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INSTRUMENT # 2020153417 2 PG(S)
November 02, 2020 04:01:20 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL



Prepared by and Return to:
Paul E. Olah, Jr., Esq.
Law Offices of Wells | Olah, P.A.
1800 Second Street, Suite 808
Sarasota, Florida 34236
(941) 366-9191 (Telephone)

CERTIFICATE OF AMENDMENT
ARTICLES OF RE-INCORPORATION
OF
LONGBOAT KEY ESTATES CLUB ASSOCIATION, INC

We hereby certify that the attached amendment to the Articles of Re-Incorporation of Longboat Key Estates Club Association, Inc., the original of which having been filed with the State of Florida, Secretary of State on December 27, 1979, was approved at a Membership Meeting of Longboat Key Estates Club Association, Inc. held on October 12, 2020, by the affirmative vote of not less than a majority of the members as required by Article VII of the Articles of Re-Incorporation of Longboat Key Estates Club Association, Inc. Longboat Key Estates Club Association, Inc. further certifies that the amendment was proposed and adopted as required by the governing documents and applicable law.

DATED this 26 day of October, 2020.

Signed, sealed and delivered
in the presence of:

LONGBOAT KEY ESTATES CLUB
ASSOCIATION, INC.

sign Jeffrey G. Caisse

print Jeffrey G. Caisse

sign [Signature]

print DAVID E. NOUAK

By Sandra Sullenberger, President
Sandra Sullenberger, President

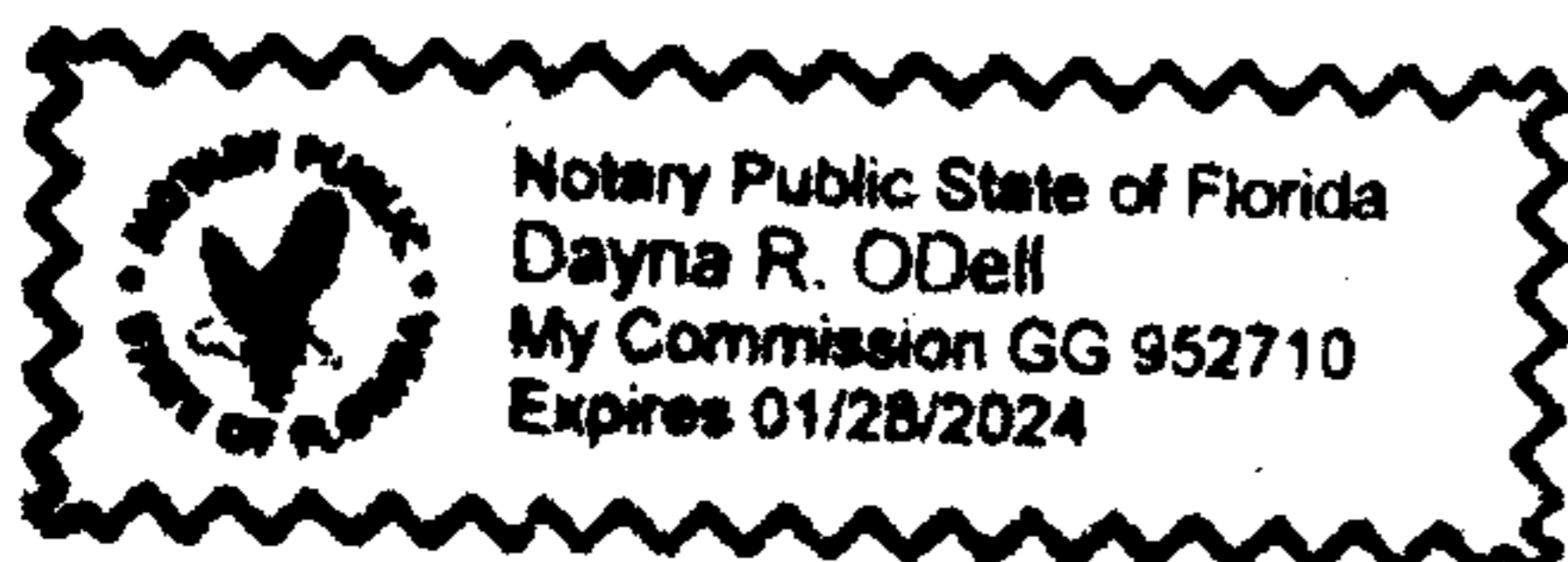
ATTEST:

By [Signature]
Scott Charlton, Secretary

[Corporate Seal]

STATE OF FLORIDA)
COUNTY OF SARASOTA)

The foregoing instrument was acknowledged before me this 26 day of October, 2020, by Sandra Sullenberger, as President of Longboat Key Estates Club Association, Inc., a Florida not for profit corporation, on behalf of the corporation, who is personally known to me or has produced as identification.



NOTARY PUBLIC

sign [Signature]

print Dayna R. Odell

State of Florida at Large (Seal)

My Commission expires:

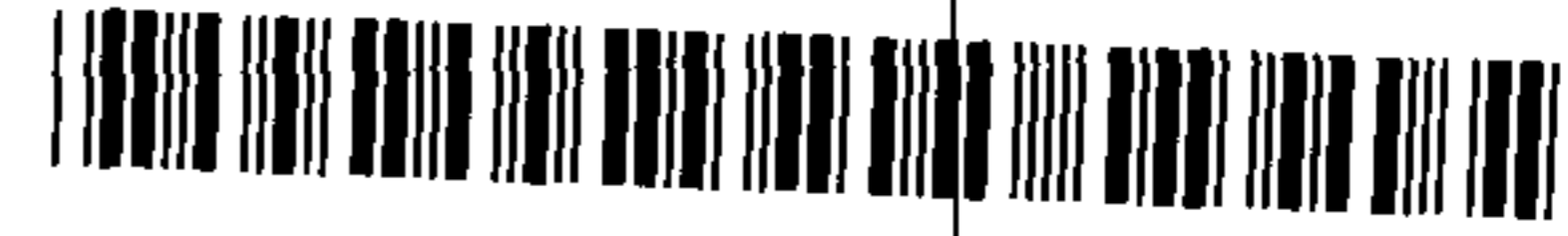
AMENDMENT
ARTICLES OF RE-INCORPORATION
OF
LONGBOAT KEY ESTATES CLUB ASSOCIATION, INC.

*[Additions are indicated by **bold underline**; deletions by ~~strike-through~~]*

ARTICLE VIII.

The provisions of the Articles of Re-Incorporation **may be amended upon the approval of not less than a majority of members having the right to vote and voting, in person or by proxy, at a membership meeting at which a quorum has been obtained. A copy of the proposed amendment(s) shall be furnished along with the notice of the membership meeting at which the proposed amendment(s) will be considered.** and the ~~By-Laws of this corporation shall be made, altered, or amended by a majority vote of the members of the organization having the right to vote and voting at any regular, adjourned or special meeting where there is a quorum, after a written notice setting forth such By-laws or amendments as are to be voted on shall have been mailed to the members at least ten (10) days before the date of such meeting.~~

Prepared by and Return to:
Paul E. Olah, Jr., Esq.
Law Offices of Wells | Olah, P.A.
1800 Second Street, Suite 808
Sarasota, Florida 34236
(941) 366-9191 (Telephone)



CERTIFICATE OF AMENDMENT
THIRD AMENDED AND RESTATED BYLAWS
OF
LONGBOAT KEY ESTATES CLUB ASSOCIATION, INC.

We hereby certify that the attached amendment to the Third Amended and Restated Bylaws of Longboat Key Estates Club Association, Inc. was approved at a Membership Meeting of Longboat Key Estates Club Association, Inc. held on October 12, 2020, by the affirmative vote of not less than a majority of the members as required by Article IV, Section 1 of the Third Amended and Restated Bylaws of Longboat Key Estates Club Association, Inc. Longboat Key Estates Club Association, Inc. further certifies that the amendment was proposed and adopted as required by the governing documents and applicable law.

DATED this 26 day of October, 2020.

Signed, sealed and delivered
in the presence of:

LONGBOAT KEY ESTATES CLUB
ASSOCIATION, INC.

sign Jeffrey G. Caisse

print Jeffrey G. Caisse

sign [Signature]

print David E. Novak

By [Signature] President
Sandra Sullenberger, President

ATTEST:

By [Signature]
Scott Charlton, Secretary

[Corporate Seal]

STATE OF FLORIDA)
COUNTY OF SARASOTA)

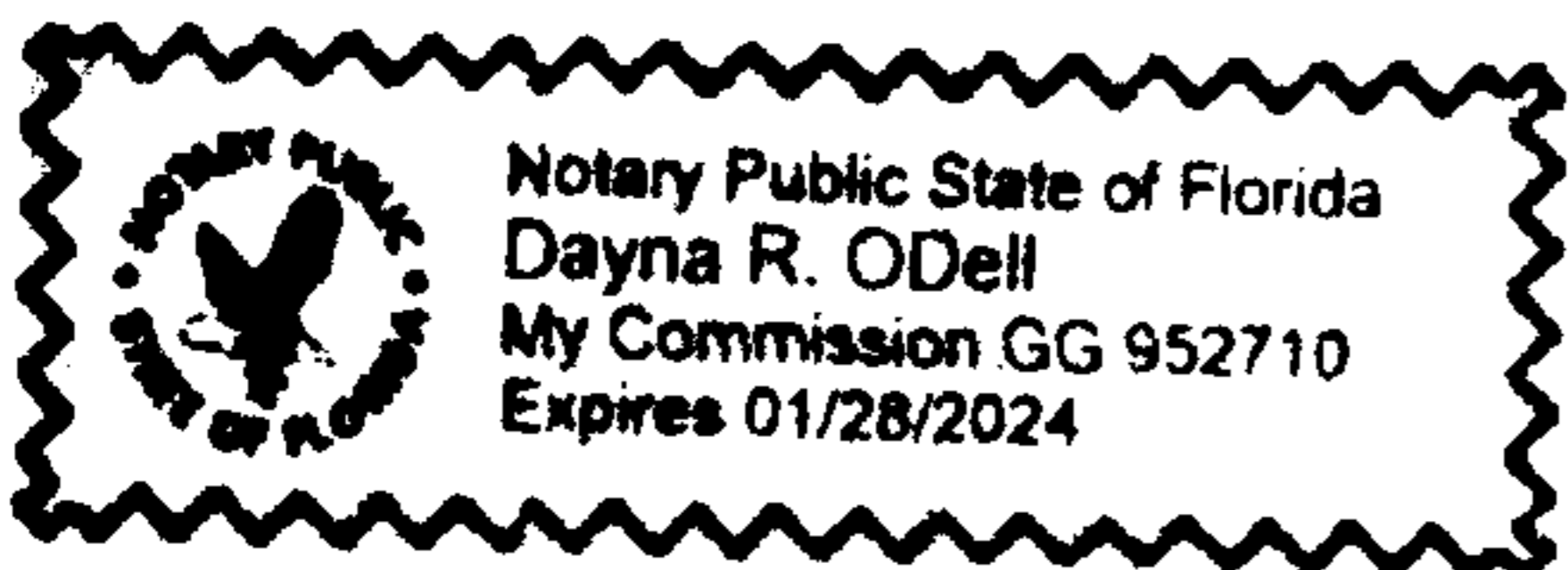
The foregoing instrument was acknowledged before me this 26 day of October, 2020, by Sandra Sullenberger, as President of Longboat Key Estates Club Association, Inc., a Florida not for profit corporation, on behalf of the corporation, who is personally known to me or has produced as identification.

NOTARY PUBLIC

sign [Signature]

print Dayna R. Odell

State of Florida at Large (Seal)
My Commission expires:



AMENDMENT
THIRD AMENDED AND RESTATED BYLAWS
OF
LONGBOAT KEY ESTATES CLUB ASSOCIATION, INC.

*[Additions are indicated by **bold underline**; deletions by ~~strike-through~~]*

Article I. MEMBERSHIP AND MEETINGS OF ~~N~~**MEMBERS**

Section 3. Annual Dues Assessments. The annual dues assessment of the Association shall be in the amount established by the membership ~~at the annual meeting in February~~ **Board of Directors when it adopts the annual budget in the month of November** of each year and shall be due and payable immediately thereafter **on or before January 1 annually. However, in its discretion, the Board of Directors may allow the annual assessment to be paid in installments due quarterly on or before January 1, April 1, July 1 and October 1.** The Fiscal Year covers the period from January 1st through December 31st. Dues Assessments will be considered ~~in arrears~~ **delinquent** if not paid **within sixty (60) days of when payment falls due. by May 1. Delinquent assessments will accrue interest at the rate of 1 1/2% per month 10% per annum from the due date until paid in full. will be charged after that date.** **The Association may also charge an administrative late fee not to exceed the greater of \$25 or 5 percent of the amount of each installment that is paid past the due date.**

Section 7. Voting. Every member in good standing shall be entitled to one (1) vote for each lot owned **by such member** in Longboat Key estates, described in Plat Book 5, Page 98, filed March 27, 1952, and Plat Book 6, Page 11, filed September 1, 1957, in the Sarasota County records. Disposal of a lot shall deprive the former owner of the membership and vote conferred by ownership of that lot and the membership shall be issued to the new owner.

All voting ~~on dues and other matters~~ at the Annual Meeting of members or any special meeting of members shall be by written ballot **or written proxy** and a simple majority of those voting shall prevail unless these ~~Bylaws or the amended and restated r~~ **Restrictions** otherwise provide. ~~See, e.g. Bylaws, Article II, Section 5 (pertaining to special assessments); Restrictions, Sections 4 and 8 (pertaining to amendment to restrictions).~~ The Board of Directors shall notify the members of a proposed change to the restrictions or bylaws, or of a proposed special assessment, ~~twenty-five (25) days in advance of any annual or special meeting where a vote on same is scheduled. Once established, voting dates on special assessments, or proposed changes to the bylaws or restrictions, shall not be extended beyond sixty (60) days.~~

Article II. DIRECTORS

This Association shall have five (5) Directors.

Section 4. Function. All business of the Association shall be conducted by the Board of Directors.

The Board of Directors shall ~~prepare~~ **adopt** a ~~proposed~~ budget **annually in the month of November** for the coming Fiscal Year that shall include the estimated funds required to defray the expenses of the Association for the **coming** Fiscal Year and to provide and maintain funds for the accounts established by the Board of Directors, in accordance with good accounting practices. The Association shall provide each member with a copy of the annual budget or a written notice that a copy of the budget is available upon request at no charge to the member. ~~, including a statement as to the proposed dues needed to balance this budget. These dues shall be~~ **The budget shall be** sufficient to:

1. Pay our Association taxes, insurance, electric and water fees;
2. Maintain Association Property;
3. Pay normal operating expenses;
4. Build reasonable reserve funds for contingencies;
5. Enforce restrictions as stated in the Amended and Restated Restrictions of Longboat Key Estates recorded at the Sarasota County Courthouse and any supplements thereto, taking appropriate action, including legal action; where and if necessary;
6. Set aside annually from the regular ~~dues~~ **assessments**, in one special interest bearing account, two funds to aid respectively in (1) the maintenance of each of the private streets and (2) maintenance of the irrigation system, in at least the following amounts:
 - a. Kingfisher lane (10 lots) \$50.00 per lot per year equaling \$500.00
 - b. Jessmyth Drive (9 lots) \$50.00 per lot per year equaling \$450.00
 - c. Irrigation system \$300.00 a year.

~~A copy of the budget, including the dues necessary to support it, shall be enclosed with the notice of the annual meeting. A simply majority of these voting shall prevail.~~

The Board of Directors shall have the power and authority to direct expenditure from the Association funds up to the amount of Ten Thousand and no/100 Dollars (\$10,000) during the Fiscal Year, in addition to amounts provided in the budget, upon finding that it is in the best interest of the Association to spend such funds and that to wait until the next Annual Meeting or Special Meeting of members will prejudice the rights of the Association.

The Board of Directors shall ~~shall~~ **may** take all actions necessary to enforce the decisions of the Board of Directors and to enforce the Restrictions of Longboat Key Estates and the Bylaws of Longboat Key Estates Club Association, Inc.

Article IV AMENDMENT OF BYLAWS. **These Bylaws may be amended upon the approval of not less than a majority of members having the right to vote and voting, in person or by proxy, at a membership meeting at which a quorum has been obtained. A copy of the proposed amendment(s) shall be furnished along with the notice of the membership meeting at which the proposed amendment(s) will be considered.**

~~Section 1. By Board of Directors. When a change in the Bylaws seems advisable, the Board of Directors shall request the President to appoint a committee of three (3) members to formulate any changes which seem advisable.~~

~~The proposed version of such changes, as formulated by the Committee, and approved by the Board of Directors, shall be submitted to all members in good standing for action at the annual or any special meeting. Except for changes to Article II, Section 5, final sentence (pertaining to the approval of special assessments), a simple majority of those casting ballots shall prevail. In that instance, a two-thirds (2/3) majority of those casting votes shall prevail.~~

11/13/2020 3:03 PM

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA

SIMPLIFILE

Receipt # 2587411

Prepared by and Return to:

Edward Principe, Esq.
LONGBOAT KEY ESTATES
595 DAY ISLES ROAD
Suite 100
LONGBOAT KEY, FL
34228

CERTIFICATE OF AMENDMENT

THIRD AMENDED AND RESTATED RESTRICTIONS
OF
LONGBOAT KEY ESTATES

We hereby certify that the attached amendment to the Third Amended and Restated Restrictions of Longboat Key Estates, the original of which having been recorded in Official Records Book 293, Page 235 of the Public Records of Sarasota County, Florida, was approved by an instrument or instruments in writing signed by the Association and by the owners of record of not less than sixty-six and two-thirds percent (66 2/3%) of all lots in Longboat Key Estates Subdivision in the presence of two witnesses and acknowledged in accordance with Section 4 of the Third Amended and Restated Restrictions of Longboat Key Estates. Longboat Key Estates Club Association, Inc. further certifies that the amendment was proposed and adopted as required by the governing documents and applicable law.

DATED this 26 day of October, 2020.

Signed, sealed and delivered
in the presence of:

LONGBOAT KEY ESTATES CLUB
ASSOCIATION, INC.

sign Jeffrey G. Caisse

print Jeffrey G. Caisse

Sandra Sullenberger, President
Sandra Sullenberger, President

ATTEST:

sign [Signature]

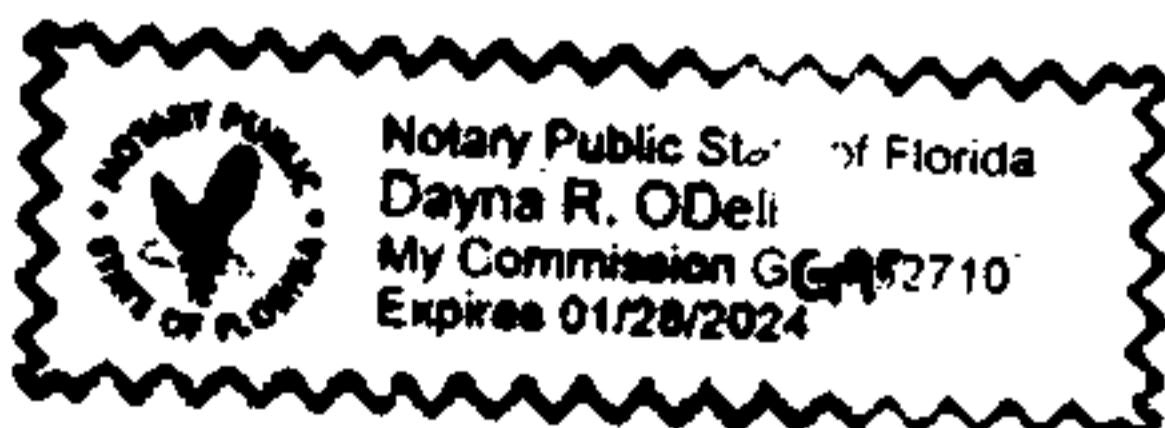
print DAVID E NOVAK

By [Signature]
Scott Charlton, Secretary

[Corporate Seal]

STATE OF FLORIDA)
COUNTY OF SARASOTA)

The foregoing instrument was acknowledged before me this 26 day of October, 2020, by Sandra Sullenberger, as President of Longboat Key Estates Club Association, Inc., a Florida not for profit corporation, on behalf of the corporation, who is personally known to me or has produced _____ as identification.



NOTARY PUBLIC

sign [Signature]

print Dayna R. Odell

State of Florida at Large (Seal)
My Commission expires:

AMENDMENT
THIRD AMENDED AND RESTATED RESTRICTIONS
OF
LONGBOAT KEY ESTATES

*[Additions are indicated by **bold underline**; deletions by ~~strike-through~~]*

4. Amendment. These restrictions may be amended upon the approval of not less than a majority of members having the right to vote and voting, in person or by proxy, at a membership meeting at which a quorum has been obtained. A copy of the proposed amendment(s) shall be furnished along with the notice of the membership meeting at which the proposed amendment(s) will be considered, ~~by an instrument or instruments in writing signed by the Association and by the owners of record of not less than sixty-six and two thirds percent (66 2/3%) of all lots in Longboat Key Estates Subdivision. In order to be effective the said instrument or instruments must be executed with the formalities of a deed by Longboat Key Estates Club Association, Inc., a corporation not for profit organized under the laws of the State of Florida and by the requisite number of lot owners in the subdivision in the presence of two witnesses and acknowledge.~~ All such amendments shall be attached to a certificate that the amendment was duly adopted, identify the Book and Page of the Official Records where the restrictions are recorded, and be executed on behalf of the Association with the formalities of a deed. All such amendments shall become effective at the time same are recorded among the public records of Sarasota County, Florida.