

736119

(Requestor's Name)



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ROSS EARLE BONAN & ENSOR, P.A.  
ATTORNEYS AT LAW  
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STUART, FLORIDA 34995

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FLORIDA DEPARTMENT OF STATE  
Division of Corporations

March 13, 2018

ROSS EARLE BONAN & ENSOR, P.A.  
POST OFFICE BOX 2401  
STUART, FL 34995

SUBJECT: KINGMAN ACRES CONDOMINIUM VILLAGE IIA, INC.  
Ref. Number: 736119

We have received your document and check(s) totaling \$35.00. However, the enclosed document has not been filed and is being returned to you for the following reason(s):

We show no record of a First Amended and Restated Articles, please correct your document.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6050.

Claretha Golden  
Regulatory Specialist II

Letter Number: 218A00005096



FLORIDA DEPARTMENT OF STATE  
Division of Corporations

April 17, 2018

ROSS EARLE BONAN & ENSOR, P.A.  
POST OFFICE BOX 2401  
STUART, FL 34995

SUBJECT: KINGMAN ACRES CONDOMINIUM VILLAGE IIA, INC.  
Ref. Number: 736119

We have received your document and check(s) totaling \$35.00. However, the enclosed document has not been filed and is being returned to you for the following reason(s):

You failed to make the correction(s) requested in our previous letter.

We show no record of a First Amended and Restated Articles, please correct your document.

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If you have any questions concerning the filing of your document, please call (850) 245-6050.

Claretha Golden  
Regulatory Specialist II

Letter Number: 118A00007770



Inst. # 2682435  
Bk: 2979 Pg: 508 Pages: 1 of 5  
Recorded on: 3/7/2018 12:04 PM Doc: RES  
Carolyn Timmann  
Clerk of the Circuit Court & Comptroller  
Martin County  
Rec Fees: \$44.00

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MAY - 1 PM 3:17  
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TALLAHASSEE, FLORIDA

## CHAPTER II

### SECOND AMENDED AND RESTATED ARTICLES OF INCORPORATION OF KINGMAN ACRES CONDOMINIUM VILLAGE IIA, INC.

The purpose of the Second Amended and Restated Articles of Incorporation is to continue the purposes of the Articles of Incorporation originally filed with the Department of State, Division of Corporations on June 24, 1976.

#### ARTICLE I

The name of the corporation shall be: KINGMAN ACRES CONDOMINIUM VILLAGE IIA, INC. (hereinafter referred to as "Association")

#### ARTICLE II

The purpose of this corporation is the operation and management of a condominium known as KINGMAN ACRES CONDOMINIUM VILLAGE IIA, a Condominium (hereinafter referred to as the "Condominium") as the same may now or hereafter to be constituted, and to undertake the performance of, and to carry out the acts and duties incidental to the administration of the operation and management of such condominium in accordance with the terms, provisions and authorizations contained herein and the Declarations of Condominium which will be recorded among the Public Records of Martin County, Florida; and to own, operate, lease, sell, trade and otherwise deal with such property, whether real or personal, as may be necessary of convenient in the administration of such condominium.

#### ARTICLE III

##### THE ASSOCIATION SHALL HAVE THE FOLLOWING POWERS:

1. The Association shall have all of the common law and statutory powers of a corporation not for profit which are not in conflict with the terms of these Articles, the said Declaration of Condominium, the By-laws and Chapter 718, Florida Statutes (the "Condominium Act"), as all may be amended from time to time. Any reference to the Declaration of Condominium, the By-laws and Chapter 718, Florida Statutes, in these Articles refers to any amendment of those documents as well.
2. The Association shall have all of the powers of a condominium association under and pursuant to the Condominium Act, as amended from time to time, and shall have all of

the powers reasonably necessary to implement the purposes of the Association, including but not limited to the following: .

- A. To make, establish and enforce reasonable rules and regulations governing the use of condominium units, common elements, limited common elements and condominium property as said items may be defined in the Declaration of Condominium.
- B. To make and collect assessments against members as unit owners, to defray the costs, expenses, and losses of the condominium, and to use and expend the proceeds of assessments in the exercise of the powers and duties of the Association.
- C. To maintain, repair, and replace and operate the condominium property; specifically all portions of the condominium property to which the Association has the right and power to maintain, repair, replace and operate in accordance with the Declaration of Condominium, the By-laws and the Condominium Act.
- D. To purchase insurance on the condominium property and insurance for the protection of the Association and its members as unit owners.
- E. To reconstruct improvements on the condominium property after property or other loss, and the further improvement of the property.
- F. To enforce by legal means the provisions of the Declaration of Condominium, the By-laws, the rules and regulations, and all documents referred to in the Declaration and these Articles of Incorporation.
- G. To contract for the maintenance and management of the condominium property and to delegate to such contractors all powers and duties of the Association, except those which may be required by the Declaration of Condominium to have approval of the Board of Directors or the member of the Association.
- H. To approve or disapprove the transfer, mortgage and ownership of units as may be provided by the Declaration of Condominium and the By-laws.
- I. To employ personnel to perform the services required for proper operation of the condominium.

The powers of the Association shall be subject to and shall be exercised in accordance with the provisions of the Declaration of Condominium and the By-laws.

#### **ARTICLE IV**

Membership in the Association shall be established by the acquisition of ownership of fee title or fee interest in a unit in the condominium, whether by conveyance, device, judicial decree, or otherwise subject to the provisions of the Declaration of Condominium, and by the recording in the Public Records of Martin County, Florida of the deed or other instrument establishing the acquisition, and designating the condominium unit affected thereby. The owner designated in such deed or other instrument shall thereupon become a member of the Association, and the membership of the prior owner in this association shall be terminated. The share of a member in

the funds and assets of the Association cannot be assigned, hypothecated or transferred in any manner except as an appurtenance to the unit.

#### **ARTICLE V**

The Association shall have the perpetual existence.

#### **ARTICLE VI**

The principal address of the Association shall be at: 2245 SE Letha Ct, Stuart, FL 34994, but the Association may maintain an office and transact business in other places within the State of Florida as may be designated by the Board of Directors.

#### **ARTICLE VII**

The affairs of this Association shall be managed by a Board of Directors. The number of directors shall be determined by the By-laws, but shall not consist of less than five (5) directors. Directors must be owners. Directors of the Association shall be elected at the annual meeting of the members in the manner determined by the By-laws.

#### **ARTICLE VIII**

The Board of Directors shall elect the officers of the corporation. The officers shall consist of a President, Vice-President, Secretary and Treasurer. The officers shall serve at the pleasure of the Board of Directors. The Board of Directors, or President, with the approval of the Board of Directors, may employ a managing agent and/or other managerial and supervisory personnel to administer or assist in the administration of the operation or management of this condominium and the affairs of the Association and any such person or entity is a member of the Association, or a Director or Officer of the Association, as the case may be.

#### **ARTICLE IX**

Every Director and every Officer of the Association shall be indemnified by the Association against all expenses and liabilities, including attorneys' fees, reasonably incurred or imposed on them in connection with any proceeding to which they may be a party, or in which they may become involved, by reason of their being or having been a Director or Officer of the Association, or any settlement thereof, whether or not they are an Officer or Director at the time that such are incurred, except, in such cases wherein the Officer or Director is adjudged guilty of

willful malfeasance or misfeasance in the performance of their duties; provided that in the event of a settlement, the indemnification therein shall only apply when the Board of Directors approves such settlement and reimbursement as being for the best interest of the Association. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which such Officer or Director may be entitled.

#### **ARTICLE X**

The By-laws of the Association shall be adopted by the Board of Directors, and may be altered, amended or rescinded in the manner provided for by the By-laws.

#### **ARTICLE XI**

Amendments to the Articles of Incorporation shall be proposed and adopted in the following manner:

1. Notice of the subject matter of the proposed amendments shall be included in the notice of any meeting at which such proposed amendment is considered.
2. Proposed amendments shall first be presented to the Board of Directors, and shall have been approved in writing by a majority of such Board of Directors, who shall certify such amendment. Such amendment must then be approved by the affirmative vote of fifty-one percent (51%) of the members.
3. A certificate of the duly authorized officer of the corporation shall then be recorded among the Public Records of Martin County, Florida.

#### **CERTIFICATE OF ADOPTION OF SECOND AMENDED AND RESTATED ARTICLES OF INCORPORATION**

This Second Amended and Restated Articles of Incorporation for Kingman Acres Condominium, Village II-A, Inc. has been approved by the membership by vote sufficient for approval at the members' meeting held on January 22, 2018 and approved by the Board of Directors by a vote sufficient for approval at a directors' meeting.

The undersigned, Kingman Acres Condominium Village II-A, Inc., consents to the terms and conditions contained in the foregoing Second Amended and Restated Articles of Incorporation and assumes the duties and obligations imposed upon the undersigned thereunder.

IN WITNESS WHEREOF, the undersigned has caused these presents to be signed in its name by its President, its Secretary and its corporate seal affixed this 6 day of March 2018.

WITNESSES AS TO PRESIDENT:

Stephani W. Adams  
Printed Name: Stephani W. ADAMS

Kim Hauck  
Printed Name: Kim Hauck

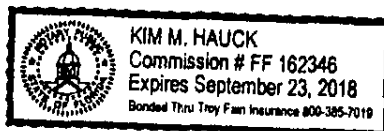
KINGMAN ACRES CONDOMINIUM  
VILLAGE II-A, INC.

By: Steve Popaca  
STEVE POPACA, President

STATE OF FLORIDA  
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me on March 6, 2018, by Steve Popaca, as President of Kingman Acres Condominium Village II-A, Inc. [ ] who is personally known to me, or [X] who has produced identification [Type of Identification: GA Driver's license #052974120].

Notarial Seal



Kim M. Hauck  
Notary Public

WITNESSES AS TO SECRETARY:

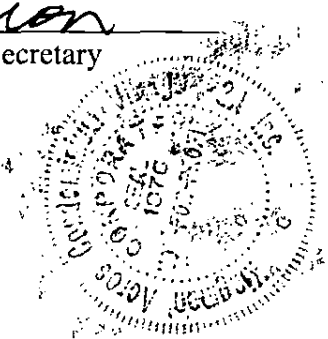
Stephani W. Adams  
Printed Name: Stephani W. ADAMS

Kim Hauck  
Printed Name: Kim Hauck

KINGMAN ACRES CONDOMINIUM  
VILLAGE II-A, INC.

By: Jon Marion  
JON MARION Secretary

CORPORATE  
SEAL



STATE OF FLORIDA  
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me on March 6, 2018, by Jon Marion, as Secretary of Kingman Acres Condominium Village II-A, Inc. [ ] who is personally known to me, or [X] who has produced identification [Type of Identification: FL Drivers license # M650-427-142-410-0].

Notarial Seal



Kim M. Hauck  
Notary Public