

Hughes Hubbard & Reed, P.A.

N 96000004335

201 South Biscayne Boulevard
Miami, Florida 33131-4312
Telephone: (305) 371-0661
Facsimile: (305) 371-8716

August 15, 1996

05 AUG 16 10:11:37

STATE OF FLORIDA
TALLAHASSEE, FLORIDA

VIA FEDERAL EXPRESS

Corporate Records Bureau
Division of Corporations
409 East Gaines Street
P.O. Box 6327
Tallahassee, Florida 32301

ENCLOSURE 1 91244150
FEDERAL EXPRESS
*****123.50 *****123.50

Re: Beacon at 97th Avenue Association, Inc. EFFECTIVE DATE

Dear Sirs:

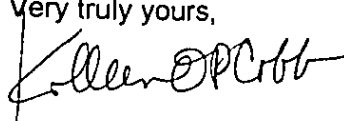
Enclosed is an original and a copy of the Articles of Incorporation of the above referenced corporation for filing by the Department of State. Also, enclosed is a check for \$122.50 as payment for the following:

- | | |
|-------------------------------|--------------|
| 1. Filing fee | \$ 35.00 |
| 2. Registered agent fee | 35.00 |
| 3. Certified copy of articles | <u>52.50</u> |
| | \$122.50 |

Please return a certified copy of the Articles of Incorporation to me as soon as they have been filed.

Thank you for your assistance in this matter.

Very truly yours,


Kolleen O. Pasternack Cobb

One Battery Park Plaza
New York, NY
10004 1482
212-817 6000

47, Avenue Georges Mandel
75016 Paris, France
(33) (1) 44 05 80 00

1100 I Street, N.W.
Washington, D.C.
20005 4106
202 468-1600

150 South Grand Avenue
Los Angeles, CA
90071 1442
213 611 2800

ARTICLES OF INCORPORATION
OF
BEACON AT 97TH AVENUE ASSOCIATION, INC.

FILED
95 AUG 15 11:37
TALLAHASSEE, FLORIDA

The undersigned subscriber, desiring to form a corporation not-for-profit under Chapter 617, Florida Statutes, as amended, hereby adopt the following Articles of Incorporation.

ARTICLE I

NAME

The name of this corporation shall be Beacon at 97th Avenue Association, Inc., hereinafter referred to as the "Association."

ARTICLE II

PRINCIPAL OFFICE

The mailing address of this corporation's initial principal office is:

Two Alhambra Plaza
Penthouse II
Coral Gables, Florida 33143

ARTICLE III

TERMS

Terms used herein shall have the meanings ascribed to them in the Declaration referred to below, unless the context indicates otherwise.

ARTICLE IV

PURPOSE

The purpose for which the Association is organized is to maintain, manage and operate BEACON AT 97TH AVENUE in accordance with the terms, provisions and conditions contained in the Declaration of Covenants, Conditions and Restrictions for BEACON AT 97TH AVENUE (the "Declaration") and to carry out the covenants and enforce the provisions relative to the Association as provided in the Declaration, these Articles, and the Bylaws.

ARTICLE V

MEMBERSHIP

Each Owner of Property shall be a member of the Association as provided in the Declaration.

ARTICLE VI

BOARD OF DIRECTORS

The affairs of the Association shall be managed by a Board of Directors as provided in the By-Laws, consisting of not less than three (3), nor more than nine (9), and which shall always be an odd number.

The names and addresses of the members of the first Board of Directors of the Association (which shall be three), who shall hold office until the first election and thereafter until successors are duly elected and have taken office are as follows:

<u>Name</u>	<u>Address</u>
Armando Codina	Two Alhambra Plaza Penthouse II Coral Gables, Florida 33134
Henry Befeler	Two Alhambra Plaza Penthouse II Coral Gables, Florida 33134
O. Ford Gibson	Two Alhambra Plaza Penthouse II Coral Gables, Florida 33134

Except for the first Board of Directors and unless otherwise provided in the By-Laws, Directors shall be elected by the Voting Representatives of the Association at the annual meeting of the Voting Representatives as provided by the By-Laws of the Association, and the By-Laws may provide for the method of voting in the election and for the removal from office of Directors.

Members elected to the Board of Directors shall hold office until the next succeeding annual meeting of Voting Representatives, and thereafter until qualified successors are duly elected and have taken office.

If a Director elected by the Voting Representatives shall for any reason cease to be a Director, the remaining Directors so elected may elect a successor to fill the vacancy for the balance of the unexpired term.

ARTICLE VII

INCORPORATOR

The name and address of the person signing these Articles is Armando Codina, Two Alhambra Plaza, Penthouse II, Coral Gables, Florida 33134

ARTICLE VIII

INDEMNIFICATION

The Association shall indemnify any officer or Director or any former officer or Director, to the full extent permitted by law.

ARTICLE IX

BYLAWS

The Board of Directors shall have the power to adopt, alter, amend or repeal Bylaws, in the manner provided in the Bylaws.

ARTICLE X

AMENDMENTS

Amendments to these Articles may be proposed by a member of the Board of Directors or by the Voting Representatives holding one-third (33-1/3%) of the voting rights. These Articles may be amended at any regular meeting of the Board or at any special meeting of the Board duly called and held for such purpose, on the affirmative vote of two-thirds (2/3rds) of the Directors present at a meeting at which a quorum is present.

ARTICLE XI

ASSOCIATION EXISTENCE

The existence of this Association shall be perpetual and shall commence on the date of acknowledgment and subscription of these Articles.


ARTICLE XII

INITIAL REGISTERED OFFICE & AGENT

The name and street address of the initial registered agent and registered office of this corporation is:

Henry Befeler
Two Alhambra Plaza, PH II
Coral Gables, Florida 33143

IN WITNESS WHEREOF, the undersigned Incorporator has executed these Articles of Incorporation this 14 day of August, 1996.



Amando Codina, Incorporator

STATE OF FLORIDA)
) ss:
COUNTY OF DADE)

BEFORE ME, a notary public authorized to take acknowledgments in the State and County set forth above, personally appeared Armando Codina, personally known to me to be the person who executed the foregoing Articles of Incorporation of Beacon at 97th Avenue Association, Inc., and he acknowledged before me that he executed these Articles of Incorporation. He is personally known to me.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my official seal, in the State and County aforesaid, this ___ day of August, 1996.

My commission expires: _____

Notary Public, State of Florida

ARTICLE XII

INITIAL REGISTERED OFFICE & AGENT

The name and street address of the initial registered agent and registered office of this corporation is:

Henry Befeler
Two Alhambra Plaza, PH II
Coral Gables, Florida 33143

IN WITNESS WHEREOF, the undersigned Incorporator has executed these Articles of Incorporation this ___ day of August, 1996.

[Handwritten Signature]

Amardo Godina, Incorporator

STATE OF FLORIDA)
) ss:
COUNTY OF DADE)

BEFORE ME, a notary public authorized to take acknowledgments in the State and County set forth above, personally appeared Armando Codina, personally known to me to be the person who executed the foregoing Articles of Incorporation of Beacon at 97th Avenue Association, Inc., and he acknowledged before me that he executed these Articles of Incorporation. He is personally known to me.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my official seal, in the State and County aforesaid, this 19 day of August, 1996.

My commission expires:

[Handwritten Signature]

Notary Public, State of Florida

OFFICIAL NOTARY SEAL
LETICIA SUAREZ
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC470387
MY COMMISSION EXP. JULY 2, 1999

ACCEPTANCE BY REGISTERED AGENT

8:37 AM '96

95 AUG 16 11:37

The undersigned, having been named the Registered Agent of Beacon At 97th Avenue Association, Inc. hereby accepts such designation and is familiar with and accepts, the obligations of such position.

This acceptance is dated the 14 day of August, 1996.


Henry Befeler, Registered Agent

N96000004335

STATE OF FLORIDA
OFFICE OF THE COMPTROLLER
APPLICATION FOR REFUND

Section 215.26, Florida Statutes, states in part: "Applications for refunds as provided in this section shall be filed with the Comptroller, except as otherwise provided herein, within 3 years after the right to such refund shall have accrued else such right shall be barred." Three years is generally interpreted as meaning three years from the date of payment into the State treasury. The Comptroller has delegated the authority to accept applications for refund to the unit of State government which initially collected the money.

Pursuant to the provisions of Rule 3A-44.020, Florida Administrative Code, and Section 215.26, Florida Statutes, or Section _____, Florida Statutes, I hereby apply for a refund of moneys I paid into the State treasury, which are subject to refund. The following information is submitted to substantiate the claim.

Name: Beacon At 97th Avenue Association, Inc. EIN or SS#: _____

Address: Two Alhambra Plaza, Penthouse II
Coral Gables, Fl 33143

Amount: \$61.25 Date Paid _____

Reason for claim: Report already Filed - N96000004335
9/7 10/1/97

Certified true and correct this 10th day of October, 19 77

Signature No Signature Required

* Must be completed if authority is other than Section 215.26, Florida Statutes.

For Agency Use Only

Agency recommends approval of above claim and submits the following information to substantiate the claim: Amount of recommended refund \$ 61.25

The amount requested above was originally deposited into the State Treasury, as a part of the funds deposited on State Treasurer's Receipt No. 8456/037 dated 09/25/97

Name of Account: _____
4520213000145300000000010000

Statutory Authority for Collection 617

It is requested that payment be made from the following account:
NAME OF ACCOUNT: _____
45202130001453000000022002000

Certified true and correct this _____ day of _____, 19 _____

Department of State, Division of Corporations
(Agency) _____ (Authorized Signature and Title)