

## CERTIFICATE OF RECORDING

### PORT CARLOS COVE, INC.

**WHEREAS**, Port Carlos Cove, Inc., (hereinafter "Association"), is a Florida corporation not-for-profit duly organized to operate Port Carlos Cove subdivision, situate in Lee County, Florida; and

**WHEREAS**, the Amended and Restated Articles of Incorporation and Bylaws of the Association have not heretofore been filed of public record; and

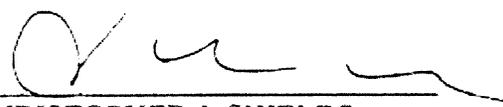
**WHEREAS**, Association wishes to record its Amended and Restated Articles of Incorporation and Bylaws for the purpose of providing record notice as to the property within "Port Carlos Cove" as operated by Association, further to its Charter and Bylaws;

**NOW, THEREFORE**, in consideration of the foregoing premises, Port Carlos Cove, Inc., hereby provides notice of the following:

1. Attached hereto as **Exhibit "A"** are the Amended & Restated Articles of Incorporation, as amended, of Port Carlos Cove, Inc., as exist on the date hereof.
2. Attached hereto as **Exhibit "B"** are the Amended & Restated Bylaws, as amended, of Port Carlos Cove, Inc., as exist on the date hereof.

**IN WITNESS WHEREOF**, we have hereunto affixed our hands and the seal of said corporation, this 15 day of SEPTEMBER, 1999.

PORT CARLOS COVE, INC.

By: 

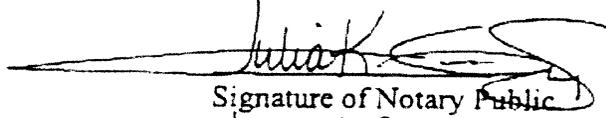
CHRISTOPHER J. SHIELDS,  
Attorney & Agent for Association

STATE OF FLORIDA )  
 ) SS:  
COUNTY OF LEE )

The foregoing instrument was acknowledged before me this 15 day of SEPTEMBER, 1999, by Christopher J. Shields, Attorney & Agent for Port Carlos Cove, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced \_\_\_\_\_ as identification and did not take an oath.

(Notary Seal)

OFFICIAL NOTARY SEAL  
JULIA K GUERNSEY  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC679352  
MY COMMISSION EXP. SEPT 10 2001



Signature of Notary Public  
JULIA K. GUERNSEY

(Print, type or stamp commissioned name of Notary Public)

Commission No: CC679352

# CERTIFICATE OF RECORDING

## PORT CARLOS COVE, INC.

**WHEREAS**, Port Carlos Cove, Inc., (hereinafter "Association"), is a Florida corporation not-for-profit duly organized to operate Port Carlos Cove subdivision, situate in Lee County, Florida; and

**WHEREAS**, the Association most recently amended and restated their Articles of Incorporation and Bylaws and placed of the Public Records true and correct copies of the Amended and Restated Articles of Incorporation and Bylaws for the purpose of providing record notice as to the property within Port Carlos Cove, as operated by the Association further to its Charter and Bylaws; and

**WHEREAS**, said Certificate of Recording being recorded in Official Record Book 3172 at Page 3420-3468, Public Records of Lee County, Florida, reference the Articles of Incorporation and Bylaws as amended and restated, and further reference Exhibits I-V as attachments to the Articles of Incorporation and Bylaws, as amended and restated; and

**WHEREAS**, Exhibit III and Exhibit IV entitled "Membership Certificate" and "Lease Agreement", respectively, have been revised; and

**WHEREAS**, the Association is desirous of placing of the Public Record, true and correct copies of the Membership Certificate and Lease Agreement, as well as recording Exhibit VI, identified as the "Estimated Operating Budget";

**NOW, THEREFORE**, in consideration of the foregoing premises, Port Carlos Cove, Inc., by and through its undersigned attorney and agent hereby provides notice of the following:

1. Attached hereto as **Exhibit "A"** is the current Membership Certificate utilized by the Association; and
2. Attached hereto as **Exhibit "B"** is the Lease Agreement in effect as of the date of this Certificate of Recording; and
3. Attached hereto as **Exhibit "C"** is the current Estimated Operating Budget in effect as of this date.

IN WITNESS WHEREOF, we have hereunto affixed our hands and the seal of said corporation, this 27 day of OCTOBER, 1999.

PORT CARLOS COVE, INC.

By: [Signature]  
CHRISTOPHER J. SHIELDS,  
Attorney & Agent for Association

STATE OF FLORIDA     )  
                                  )     SS:  
COUNTY OF LEE        )

The foregoing instrument was acknowledged before me this 27 day of OCTOBER, 1999, by Christopher J. Shields, Attorney & Agent for Port Carlos Cove, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced \_\_\_\_\_ as identification and did not take an oath.

(Notary Seal)

OFFICIAL NOTARY SEAL  
JULIA K GUERNSEY  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC679352  
MY COMMISSION EXP. SEPT 10 2001  
Commission No: \_\_\_\_\_

[Signature]

Signature of Notary Public  
JULIA K. GUERNSEY  
(Print, type or stamp commissioned name of Notary Public)



The foregoing instrument was acknowledged before me this 8 day of March 2005, by Richard Hobet, President of Port Carlos Cove, Inc., a non-profit Florida corporation, on behalf of the corporation. He/She is personally known to me or has produced \_\_\_\_\_ as identification and did not take an oath.

(Notary Seal)



Beverly R. Triplehorn  
MY COMMISSION # DD082434 EXPIRES  
April 10, 2006  
BONDED TO PUBLIC FOR \$5,000.00

*Beverly R. Triplehorn*  
Signature of Notary Public

Beverly R. Triplehorn  
(Print, type or stamp commissioned name of Notary Public)

Commission No. DD082434

This instrument prepared by:  
Christopher J. Shields, Esq.  
PAVESE LAW FIRM  
1833 Hendry Street  
Fort Myers, Florida 33901  
(239) 334-2195

INSTR # 2018000088005, Doc Type AGR, Pages 2, Recorded 04/13/2018 at 11:45 AM, Linda Doggett, Lee County Clerk of Circuit Court, Rec. Fee \$18.50 Deputy Clerk MCOSSAIRT

**CERTIFICATE OF AMENDMENT TO THE AMENDED & RESTATED BYLAWS OF PORT CARLOS COVE, INC.**

The UNDERSIGNED, being duly elected and acting President and Secretary, respectively, of PORT CARLOS COVE, INCORPORATED, a Florida corporation not-for-profit, do hereby certify that all the resolutions set forth below were approved, evidenced by a written statement or ballot manifesting their intention that such amendments be adopted. The resolutions were approved and adopted by the votes indicated for the purpose of amending the Bylaws of Port Carlos Cove, Incorporated, as recorded in Official Records Book 3172 at Pages 3420, Public Records of Lee County, Florida.

The following resolution was approved by two-thirds (2/3rds) of the persons voting in person or by proxy at a duly called meeting of the Corporation held on February 20th, 2018.

**RESOLVED: Corporate Bylaws 3.3, 3.4, 4.8, and 6.2 are amended to permit the use of electronic mail for providing notices to owner/members who choose to receive electronic mail instead of mailed letters.**

**RESOLVED:** That the officers and directors of Port Carlos Cove, Incorporated are hereby instructed and authorized to execute the aforementioned Amendments and cause them to be filed as public record, together with this Certificate of Amendment.

Dated this 4<sup>th</sup> day of ~~March~~<sup>April</sup>, 2018,

PORT CARLOS COVE, INC.

*John Marquis*  
Witness

By: *Richard Hobot*  
Richard Hobot, President

*Don Vance*  
Witness

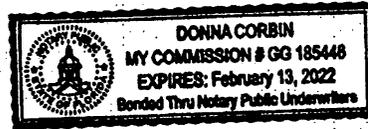
By: *Caroline Singler*  
Caroline Ginglen, Secretary

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 4th day of April 2018, by Richard Hobot, Board President of Port Carlos Cove, Incorporated and Caroline Ginglen, Board Secretary of Port Carlos Cove, Incorporated a non-profit Florida corporation, on behalf of the corporation. He and she are personally known to me and did not take an oath.

Stamp / Seal

  
Notary Public Signature



Linda Doggett, Lee County Clerk of Circuit Court  
INSTR. # 2021000072273, Doc Type RES, Pages 2, Recorded 3/9/2021 at 10:48 AM, Deputy Clerk TKING  
Rec Fees: \$18.50

**CERTIFICATE OF AMENDMENT TO THE  
AMENDED & RESTATED BYLAWS  
OF PORT CARLOS COVE, INC.**

The UNDERSIGNED, being duly elected and acting President and Secretary, respectively, of PORT CARLOS COVE, INCORPORATED, a Florida corporation not-for-profit, do hereby certify that all the resolutions set forth below were approved, evidenced by a written statement or ballot manifesting their intention that such amendments be adopted. The resolutions were approved and adopted by the votes indicated for the purpose of amending the Bylaws of Port Carlos Cove, Incorporated, as recorded in Official Records Book 3172 at Pages 3420, Public Records of Lee County, Florida.

The following resolution was approved by two-thirds (2/3rds) of the persons voting in person or by proxy at a duly called meeting of the Corporation held on February 16th, 2021.

**RESOLVED:** That Section 8.3 of the Bylaws of Port Carlos Cove, Incorporated be and are hereby amended, and the Amendment to the Amended and Restated Bylaws are adopted in the form attached hereto as Exhibit "A", and made a part hereof; and

**RESOLVED:** That the officers and directors of Port Carlos Cove, Incorporated are hereby instructed and authorized to execute the aforementioned document and cause it to be filed as public record, together with this Certificate of Amendment.

Dated this 9<sup>th</sup> day of March, 2021,

PORT CARLOS COVE, INC.

Donna Corbin  
Witness

By: Richard Hobot  
Richard Hobot, President

Steven Gunn  
Witness

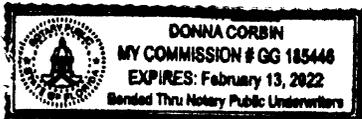
By: Caroline Singlen  
Caroline Singlen, Secretary

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me by means of physical presence this 9<sup>th</sup> day of March 2021, by Richard Hobot, President of Port Carlos Cove, Incorporated, and Caroline Singlen, Secretary of Port Carlos Cove, Incorporated a non-profit Florida corporation, on behalf of the corporation. He and she are personally known to me or have produced their Driver's License as identification and did not take an oath.

(Notary Seal)

Donna Corbin  
Signature of Notary Public



**EXHIBIT "A"**

**AMENDMENT  
TO THE  
AMENDED AND RESTATED  
BYLAWS  
OF  
PORT CARLOS COVE, INCORPORATED**

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(Underlined language is added and deleted language is shown in strike through type.)

**Section 8.3 of the Amended and Restated Bylaws of Port Carlos Cove, Incorporated entitled "Maximum Occupancy" shall be amended as follows:**

**8.3 Maximum Occupancy.** The maximum ~~permanent~~ occupancy ~~of a unit~~ shall not exceed two persons subject to the following exceptions.

- Upon application to the Board, the Board has the discretion to permit, in hardship circumstances, additional occupants to reside within a unit. The Board has the ultimate discretion in approving or disapproving application for additional occupancy and may, as a condition, impose additional fees on the member requesting permission for additional occupants.
- Members, guests and lessees may host guests, provided they adhere to the conditions for guest's visits as explained in the bylaws.
- When a Membership Certificate specifies more than two persons as members, more than two members can occupy the unit at one time, but not exceeding 30 days in a calendar year.

3-9-2021

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