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OR BK 13636 PG 1815  
Palm Beach County, Florida

This instrument was prepared by  
and should be returned to:  
Marilyn A. Moore, Esq.  
Foley & Lardner  
777 South Flagler Drive  
Suite 901W  
West Palm Beach, FL 33401

**FIRST AMENDMENT TO  
ARTICLES OF INCORPORATION AND BYLAWS**

THIS FIRST AMENDMENT (the "AMENDMENT") TO ARTICLES OF INCORPORATION AND BYLAWS CAPTAIN'S WAY AT ADMIRAL'S COVE CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation (the "Association"), is made on the 2nd day of April, 2002.

**WITNESSETH:**

WHEREAS, the Articles of Incorporation ("Articles") of the Association were filed with the Secretary of State of the State of Florida on December 3, 1986 and recorded November 3, 1987 as Exhibit No. 4 to the Declaration of Condominium of Captain's Way at Admiral's Cove, a Condominium, recorded in Official Records Book 5470, Page 1065 of the Public Records of Palm Beach County, Florida, and subsequently amended (the "Declaration"), and

WHEREAS, the Bylaws ("Bylaws") of the Association were also recorded November 3, 1987 as Exhibit No. 5 to the Declaration, and

WHEREAS, the Association wishes to amend the Articles and Bylaws as set forth herein in accordance with Florida Statutes, Chapter 718 (the "Condominium Act") and Article XII of the Articles and Section 15 of the Bylaws; and

WHEREAS, at a duly called and noticed meeting of the Members, at which a quorum was present (a) at least two-thirds (2/3) of the total votes of all Members of the Association approved this Amendment to the Articles, and (b) at least a majority of the Members approved this Amendment to the Bylaws, together with the affirmative approval of this Amendment to the Bylaws by a majority of the Board at a meeting of the Board.

NOW, THEREFORE, in consideration of the foregoing, the Articles and Bylaws are hereby amended as set forth below.

1. **Recitals.** The foregoing recitals are true and correct and are incorporated herein by this reference.

2. **Effective Date.** This Amendment shall be effective upon recording in the Public Records of Palm Beach County, Florida as set forth in Section 15.5 of the Bylaws.

3. **Amendment.**

(a.) The third sentence of Article VIII, Section 3 of the Articles which currently reads:

The number of Directors on all subsequent Boards shall be determined by the Members at each Annual Members Meeting (as said term is defined in the Bylaws) but in no event shall there be less than three (3) or more than five (5) Directors on the Board of Directors.

Is hereby amended to read as follows:

The number of Directors on all subsequent Boards shall be determined by the Members at each Annual Members Meeting (as said term is defined in the Bylaws) ~~but in no event and shall there be less than three (3)~~ **always be either more than five (5) five (5) or seven (7)** Directors on the Board of Directors.

(b.) The third and fourth sentences of Sub-Section 4.1 of the Bylaws which currently reads:

The "Initial Elected Board" as defined in Article VIII of the Articles, and all subsequent Boards shall consist of five (5) Directors. At no time shall there be less than three (3) Directors or more than five (5) Directors on the Board.

Is hereby amended to read as follows:

~~The "Initial Elected Board" as defined in Article VIII of the Articles, and all~~ **All** subsequent Boards shall consist of **either five (5) or seven (7)**. ~~At no time shall there be less than three(3) Directors or Directors on the Board.~~

4. **Capitalized Terms.** All capitalized terms shall have the same meanings as defined in the Articles and Bylaws unless otherwise defined herein.

5. **Certification as to Required Approvals.** The execution of this Amendment by the undersigned authorized officers of the Association constitutes the certification by such officers that the approvals by the required votes of Members of the Association and Directors as set forth herein are maintained and reflected in the records of the Association.

6. **No Other Changes.** Except as expressly modified herein, all other provisions of the Articles and Bylaws are hereby ratified and confirmed.

7. **Owner Acceptance and Ratification.** By acquisition of title to a Unit or Units subject to the Articles and Bylaws as amended by this Amendment, each Unit Owner thereby irrevocably ratifies, approves and affirms all provisions of the Articles and Bylaws modified by this Amendment.

IN WITNESS WHEREOF, CAPTAIN'S WAY AT ADMIRAL'S COVE CONDOMINIUM ASSOCIATION, INC. has caused this instrument to be executed by its duly authorized officers in its name the day and year first above written.

CAPTAIN'S WAY AT ADMIRAL'S COVE  
CONDOMINIUM ASSOCIATION, INC.

[Signature]  
Print Name: DIANE LEATHILLIPS

By: [Signature]  
Name: DONALD ARONS  
Title: PRESIDENT

[Signature]  
Print Name: SANDRA DICKMAN

Attest: [Signature]  
Sandra Weir, Secretary

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of April, 2002, by Dr Donald Arons, as President of Captain's Way at Admiral's Cove Condominium Association, Inc., a Florida not-for-profit corporation, on behalf of said corporation.

[Signature]  
Notary Public, State of Florida

Karen M. Tesaurc  
(Type, Print or Stamp Commissioned Name of Notary Public)



Personally Known OR  
Produced Identification - Type of Identification  
Produced:

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of April, 2002, by Sandra Weiner, as Secretary of Captain's Way at Admiral's Cove Condominium Association, Inc., a Florida not-for-profit corporation, on behalf of said corporation.

Karen M. Tesaurio  
Notary Public, State of Florida



Karen M. Tesaurio  
(Type, Print or Stamp Commissioned Name of Notary Public)

Personally Known **OR**  
Produced Identification - Type of Identification  
Produced: