as identification) and (did) (did not) take an oath.

Judith R. Mount
Signature of Notary Public

Print name JUDITH R. MOUNT



IN WITNESS WHEREOF, the undersigned have set their hands and seals this 29 day of OCTOBER, 2014.

WITNESSES:

The Inlets Common Facilities Corporation, Inc., a Florida not-for-profit corporation

Laraine Wallace

Print Name: LARAIN WALLACE

By: Randall P. Zito, Secretary
RANDALL P. ZITO

David Goldenberg

Print Name: DAVID GOLDENBERG

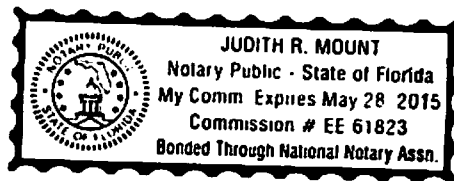
(Seal of Corporation)

STATE OF FLORIDA
COUNTY OF SAKASOTA

The foregoing instrument was acknowledged before me this 29th day of OCTOBER, 2014, by RANDALL P. ZITO, as Secretary of President of The Inlets Common Facilities Corporation, Inc., a Florida not-for-profit Corporation. He/She (who is personally known to me) (who has produced _____ as identification) and (did) (did not) take an oath.

Judith R. Mount
Signature of Notary Public

Print name JUDITH R. MOUNT



State of Florida



Department of State

I certify the attached is a true and correct copy of the Articles of Amendment, filed on November 5, 2014, to Articles of Incorporation for THE INLETS COMMON FACILITIES CORPORATION, INC., a Florida corporation, as shown by the records of this office.

The document number of this corporation is 768389.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this the
Eighteenth day of November, 2014



CR2EO22 (1-11)

Ken Detzner

Ken Detzner
Secretary of State

RECORDERS MEMO: Legibility of writing, typing or printing for reproductive purpose may be unsatisfactory in this document when received.

Articles of Amendment
to
Articles of Incorporation
of

The Inlets Community Facilities Corporation, Inc.

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

768389

(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: _____

(Florida street address)

New Registered Office Address:

_____, Florida _____
(City) (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

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ARTICLES OF INCORPORATION

OF

THE INLETS COMMON FACILITIES CORPORATION, INC.

(A Corporation Not For Profit)

~~In order to form a corporation under and in accordance with the provisions of the laws of the State of Florida for the formation of corporations Not for Profit, we, the undersigned, do hereby associate ourselves together into a corporation for the purposes and with the powers hereinafter set forth in these Articles of Incorporation, viz:~~

ARTICLE I

NAME OF CORPORATION

The name of this CORPORATION shall be:

THE INLETS COMMON FACILITIES CORPORATION, INC.

ARTICLE II

PURPOSES

The general nature, objects and purposes of The Corporation are:

A. To manage, operate, maintain and control the usage of all land and water areas and improvements intended for the common usage and benefit of all owners ~~of land~~ in "The Inlets", including without limitation, the private roads, sidewalks, pedestrian, bicycle and other pathways, lakes, ponds, waterways, easements and other similar areas or interests in real property all of which are herein collectively referred to as "The ~~Inlets~~ Common Facilities", and which are further described in that certain document entitled "Declaration of Covenants and Restrictions for The Inlets", which is ~~to be~~ recorded in the Public Records of Sarasota County, Florida.

B. To take such action as may be deemed appropriate to promote the health, safety and social welfare of the owners of property within "The Inlets".

C. To provide, purchase, acquire, replace, improve, maintain and/or repair all improvements including, without limitation, buildings, structures, streets, sidewalks, street lighting, landscaping, equipment,

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furniture and furnishings, both real and personal, related to the promotion of the health, safety and social welfare of the members of The Corporation as the Board of Directors, in its discretion, may determine necessary or appropriate.

D. To furnish or otherwise provide for private security, fire protection and such other services as the Board of Directors, in its discretion, determines necessary or appropriate, and to provide the capital improvements and equipment related thereto.

E. To supervise and control the specifications, architecture design, appearance, elevation and location of all buildings, structures and improvements of any type, constructed, placed or permitted to remain in "The Inlets", as well as the alteration, improvement, addition or changes thereof, including landscaping surrounding the same.

F. To operate without profit and for the sole and exclusive benefit of its members.

G. To maintain the grounds, lawns and landscaping in The Inlets as provided in the "Declaration of Covenants and Restrictions for The Inlets".

ARTICLE III

GENERAL POWERS

The general powers that The Corporation shall have are as follows:

A. To purchase, accept, lease or otherwise acquire title to, and to hold, mortgage, rent, sell or otherwise dispose of any and all real or personal property related to the purposes or activities of the Corporation, to make, enter into, perform and carry out contracts of every kind and nature with any person, firm, corporation or association; and to do any and all other acts necessary or expedient for carrying on any and all of the activities of The Corporation and pursuing any and all of the objects and purposes set forth in these Articles of Incorporation and not forbidden by the laws of the State of Florida.

B. To establish a budget and to fix assessments to be levied against all property located in "The Inlets" which is subject to assessment pursuant to the aforementioned Declaration of Covenants and Restrictions for the purpose of The Corporation and to create reasonable reserves for such expenditures, including providing a reasonable contingency fund for the ensuing year and reasonable annual reserves for anticipated major capital repairs, maintenance and improvement, and capital replacements.

C. To enter into agreements with Condominium associations and other property owner's Associations for the collection of such assessments.

D. To place liens against any property in "The Inlets" for delinquent and unpaid assessments and to bring suit for the foreclosure of such liens or to otherwise enforce the collection of such assessment for the purpose of obtaining revenue for the operation of the Corporation's business.

E. To hold funds solely and exclusively for the benefit of the members of The Corporation for purposes set forth in these Articles of Incorporation.

F. To adopt, promulgate and enforce rules, regulations, bylaws, covenants, restrictions and agreements in order to effectuate the purposes for which The Corporation is organized.

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G. To delegate by its Board of Directors power or powers of The Corporation where such is deemed to be in its best interest.

H. To charge recipients for services rendered by The Corporation and to charge the user for use of Corporation property where such is deemed appropriate by its Board of Directors.

I. To pay all taxes and other charges or assessments, if any, levied against property owned, leased or used by the Corporation.

J. To borrow money for the acquisition of property or for any other lawful purpose of the Corporation, and to make, accept, endorse, execute and issue debentures, promissory notes or other obligations of The Corporation for borrowed monies, and to secure the payment of such obligation by mortgage, pledge, security agreement or other instrument of trust, or by lien upon, assignment of or agreement in regard to, all or any part of the real or personal property, or property rights or privileges of The Corporation wherever situated.

K. To enforce by any and all lawful means the provisions of these Articles of Incorporation, the Bylaws of The Corporation ~~which may be hereafter adopted~~, and the terms and provisions of the aforesaid Declaration of Covenants and Restrictions, wherever applicable or appropriate, and the terms and provisions of any restrictions and covenants applicable to any portion of "The Inlets".

L. In general, to have all powers, which are or may be conferred upon a corporation not for profit by the laws of the State of Florida, except as prohibited herein.

ARTICLE IV

MEMBERS

The members of this Corporation shall consist of all of the owners of property located in "The Inlets" which is subject to assessment, which property is more particularly described and defined in the aforementioned Declaration of Covenants and Restrictions ~~to be~~ which are recorded in the Public Records of Sarasota County, Florida.

~~A. Members shall be owners of condominium units in "The Inlets" or owners of lots.~~

A. Membership in The Corporation shall automatically terminate upon conveyance or other divestment of title to such member's unit ~~or lot~~, except that nothing herein contained shall be construed as terminating the membership of any member who may own two (2) or more units ~~or lots~~ in "The Inlets", so long as one (1) unit ~~or lot~~ is owned by such member.

B. The interest of a member in the funds and assets of The Corporation cannot be assigned, hypothecated or transferred in any manner, except as an appurtenance to the unit ~~or lot~~, which is the basis of his membership in the Corporation.

ARTICLE V

VOTING AND ASSESSMENTS

A. Subject to the restrictions and limitations hereinafter set forth, each only one member of the Inlets Common Facilities Corporation shall be entitled to one (1) vote for each Condominium unit ~~or lot~~ owned by such member in "The Inlets", expressed through the voting representative of that unit.

B. The Secretary of The Corporation shall maintain a list of the members of The Corporation and the number of votes to which each member is entitled. Whenever any person or entity becomes entitled to membership in the Corporation, it shall become such party's duty and obligation to so inform the Secretary in writing, giving his name, address and legal description of such ~~unit, or lot~~ property; provided, however, that any notice given to or vote accepted from the prior owners of such ~~unit or lot~~ property before receipt of written notification of change of ownership shall be deemed to be properly given or received. The Secretary may, but shall not be required to, search the Public Records of Sarasota County or make other inquiry to determine the status and correctness of the list of members of The Corporation maintained by him/~~her~~ and shall be entitled to rely upon the Corporation's records until notified in writing of any change in ownership.

C. The vote attributable to any unit ~~or lot~~ owned by multiple owners shall not be divided among such owners but shall be cast only by one of such owners or an agent or proxy of such owners designated by a written instrument signed by and legally binding upon all such multiple owners. Multiple owners shall be deemed to include two or more individuals, partnerships, corporations, trusts or other legal entities or any combination thereof. A voting certificate must be filed with The Inlets Common Facilities Corporation that indicates which one, among several owners (or on behalf of the corporation or trust or other legal entity or any combination thereof), is authorized to cast a vote for the unit.

ARTICLE VI

BOARD OF DIRECTORS

A. The affairs of The Corporation shall be managed by a Board of Directors consisting of not ~~less~~ fewer than five (5) nor more than nine (9) Directors. Each Director shall be a unit owner or the spouse thereof or a person exercising membership rights if the owner is not a natural person. All Directors shall act without compensation unless otherwise provided by resolution of the membership.

B. Annual Elections shall be by plurality vote. ~~Directors shall be elected at the annual meeting of the members by a plurality of the voting interests. Each director so elected shall serve for a term of two years and thereafter until his or her successor has been elected or appointed and qualified or until his or her earlier resignation, removal from office with or without cause by a vote or agreement in writing of a majority of all voting interests, or death. Except as to vacancies resulting from removal of directors by the members pursuant to Chapter 718.112 (2) (k), Florida Statutes, vacancies in the Board of Directors occurring between annual meetings of the members shall be filled by a majority vote of the remaining directors. Any director appointed to fill a vacancy shall be appointed for the unexpired term of his or her predecessor in office. Directors shall be elected for two (2) year terms. Except for vacancies caused by a~~

recall in accordance with the Condominium Act, vacancies in the Board of Directors shall be filled by a majority vote of the remaining Directors, as allowed by law.

ARTICLE VII

OFFICERS

A. The officers of the Corporation, to be elected by the Board of Directors, shall be a President, a Vice President, a Secretary, and a Treasurer, and such other officers as the Board shall deem appropriate from time to time. The Officers shall be elected from among the membership of the Board of Directors at the first meeting of the Board of Directors, which shall occur immediately following the Annual election of Directors Membership Meeting of the Corporation. The affairs of The Corporation shall be administered by such officers under the direction of the Board of Directors. Officers shall be elected for a term of one (1) year in accordance with the procedure set forth in the Bylaws.

B. The Board of Directors or the President, with the approval of the Board of Directors, may employ personnel to conduct the affairs of The Corporation and any such person or legal entity may be so employed without regard to whether such person or entity is a member of The Corporation ~~or a Director or Officer of the Corporation~~, as the case may be.

ARTICLE VIII

CORPORATE EXISTENCE

~~The Corporation shall have perpetual existence.~~

ARTICLE IX

BYLAWS

~~The Board of Directors of The Corporation shall adopt Bylaws consistent with these Articles of Incorporation. The Bylaws may be altered, amended or rescinded by the Directors in the manner provided by such Bylaws~~

ARTICLE IX VIII

AMENDMENT TO ARTICLES OF INCORPORATION

These Articles of Incorporation may be altered, amended or repealed by resolution of the Board of Directors.

ARTICLE XI

REGISTERED OFFICE

~~The registered office of the corporation shall be 200 Inlets Boulevard, Nokomis, Florida.~~

ARTICLE X IX

BUDGET AND EXPENDITURES

The Board of Directors shall annually adopt a budget for the operation of The Corporation for the ensuing year and for the purpose of levying assessments against all assessable property in "The Inlets", which budget shall be conclusive and binding upon all persons; provided, however, that the Board of Directors may thereafter at any time approve or ratify variations from such budget in respect of expenditures.

ARTICLE XI X

INDEMNIFICATION OF OFFICERS AND DIRECTORS

~~A. The Corporation hereby indemnifies any director or officer made a party or threatened to be made a party to any threatened, pending or completed claim, action, suit or proceeding:~~

~~(1) Whether civil, criminal, administrative or investigative, other than by or in the right of The Corporation to procure a judgment in its favor, brought to impose a liability or penalty on such person for an act alleged to have been committed by such person in his capacity of director or officer of The Corporation or in his capacity as director, officer, employee or agent of any other corporation, partnership, joint venture, trust or other enterprise which he served at the request of the Corporation, against judgments, fines, amounts paid in settlement and reasonable expenses, including attorney's fees, actually and necessarily incurred as a result of such action, suit or proceeding or any appeal therein, if such person acted in good faith in the reasonable belief that such action was in the best interests of the Corporation, and in criminal actions or proceedings, without reasonable ground for belief that such action was unlawful. The termination of any such action, suit or proceeding by judgment, order, settlement, conviction or upon a plea of *nolo contendere* or its equivalent shall not in itself create a presumption that any such director or officer did not act in good faith in the reasonable belief that such action was in the best interests of The Corporation or that he had reasonable grounds for belief that such action was unlawful.~~

~~(2) By or in the right of The Corporation to procure a judgment in its favor by reason of his being or having been a director or officer of The Corporation or by reason of his being or having been a Director or officer of the Corporation or by reason of his being or having been a director, officer, employee or agent of any other corporation, partnership, joint venture, trust or other enterprise which he served at the request of the Corporation, against the reasonable expenses, including attorney's fees, actually and necessarily incurred by him in connection with the defense or settlement of such action, or in connection with an appeal therein, if such person acted in good faith in the reasonable belief that such action was in the best interests of the~~

~~Corporation. Such person shall not be entitled to indemnification in relation to matters as to which such person has been adjudged to have been guilty of negligence or misconduct in the performance of his duty to The Corporation unless and only to the extent that the court, administrative agency, or investigative body before which such action, suit or proceeding is held shall determine upon application that, despite the adjudication of liability but in view of all circumstances of the case, such person is fairly and reasonably entitled to indemnification for such expenses which such tribunal shall deem proper.~~

~~B. The Board of Directors shall determine whether amounts for which a director or officer seeks indemnification, were properly incurred and whether such director or officer acted in good faith and in a manner he reasonably believed to be in the best interests of the Corporation, and whether, with respect to any criminal action or proceeding, he had no reasonable ground for belief that such action was unlawful. Such determination shall be made by the Board of Directors, by a majority vote of a quorum consisting of Directors who were not parties to such action, suit or proceeding.~~

~~C. The foregoing rights of indemnification shall not be deemed to limit in any way the powers of The Corporation to indemnify under applicable law. The Corporation shall have the right to provide such indemnification by insurance.~~

All officers and directors shall be indemnified by the Corporation against all expenses and liabilities, including counsel fees (including appellate proceedings) reasonably incurred in connection with any proceeding or settlement thereof in which they may become involved by reason of holding such office. In no event, however, shall any officer or director be indemnified for his own willful misconduct or knowing violation of the provisions of the Florida Condominium Act. The Corporation may purchase and maintain insurance on behalf of all officers and directors against any liability asserted against them or incurred by them in their capacity as officers and directors or arising out of their status as such.

ARTICLE XII XI

TRANSACTION IN WHICH DIRECTORS OR OFFICERS ARE INTERESTED

A. A contract or transaction between The Corporation and any of its directors, or between The Corporation and any other corporation, Partnership, association or other organization in which one or more of its directors are directors or officers, or have a financial interest, shall be ~~invalid~~ approved in accordance with Florida law. No director or officer of The Corporation shall incur liability solely by reason of the fact that he is or may be interested in any such contract or transaction.

B. Interested directors may be counted in determining the presence of a quorum at a meeting of the Board of Directors or of a committee, which authorized the contract or transaction.

ARTICLE XIII XII

CORPORATE EXISTENCE

The Corporation shall have perpetual existence.

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ARTICLE XIV XIII

REGISTERED OFFICE

The registered office of The Corporation shall be at the address determined by the Board of Directors from time to time 200 Inlets Boulevard, Nokomis, Florida, 34275.

ARTICLE XIV

USAGE

USAGE. Whenever used herein, the singular number shall include the plural and the plural the singular, and the use of any gender shall include all genders.

~~In witness whereof, the undersigned members of the Board of Directors of the Corporation have hereunder set their hands and seal this _____ day of _____,~~

The foregoing, as the Articles of Incorporation of THE INLETS COMMON FACILITIES CORPORATION, INC., a corporation not for profit under the laws of the State of Florida, was adopted by the Board of Directors on the _____ day of _____, 20_____.

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