

NOTE: NEW WORDS PROPOSED TO BE INSERTED IN THE TEXT OF THE ARTICLES OF INCORPORATION ARE DOUBLE UNDERLINED AND THE WORDS PROPOSED TO BE DELETED ARE LINED THROUGH.

ARTICLES OF AMENDMENT  
TO  
ARTICLES OF INCORPORATION  
OF  
ON TOP OF THE WORLD (CENTRAL) OWNERS ASSOCIATION, INC., A FLORIDA  
NOT-FOR-PROFIT CORPORATION

Pursuant to Section 617.1006, *Florida Statutes*, the undersigned Florida not-for-profit corporation adopts the following Articles of Amendment to its Articles of Incorporation:

1. Name. The name of the corporation is ON TOP OF THE WORLD (CENTRAL) OWNERS ASSOCIATION, INC. (the "Corporation").

2. Amendments.

(a) Directors. Section 1 of Article XII of the Articles of Incorporation is deleted and replaced by the following:

"1. The affairs of the Association shall be managed by a Board of Directors consisting of either five (5) or seven (7) Directors. The actual number of directorships in existence from time to time shall be determined by majority vote of the Board of Directors; provided, however, that: (1) there shall always be an odd number of positions on the Board of Directors; (2) no reduction in the number of directorships shall deprive any incumbent Director of the right to serve out the remainder of that Director's unexpired term; and (3) any vacancy created by an increase in the number of directorships shall be filled by the Board and each Director appointed by the Board to fill a newly-created directorship shall serve until the next election of Directors. Each member of the Board of Directors shall be an appointee or designee of Developer (or its successors or assigns), a Member of the Association, any natural person elected by vote of the Members, or, in the event of corporate ownership of a Home by a corporation, trust or other legal entity, an officer or designated agent of such corporation, trust or other legal entity. The names and addresses of the Members of the first Board of Directors, who shall hold office until the first Annual Meeting of the Members occurring one (1) year or more after the date hereof, and from year to year thereafter until their successors are duly appointed by Developer or elected by the Members and have qualified, or until removed as hereinafter provided, are as follows:

\_\_\_\_\_  
Sidney Colen \_\_\_\_\_ 5758 54<sup>th</sup> Avenue North  
\_\_\_\_\_  
St. Petersburg, Florida

\_\_\_\_\_  
Georgia Haas \_\_\_\_\_ 5758 54<sup>th</sup> Avenue North  
\_\_\_\_\_  
St. Petersburg, Florida

Raymond J. Funk	5758 54 <sup>th</sup> Avenue North St. Petersburg, Florida
Ina A. Colen	5758 54 <sup>th</sup> Avenue North St. Petersburg, Florida
Kenneth D. Colen	8700 S.W. 99 <sup>th</sup> Street Road Ocala, Florida 32671

Excepting the original Board of Directors, the term of each member of the Board of Directors shall be two (2) years, and shall continue thereafter until such Director's successor is duly elected and qualified or until such Director is removed. The terms of the Directors may be staggered."

(b) 55 and Older Community. A new Article XX is added to the Articles of Incorporation which reads as follows:

**"ARTICLE XX**  
**55 AND OLDER COMMUNITY**

The Community has been designated as housing for persons who are fifty five (55) years of age or older. At least eighty percent (80%) of the Residential Units in the Community must be occupied by at least one person who is fifty five (55) years of age or older. In order to ensure that the Community qualifies as housing for persons fifty five (55) years of age or older under the Federal Fair Housing Act (42 U.S.C. 3601, et seq.), satisfies the occupancy and age verification requirements of Rule 100.307 of the U.S. Department of Housing and Urban Development (24 C.F.R. 100.307), and complies with the requirements of the Florida Fair Housing Act (Chapter 760, Florida Statutes) and the rules and regulations of the Florida Commission on Human Relations, a survey of the residents of the Community will be conducted and updated by the Association as and to the extent required by applicable law. Each Occupant shall cooperate with the Association in its efforts to comply with the requirements of the above-mentioned acts and rules and regulations, and with all other applicable laws. Such cooperation shall include (but shall not be limited to) providing to the Association, within 10 days after written request, such information (such as but not limited to identification of whether at least one occupant of the Residential Unit is fifty five (55) years of age or older and the current age or date of birth of such person) and signed surveys, sworn affidavits, certifications and other reliable, legally sufficient documentation as may be required from time to time by the Association.

Developer and the Association shall have the authority to make any additional capital improvements upon the Common Property necessary to provide facilities or services specifically designed to meet the requirements of the Fair Housing Act, as amended, and other applicable laws.

No child under the age of seventeen (17) years shall be allowed to reside in any Residential Unit in the Community. An Owner who owns and occupies his or her own Residential Unit may permit one (1) minor only to reside in the Residential Unit with him or her, but only if the minor is at least seventeen (17) years of age and a member of that Owner's family. The test for residency by minors shall be either (a) residency in any Residential Unit for any period exceeding one (1) month, accompanied by enrollment in a public or private school or institution located within Marion County, Florida, or (b) residency in any Residential Unit for a cumulative period of six (6) months or longer.

Notwithstanding the foregoing, in the event any modification to the Federal Act and the Florida Act which would make less restrictive the requirements for eligibility for the exemption for "housing for older persons" provided by both the Federal and Florida Acts, then, in such event, those less restrictive standards may, in the sole discretion of the Board, be adopted by the Board alone and shall supersede and replace the eighty percent (80%) occupancy standard described herein."

3. Effective Date. This amendment is effective upon the filing of a copy of these Articles of Amendment with the Florida Department of State.

4. Approval. This amendment was adopted and approved by the affirmative vote of not less than sixty six percent (66%) of the entire membership of the Board of Directors of the Corporation at a meeting of the Board of Directors which was duly noticed and held on October 21, 2009. This amendment was also adopted and approved by the affirmative vote of not less than sixty six percent (66%) of the entire membership of the Corporation at a meeting of the members which was duly noticed and held on December 16, 2009. The said numbers of votes cast for the amendment by the directors and the members were sufficient for approval.

IN WITNESS WHEREOF, these Articles of Amendment have been executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

WITNESSES:

ON TOP OF THE WORLD (CENTRAL)  
OWNERS ASSOCIATION, INC.

\_\_\_\_\_  
Witness Signature  
Printed Name: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
Witness Signature  
Printed Name: \_\_\_\_\_

STATE OF FLORIDA            )

