

N99000005881

FILED  
1999 OCT -4 PM 1:19  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

TRANSMITTAL LETTER

Department of State  
Division of Corporations  
P. O. Box 6327  
Tallahassee, FL 32314

**SUBJECT:** LAKE BERESFORD YACHT CLUB, a dissolved Florida corporation  
not-for-profit

Enclosed is an original and one(1) copy of Reinstatement/Reincorporation and a check for :

	<b><u>FEES:</u></b>	100003004601--4
		-10/04/99--01015--020
		****507.50 ****507.50
Filing Fee	\$35.00	
Registered Agent	\$35.00	
Annual Reports 1993 through present	\$428.75	
Certified Copies	8.75	
	<u>\$507.50</u>	
	<b><u>OPTIONAL:</u></b>	

Certified Copy \$8.75 (plus \$1 per page over 8, not to exceed a maximum of \$52.50)  
Certificate of Status \$8.75

**FROM:** JOSEPH A. SCARLETT, III, ESQUIRE  
Name (Printed or typed)

208 West Howry Avenue  
Address

DeLand, Florida 32720  
City, State & Zip

(904) 734-8600  
Daytime Telephone number

ⓐ

BC 10/4

FILED  
1999 OCT -4 PM 1:19  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**APPLICATION FOR REINSTATEMENT AND REINCORPORATION OF  
LEGISLATIVELY OR JUDICIALLY CHARTERED NOT FOR PROFIT  
CORPORATION**

IN COMPLIANCE WITH s. 617.1623(1)(d), FLORIDA STATUTES, THE FOLLOWING IS  
SUBMITTED TO REINSTATE AND REINCORPORATE A NOT FOR PROFIT LEGISLATIVELY OR  
JUDICIALLY CHARTERED CORPORATION WHICH WAS DISSOLVED ON JULY 2, 1992,  
PURSUANT TO s. 617.1623(1)(c):

1. LAKE BERESFORD YACHT CLUB  
Name of corporation exactly as it appears in legislative or judicial charter.
2. 1961 Hontoon Road, DeLand, Florida 32720  
Street address of the principal office of the corporation.  
(This address will be used for the mailing of corporation annual reports)
3. November 21, A.D. 1944  
Date of legislative or judicial incorporation

4. FEI Number 590543143  FEI Number applied for  
 FEI Number not required

5. Name, address (P. O. Box NOT acceptable) and title of current officers and/or directors:  
(use additional page if necessary) SEE ATTACHED "EXHIBIT A" (APPLICATION)

Title	Name	Street Address	City/State/Zip

6. Attached is a copy of the judicial charter and all amendments thereto certified by the Circuit Court of the county wherein recorded or a copy of the chartering law certified by the Department of State, Division of Elections as to legislative charters and completed Certificate of Reincorporation.

  
Authorized Signature

S. NEILL KROTZER, COMMODORE  
Name and capacity of person signing application  
(see S. 617.10201(6))

EXHIBIT "A"

(APPLICATION)

Commodore: Neill Krotzer, 2257 Hontoon Road,  
DeLand, Florida 32720

Vice Commodore: Timothy Englert, 2240 South Volusia  
Avenue, Orange City, Florida 32763

Rear Commodore: Jim Read, 641 West New York Avenue,  
DeLand, Florida 32720

Secretary: Joseph Gabriel, 542 Cleo Lane,  
Deltona, Florida 32738

Treasurer: Linda Bowes, 416 North Orange Avenue,  
DeLand, Florida 32720

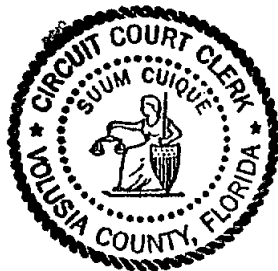
Governor: William G. Kimball, 1507 Robinwood Court,  
DeLand, Florida 32720

Governor: George Watson, 2049 Hontoon Road,  
DeLand, Florida 32720

Governor: John LaCour, 128 South Woodland Blvd.,  
DeLand, Florida 32720

Fleet Captain: William A. Rice, Jr., 2219 Magnolia Drive,  
DeLand, Florida 32724

Registered Agent: Gustavo Jimenez, 1961 Hontoon Road,  
DeLand, Florida 32720



STATE OF FLORIDA, VOLUSIA COUNTY  
I HEREBY CERTIFY the foregoing is a true copy  
of the original filed in this office. This  
28<sup>th</sup> day of Sept A.D. 19 99  
Clerk of Circuit and County Court

By: Delirio H. Beach  
Deputy Clerk

foregoing proposed charter, and acknowledged before me that he and other subscribers to said proposed charter propose to associate themselves together for the purposes therein expressed; that he set his hand to said proposed charter as and for his free act and deed and that each of the other subscribers subscribed said proposed charter in his presence; and upon being duly sworn according to law, he did depose and says that it is intended by said subscribers, jointly, to carry out the purposes and objects set forth therein in good faith.

Rev. Fred T. Ide

Acknowledged, sworn to and subscribed before me this 11th day of October A. D. 1944.

Bernice P. Carden (SEAL)  
Notary Public, State of Florida at Large  
My commission expires: Oct. 29, 1946

AND NOW, this matter coming on to be heard before me upon application of the subscribers to the above and foregoing proposed charter for my approval thereof and endorsement hereon, and finding, upon examination thereof, that the proposed charter is in proper form and for an object authorized by the Statutes of the State of Florida in such cases made and provided, I do hereby approve the same.

DONE, ORDERED AND ADJUDGED in Chambers at St. Augustine, St. Johns County, Florida, this 21st day of October, A. D. 1944.

Geo. Wm. Jackson  
Judge of the Seventh Judicial Circuit Volusia  
County, State of Florida

Recorded Oct. 23, A. D. 1944 at 10:03 A.M.

*[Signature]*  
CLERK CIRCUIT COURT

0-00-0-00-0

CORPORATION RECORD BOOK NO. 6

CHARTER OF THE LAKE BERESFORD YACHT CLUB  
FILE NO. 8463

We, the undersigned, associate ourselves together for the purpose of being incorporated and effecting a corporation, not for profit, under Chapter 617, Florida Statutes, 1941, and hereby propose the following charter:

ARTICLE I

The name of this corporation shall be Lake Beresford Yacht Club, and it shall be located on or near the shores of Lake Beresford, Volusia County, Florida.

ARTICLE II

The general nature of the object of the corporation shall be to improve the facilities for all types of pleasure boating in the State and County, to promote racing of sailboats and power boats, to improve hunting and fishing, and to protect and propagate fish and wild life, to acquire and operate a clubhouse, on a temporary or permanent basis as circumstances may from time to time require, for its members, together with boathouses, docks and other convenient and necessary structures, to operate a dining room, grill and bar for the serving of food and drinks to members and their non-resident guests, and to promote all types of social affairs desired by the members.

ARTICLE III

Any person of good character, of properly recommended by a member of the club, is eligible to membership. All applications for membership shall be made to the Secretary in writing.

properly recommended, and shall be presented to the Board of Governors at the meeting next following its receipt.

#### ARTICLE IV

This corporation shall have perpetual existence.

#### ARTICLE V

The names and residence of the subscribers are as follows:

Philander C. Knox, III	DeLand, Florida.
Theodore F. Hahn	DeLand, Florida.
Carl O. Teague	DeLand, Florida.
John L. Graham	DeLand, Florida.
J. Willis McCormick	DeLand, Florida.
James T. McFate	DeLand, Florida.
Paul M. Fearington	DeLand, Florida.
Frank K. Gillingham	DeLand, Florida.
John F. Nelson	DeLand, Florida.
Gerald Frierson	DeLand, Florida.
Floyd F. Pflough	DeLand, Florida.
Ralph H. Sefton	DeLand, Florida.

#### ARTICLE VI

The affairs of this corporation are to be managed by a Board of Directors, which will be known and referred to as a Board of Governors, which shall consist of a Commodore, Vice-Commodore, Rear-Commodore, Secretary-Treasurer, and three Governors, all of whom shall be elected at annual meetings of the members for terms of one year respectively, except the three Governors, who shall be elected for staggered terms of three years, the first Governors to be elected for terms of one, two and three years respectively, and their successors for terms of three years thereafter.

#### ARTICLE VII

The aforementioned subscribers to this Charter shall constitute a Board of Directors, who shall be the officers who are to manage all the affairs of the corporation until the first election under this Charter.

#### ARTICLE VIII

The By-Laws of this corporation are to be made, altered or rescinded by the Board of Governors.

#### ARTICLE IX

The highest amount of indebtedness or liability to which the corporation may at any time subject itself shall be Five Thousand Dollars (\$5,000.00) or two-thirds (2/3) of the value of the property of the corporation, whichever is the lesser.

#### ARTICLE X

The amount in value of the real estate which the corporation may hold shall be Twenty-five Thousand Dollars (\$25,000.00).

#### ARTICLE XI

The foregoing Charter is hereby subscribed as follows:

Philander C. Knox, III	(SEAL)
Theodore F. Hahn	(SEAL)
Carl O. Teague	(SEAL)

(Continued)

John L. Graham	(SEAL)
J. Willis McCormick	(SEAL)
James T. McFate	(SEAL)
Paul M. Fearington	(SEAL)
Frank K. Gillingham	(SEAL)
John F. Nelson	(SEAL)
G. E. Frierson	(SEAL)
F. F. Pflough	(SEAL)
Ralph H. Sefton	(SEAL)

STATE OF FLORIDA  
COUNTY OF VOLUSIA

On this day personally appeared before me, the undersigned authority, Carl O. Teague, to me well known, who, being by me first duly sworn, deposes and says: that he is one of the subscribers to the above and foregoing proposed charter of Lake Beresford Yacht Club, that he is familiar with the contents of the above and foregoing proposed charter and that he signed same as a subscriber for the uses and purposes therein stated and that it is intended in good faith by him and the other subscribers to said proposed charter to carry out the purposes and objectives set forth therein.

Carl O. Teague

Sworn to and subscribed before me this 21st day of November, A. D. 1944.

(SEAL)

Edna F. Peeples  
Notary Public, State of Florida  
My commission expires: 6/29/47

IN THE CIRCUIT COURT, IN AND FOR  
VOLUSIA COUNTY, FLORIDA.

IN RE: INCORPORATION OF  
LAKE BERESFORD YACHT CLUB,  
a corporation not for profit. }

The above and foregoing proposed Charter having been presented to the undersigned Circuit Judge, and the Court finding it to be in proper form and for an object authorized by Chapter 617, Florida Statutes, 1941, it is, therefore

ORDERED, ADJUDGED, and DECREED that the above and foregoing Charter be and the same is hereby approved by the undersigned Circuit Judge and that this order of approval shall be endorsed upon same.

DONE and ORDERED at Daytona Beach, Volusia County, Florida, this 21st day of November, A. D. 1944.

Geo. Wm. Jackson  
Circuit Judge.

Recorded Nov. 21, A. D. 1944, at 3:52 P. M.

*Wm. Jackson*  
CLERK CIRCUIT COURT

O-C-O-

CHARTER AMENDMENT

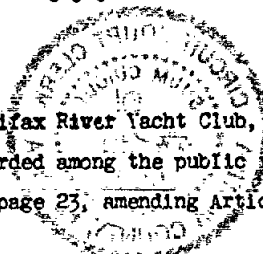
FILE NO. 8914

Amendment of the Charter of the Halifax River Yacht Club, originally approved and granted on the 14th day of May, A. D. 1896 and recorded among the public records of Volusia County, Florida on May 19, 1896 in Corporation Book No: 1, page 23, amending Article IV. thereof so that the same reads as follows:

"The term of the corporation shall be perpetual"

Amendment of the Charter of the Halifax River Yacht Club, originally approved and granted

CORPORATION RECORD BOOK NO. 6



IN THE SEVENTH JUDICIAL CIRCUIT COURT IN AND FOR VOLUSIA COUNTY, FLORIDA.

IN RE: AMENDMENT TO THE CHARTER ) OF THE LAKE BERESFORD YACHT CLUB, a corporation ) not for profit. )

ORDER

This cause having come on to be heard before me on the Petition of the Lake Beresford Yacht Club, a corporation not for profit, for the amendment of its Charter, and the Court being fully advised, it is therefore,

ORDERED, DECREED AND ADJUDGED that Articles IX, VIII, VI, and X of the Charter of the Lake Beresford Yacht Club, a corporation not for profit, be and the same are hereby amended to read as follows:

"ARTICLE IX

"The highest amount of indebtedness or liability to which the corporation may at any time subject itself shall be Fifty Thousand Dollars (\$50,000.00) or two-thirds (2/3) of the value of the property of the corporation, whichever is the lesser."

"ARTICLE VIII

"The Board of Governors may make, alter or rescind By-Laws of this corporation which do not conflict with or nullify those made, altered or rescinded by the members at any regular or special meeting. "

"ARTICLE VI

"The affairs of this corporation are to be managed by a Board of Directors, which will be known and referred to as a Board of Governors, which shall consist of a Commodore, Vice-Commodore, Rear-Commodore, Secretary-Treasurer, and three Governors; the Commodore, Vice-Commodore, and Rear-Commodore shall be elected at annual meetings of the members for terms of one year and they, together with the three Governors shall appoint a Secretary-Treasurer; the three Governors shall be elected for staggered terms of one, two, and three years respectively and their successors for terms of three years thereafter; the three Governors shall also serve as Trustees of the Building Fund into which all Membership Fees must be placed."



"ARTICLE X

"The amount in value of the real estate which the corporation may hold shall be One Hundred Fifty Thousand Dollars (\$150,000.00)."

DONE AND ORDERED in Chambers at Deland, Volusia County, Florida, this 6<sup>th</sup> day of July A.D. 1956.

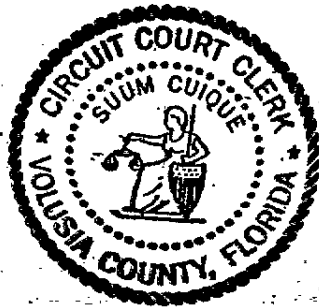
*Robert D. Kingfield*  
Circuit Judge

*[Handwritten signature]*

1956 JUL 6 AM 10 09

FILED FOR RECORD  
RECORDED & INDEXED  
CIR. OR. INC. BOOK 11 PAGE 306

13677



STATE OF FLORIDA, VOLUSIA COUNTY  
I HEREBY CERTIFY the foregoing is a true copy  
of the original filed in this office. This  
28<sup>th</sup> day of Sept A.D. 1956  
Clerk of Circuit and County Court

By: *Dellie S. Beach*  
Deputy Clerk

IN THE CIRCUIT COURT IN AND FOR VOLUSIA COUNTY, FLORIDA IN CHANCERY. No. 10492.

IN RE: INCORPORATION OF ) LAKE BERESFORD YACHT CLUB, ) a corporation not for profit. )

ORDER.

This cause having come on this day to be heard on the petition of the Lake Beresford Yacht, by its undersigned Commodore and Secretary, and it appearing to the Court that authority to amend its charter has been granted, by resolution, as provided in its By-Laws, as authorized by Chapter 617.02, Florida Statutes of 1941, it is therefore,

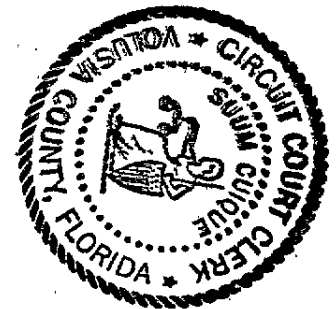
ORDERED, ADJUDGED AND DECREED that the charter of the Lake Beresford Yacht Club be and the same is hereby amended to read as follows:

Article XII "That the corporation may subject itself to a specific mortgage indebtedness, in addition to and without regard to its general power or limit as to indebtedness or liability, in the nature of a mortgage to secure a series of notes, the total amount of which shall not exceed Thirty Thousand (\$30,000.00) Dollars, for the purpose of financing the corporation's real and personal property."

And that the same shall become and be taken as part of the original charter, by this order of approval by the undersigned Circuit Judge.

DONE AND ORDERED in Chambers, at Seaside, Volusia County, Florida, this 16th day of April, A. D. 1948.

Herbert A. Reed, Jr. Circuit Judge.



STATE OF FLORIDA, VOLUSIA COUNTY HEREBY CERTIFY the foregoing is a true copy of the original filed in this office. This day of Sept. 1948. AD 19 99 Clerk of Circuit and County Court Dulcie A. Beach Deputy Clerk

Entered in the office of the Clerk of the Circuit Court, Volusia County, Florida, this 16th day of April, 1948.

20 April 1948 Charter or Incorporation

FILED  
1999 OCT -4 PM 1:19  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**CERTIFICATE OF REINCORPORATION**

Pursuant to s. 617.0901, Florida Statutes, this certificate of reincorporation was duly authorized by a meeting of its members regularly called or by a meeting of its board of directors if there were no members entitled to vote on the reincorporation:

**ARTICLE I NAME**

The name of the corporation shall be: LAKE BERESFORD YACHT CLUB, INC.

**ARTICLE II PRINCIPAL PLACE OF BUSINESS AND MAILING ADDRESS**

The principal place of business and the mailing address of this corporation shall be:

1961 Hontoon Road, DeLand, Florida 32720

**ARTICLE III PURPOSE(S)**

The specific purpose(s) for which the corporation is organized:

PLEASE SEE ATTACHED EXHIBIT "A" (CERTIFICATE)

**ARTICLE IV REGISTERED AGENT AND STREET ADDRESS**

The name and the street address of the registered agent are:

GUSTAVO JIMENEZ, 1961 Hontoon Road, DeLand, Florida 32720

**ARTICLE V MANNER OF ELECTION OF DIRECTORS**

The manner in which the directors are elected or appointed is:

Directors elected annually, three for staggered terms of three years, at the annual meeting of the membership.

**ARTICLE VI INCORPORATOR**

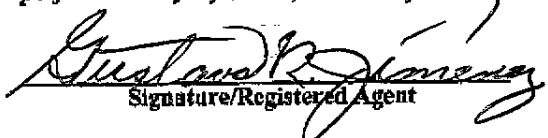
The name and address of the incorporator to these Articles of Incorporation are:

S. NEILL KROTZER, Commodore, 2257 Hontoon Road,  
DeLand, Florida 32720

  
Signature/Incorporator

9/29/99  
Date

Having been named as registered agent and to accept service of process for this corporation at the place designated in these articles of incorporation, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

  
Signature/Registered Agent

9/29/99  
Date

EXHIBIT "A"

(CERTIFICATE)

To operate a private Clubhouse for the exclusive use of its members and their guests, with accommodating dining rooms, cocktail bars, kitchen facilities, tennis courts, decks, and swimming pool; to repair, construct, and/or maintain boathouses, docks, and other necessary facilities for all types of pleasure boating in the state and county by its membership, and to promote all types of social affairs for and on behalf of its members.