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(Requestor's Name)

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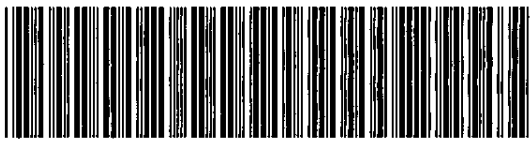
(Business Entity Name)

(Document Number)

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PHOTO
SECRETARY OF STATE
DIVISION OF CORPORATIONS

gr 5/3/12

TRANSMITTAL LETTER

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

SUBJECT: 6835 Porto Fino Circle Trust

Enclosed is an original and one (1) copy of the Declaration of Trust and a check for:

FEES:

Declaration of Trust	\$350.00
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OPTIONAL:

Certified Copy	\$ 8.75
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FROM: Michael D. Roach
Name (Printed or typed)

6835 Porto Fino Circle, Unit 2
Address

Fort Myers, FL 33912
City, State & Zip

239-275-9233
Daytime Telephone number

**AFFIDAVIT TO THE FLORIDA SECRETARY OF STATE
TO FILE OR QUALIFY**

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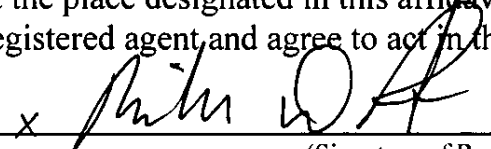
6835 Porto Fino Circle Trust

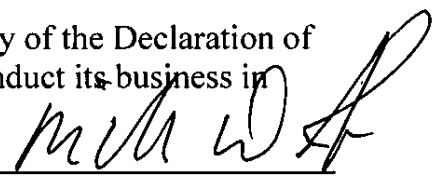
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A Common Law Declaration of TRUST

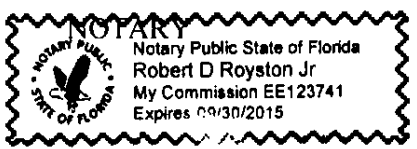
In accordance with Section 609.02 of the Florida Statutes, pertaining to Common Law Declarations of Trust, the undersigned, the Chairman of the Board of Trustees of 6835 Porto Fino Circle Trust, a
(Name of Trust)
Florida _____ Trust hereby affirms in order to file or qualify
(State)
6835 Porto Fino Circle Trust, in the State of Florida.
(Name of Trust)

1. Two or more persons are named in the Trust.
2. The principal address is 6835 Porto Fino Circle, Unit 2
Fort Myers, FL., 33912
3. The registered agent and street address in the State of Florida is:
Michael D. Roach
6835 Porto Fino Circle, Unite 2, Fort Myers, FL 33912
4. Acceptance by the registered agent: Having been named as registered agent to accept service of process for the above named Declaration of Trust at the place designated in this affidavit, I hereby accept the appointment as registered agent and agree to act in this capacity.

x 
(Signature of Registered Agent)

5. I certify that the attached is a true and correct copy of the Declaration of Trust under which the association proposes to conduct its business in Florida.
Michael D. Roach 

Name:
Chairman of the Board of Trustees



Filing Fee: \$350.00
Certified Copy: \$ 8.75 (optional)

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THIS CONTRACT AND DECLARATION OF TRUST IS EXECUTED IN THE SOVEREIGN STATE OF FLORIDA AS IT RELATES TO THE UNITED STATES OF AMERICA, AND SHALL BE CONSTRUED UNDER COMMON LAW AS 6835 PORTO FINO CIRCLE TRUST

Preamble

This Contract and Declaration of Trust is made effective April 10, 2012 by and between **Ralph P. Richard**, of Fort Myers, Florida, as **CREATOR** of **6835 Porto Fino Circle Trust**, a Contract Trust Organization, who has offered to bargain or exchange, in trade, Trust Certificate, comprising a total of One Hundred (100) Units, for certain personal property of Michael D. Roach, Donna J. Roach and Rose Lowery, as **INVESTORS**, who, for the One Hundred (100) total Trust Certificate Units issued in accordance with Section IV.B., the receipt and sufficiency of which is hereby acknowledged (which said Investors consider to be full and adequate consideration for such exchange) and without reservation of any community property status, bargained, assigned, conveyed, exchanged and delivered unto the Creator, who took and now holds title thereto in **6835 Porto Fino Circle Trust**, pursuant to the terms of this Contract and Declaration of Trust, all that certain personal property of the Investor listed in Schedule A attached hereto and made a part hereof for all purposes.

The purpose of this instrument is that these same assets were promptly conveyed to a Board of Trustees, so as to constitute the corpus of **6835 Porto Fino Circle Trust**, created for the benefit of the Certificate Holders, with these assets to be held in fee simple by the Trustee(s) of **6835 Porto Fino Circle Trust**, in trust, for the period(s) hereof; and also to provide for the safe, logical, and economical administration thereof by natural and/or artificial persons acting in a fiduciary capacity, to begin forthwith.

SECTION I

Character of Trust Organization

A. It is expressly declared that **6835 Porto Fino Circle Trust**, a Contract Trust Organization, a form of Unincorporated Pure Business Trust Organization (NOT a partnership, joint stock company, or any other form of association or statutory trust), is hereby created as a separate, legal entity; that no Trustee shall be personally liable hereunder as part or otherwise; that no Trustee shall be liable for the act or omission of their Co-Trustee or any other person whatsoever (whether or not employed by such Trustees), or for anything other than their own personal breach of Trust, except when an applicable Federal, state, or local law otherwise prohibits this exoneration of the Trustees from personal liability.

B. The trust terminology used in this indenture and its supporting documents is used solely for clarification of the various usage of a Contract Trust, also known as a Common Law Trust, and sometimes called Pure Business Trust Organizations (Unincorporated Business Trust Organizations) under common law. (See Section XIII of this document.)

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SECTION II
Name, Domicile, and Offices

The Trustees hereof collectively shall be designated as the Board of Trustees of 6835 Porto Fino Circle Trust in which name they may make and execute contracts and all other kinds of instruments; acquire, dispose of, and convey real and personal property (or any interest therein); sue and be sued; and in which business name the Board of Trustees may conduct any or all business of this Trust Organization. Its principal domicile and place of business shall be in Fort Myers, Florida until it is changed by the Board of Trustees, as they may do from time to time, with such branch offices or places of business as they may establish.

SECTION III
Appointment and Powers of Trustees and Successors

A. Immediately upon completion of the said exchange herein above made, the Creator shall forthwith constitute and appoint a suitable, adult person as the First Trustee hereof, having free choice and while being without obligation to such person. Following acceptance said person shall serve as a Trustee of 6835 Porto Fino Circle Trust. The Creator hereupon shall have assignment, conveyance, and delivery to the Trustees of the concerned assets and properties), nor shall it and its appointed Trustee(s) have any obligation or duty to said Creator. The First Trustee may then independently appoint a Second Trustee hereof, and they in turn may appoint a Third Trustee and so forth.

B. The Trustees, or any one of them, will act as the absolute owner(s) and hold title to 6835 Porto Fino Circle Trust's assets (corpus), in Trust, as joint tenants in fee simple absolute, and not as tenants in common, otherwise in the name of 6835 Porto Fino Circle Trust. They will act collectively, by majority vote of all the Trustees, as a Board of Trustees under the name 6835 Porto Fino Circle Trust. They may deal with and in real and/or personal properties (tangible, intangible, choate, inchoate, and otherwise), businesses and investments, equities and any other activities approved by the Trustees.

C. The duly appointed Trustees, for themselves and their successors, hereby accept the conveyance, in consideration of the terms and provisions of 6835 Porto Fino Circle Trust, and receipt for the delivery of all the assets and properties listed in Schedule A hereto, together with all related documents. They agree to conserve and improve 6835 Porto Fino Circle Trust in such manner as may increase the value and financial rating of 6835 Porto Fino Circle Trust, exercising their best judgment and discretion, and in all other respects to administer their duties in good faith and strictly in conformity with the provisions hereof.

D. The Trustees shall not be less than one in number, and may even be increased by the Trustee(s) to beyond two in number (temporarily or permanently) for any reason believed beneficial to 6835 Porto Fino Circle Trust. The duly appointed Trustees and their successors, together with those designated in advance to fill future vacancies, shall hold office and collectively enjoy the absolute and exclusive management, power, and control of and over 6835 Porto Fino Circle Trust's properties and business affairs, without any consent or voice of the Certificate Holders; PROVIDED, however, that a Trustee may resign with or without notice and

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also be removed from the office by a Resolution of at least two-thirds (2/3rds) of the entire Board of Trustees, whenever in their opinion such offending Trustee shall have been guilty of fraud or malfeasance in office; or for other proper cause by the decision of order of any arbitrator(s) or of a court of competent jurisdiction; and PROVIDED, further, that in the event of any vacancy, increase in number, or the death, removal from office, or resignation of any Trustee, the remaining Trustee(s) shall appoint a successor (and all newly increased Trustees) by the unanimous concurrence of all the remaining Trustees. Evidence of the death of a Trustee shall consist of a certified copy of a death certificate; evidence of the disability of a Trustee shall consist of two licensed physicians' affidavits establishing that the Trustee is incapable of performing his/her duties as Trustee; and evidence of resignation of a Trustee shall consist of a resignation, duly executed and acknowledged by the Trustee and witnessed by two witnesses. Should the entire Board of Trustees become vacant, with no successors previously provided for, only then may a court of competent jurisdiction appoint a successor Trustee as provided in Section XIII.

E. The signing of an acknowledgement of acceptance of the office of Trusteeship by any Trustee shall constitute investiture as such.

F. By Resolution, the Trustees may provide for regular meetings at stated intervals without notice. Special meetings may be called at any time by any two or more Trustees upon three days prior written notice mailed or delivered to the Trustees. At any regular or special meeting, a majority of the Trustees acting shall constitute a quorum for the conduct of business; PROVIDED, that affirmative action may only be had upon a majority vote of all the Trustees acting, whether present or absent, except that at a special meeting called for a stated purpose(s), the majority of the Trustees actually present may affirmatively act regarding such matter(s). Proxies shall not be allowed under any circumstances.

G. The Trustees' powers are absolute, exclusive and unlimited, and shall be broadly construed as general powers of natural or artificial persons of the United States of America to do or permit (or not do or permit) any and all things that are not illegal or prohibited in the jurisdiction concerned or herein restricted. This means, then, that they may do (or not do) absolutely anything that an ordinary, adult person (or artificial entity) can do, unless herein limited or prohibited. Their powers may be delegated to one or more Trustees or to third persons and entities. Foreign persons and entities and no-resident aliens may be appointed Trustee(s).

H. Resolutions of the Board of Trustees authorizing or directing a special thing or project to be done or undertaken shall be evidence that such act, thing or project is within its power.

I. Anyone lending or paying money to 6835 Porto Fino Circle Trust or to any Trustee shall not be obligated to see to the application thereof. All funds received or paid into the treasury are, and shall become, part of the corpus of 6835 Porto Fino Circle Trust.

J. The Trustees and Successor Trustees shall all serve without posting fidelity bonds or other security.

K. The Trustees shall regard this instrument as their guide, to be supplemented from time to time by the By-Laws, regulations, and/or resolutions of the Board to cover contingencies that may arise and which are recorded in the Minutes.

L. The Trustees may, in their discretion, elect from among their number a President, Vice-President, Secretary, Treasurer and/or any other officer(s) deemed expedient. Any Trustee may hold two or more offices simultaneously; their duties being those such as are customary or as prescribed by the Board. They may employ agents, executives and other employees or designate third persons to perform services or to hold funds for special purposes.

M. The Trustees may fix and pay reasonable compensation for any or all officers, employees or agents in their discretion, and may pay themselves a reasonable compensation for their services as Trustees.

N. The Trustees may appoint from among their number one or more Executive Trustee(s), who shall be given such powers and authority as the Minutes of the Trust Organization may delegate and prescribe.

O. The Trustees shall, in their capacity as Trustees and NOT individually, have and assume only such liability as may attach to 6835 Porto Fino Circle Trust's properties and assets. This fiduciary liability shall not in any manner jeopardize or affect their individual beneficial holding, if any. The Trustees shall be reimbursed and exonerated by 6835 Porto Fino Circle Trust for any losses occasioned to them while serving as such to the same extent as would non-interested persons.

P. The Trustees may, at any regular or special meeting, provide for one or more Successor Trustees to act for 6835 Porto Fino Circle Trust in the event of their death or legal incapacity.

Q. The Trustees, officers, agents and employees shall have and possess only such authority as provided for them in this indenture.

SECTION IV Certificates

A. Nothing herein stated shall authorize the issuance of certificate units in excess of the number one hundred (100) herein provided; nor for a monetary value, nor at variance with the other provisions hereof.

B. For convenience, three Trust Certificates will be issued as follows: 45 Units to Michael D. Roach, 45 Units to Donna J. Roach, and 10 Units to Rose Lowery, such Certificates to be signed and delivered by the Creator. All subsequent certificates (in any denomination) shall be issued and signed by the Trustees and delivered to each future Certificate Holder as evidence of ownership for the appropriate number of Certificate Units. Such units, when issued in exchange for property of an investor, become fully paid and non-assessable. All property so exchanged shall be detailed and described in an appropriate schedule on the books of the Trustees, and their

judgment regarding the value of the property acquired or services rendered shall be conclusive to all concerned persons and entities.

C. Every person, firm, corporation or other entity acquiring and yet to acquire certificates in 6835 Porto Fino Circle Trust hereby assents to, accepts and approves all the terms, conditions, stipulations, and agreements contained in this indenture and in all Minutes and Resolutions 6835 Porto Fino Circle Trust. From the date any certificates are so received, all said documents shall have like binding force and effect on the new original parts hereto.

D. A Certificate may be transferable only upon approval of the majority of the Trustees and only by its surrender to the Trustees (or to the person or agency designated by them), but no transfer shall be of any effect as against the Trustees (even with actual or constructive notice) until a new certificate has been duly recorded upon the books of 6835 Porto Fino Circle Trust kept for that purpose. On the transfer, surrender or release thereof recorded in such books, a new certificate(s) may be issued to the designated transferee(s) or new investor(s). In case of a transfer of only a part of the total units held by a certificate holder, a new certificate for the residue shall be issued to the transferor. The person in whose name certificates stand on the books of the Trust Organization shall be deemed to be, and shall be treated as the absolute owner thereof for all purposes, subject to the terms set forth in said certificate.

E. In the event the outstanding certificate units become invalid or shall fall below the amount authorized to be outstanding, then the Board of Trustees may issue, sign, and deliver new certificates to a new Investor(s) in the same manner as was accomplished at the inception of 6835 Porto Fino Circle Trust; PROVIDED, that the reason for the cancellation of the old certificate, with supporting proof, shall be shown in the books thereof.

F. The initial investment of money or property by the Investors shall constitute a "fixed" investment, irrevocable, and nothing contained in this indenture shall constitute a right or power of any Investor or subsequent Certificate Holder to increase or decrease the amount of the investment or in any way to vary the original investment in 6835 Porto Fino Circle Trust.

G. A Trustee, while so serving, may acquire, own and dispose of Certificates in 6835 Porto Fino Circle Trust to the same extent as if not a Trustee.

SECTION V

Limited Rights of Certificate Holders

A. The rights of all Certificate Holders (and transferees) shall be subject to all the terms and conditions of this Contract and Declaration of Trust. The death, dissolution, incompetence, divorce, insolvency or bankruptcy of any Certificate Holder, or the transfer of their certificates, shall not operate as dissolution of 6835 Porto Fino Circle Trust, nor in any manner affect it or its continuity or mode of conducting business.

B. The certificates shall be the personal property of the record owner alone, without reservation of any community property interest. Ownership thereof shall not entitle the holders to any legal or equitable title in or to 6835 Porto Fino Circle Trust's properties or assets (or any

part thereof) or any beneficial interest therein, but shall only entitle the record owners of certificate units to their proportionate shares of distributions, if any, as herein provided. No Certificate Holder shall have any right to manage or control the destiny, property, affairs, or business of **6835 Porto Fino Circle Trust**, nor any power or right to control the Trustees in any manner.

C. No Certificate Holder shall have any right to a partition or division of **6835 Porto Fino Circle Trust's** properties and assets, or to a specific accounting during its term.

D. The Certificate Holders will hold all units as tenants in common. At the death or bankruptcy of a Certificate Holder, that certificate will automatically thereupon become null and void.

E. The only relationships of the Certificate Holders to the Trustees and to **6835 Porto Fino Circle Trust** are those described herein, and none other, and their rights are limited to merely a claim against the Trustees to fairly enforce this indenture, without any right to claim damages whatsoever.

F. As to possible rights to receive distributions, see the provisions of Section VII.

SECTION VI Non-Liability of Certificate Holders

The Certificate Holders shall never be liable for any further contribution or assessment by **6835 Porto Fino Circle Trust**, nor can the Trustees personally bind any such holder. All persons dealing with, or having any claim against the Trustees or any officer or agent of **6835 Porto Fino Circle Trust** shall look only to its funds and assets for the payment of any claim, debt, judgment, or other obligation, or any money or thing that may become due or payable in any way, whether founded on contract or in tort or in equity. No Certificate Holder shall be personally or individually liable therefore.

SECTION VII Distributions

The Trustees may from time to time declare and pay out of the corpus of **6835 Porto Fino Circle Trust** such distribution(s) as to them may seem proper and advisable. This is an option, and not a duty.

SECTION VIII Executions of Contracts

All documents, contracts, conveyances, quitclaims, assignments of all or part of the title to any asset or property of **6835 Porto Fino Circle Trust**, and other legal instruments, not held in the name of a Trustee, shall be executed by signing the name **6835 Porto Fino Circle Trust**, by any one Executive Trustee or all the then current Trustees. There need be no business seal, but one can be used. The Secretary, if any, or another Trustee or agent shall attest and certify any required legal instrument.

C. At any time before the above provided expiration of this Contract and Declaration of Trust, the then Trustees, if they so desire and believe that 6835 Porto Fino Circle Trust should be continued, may renew, and likewise before the expiration of any renewal period may further renew, this Contract and Declaration of Trust for a like or shorter period of time. A Resolution of such renewal or further renewal shall be entered upon its Minutes.

SECTION XIII

Interpretation, Disputes, and Claims

A. As to any question regarding the interpretation or construction of this Contract and Declaration of Trust and/or its supporting documents, the Trustees shall have the sole power to construe this instrument, and their good faith construction, stated in the Minutes, shall be final, conclusive, and binding on 6835 Porto Fino Circle Trust, its Certificate Holders, and all other persons and entities dealing herewith.

B. This document shall never be interpreted or construed in any manner so as to mean that the indenture and its supporting documents are, or in any way constitute a statutory trust or association, but only as a contract creating a Common Law Pure Trust Organization or an Unincorporated Private Common Law Business Organization. All interpretations shall be under common law. For guidance, all concerned parties, including arbitration tribunals and courts, are referred to legal citations and various court rulings pertaining to Contract Trust Organizations of this type and rights of collective bargaining (excluding the co-partnership relation, which is not applicable). Specific reference is here made to the analyses of Business Trust Organizations discussed in 156 A.L.R. (American Law Review) 22 and 88 A.L.R. 3d 704, among others.

C. All present and future parties, Trustees, and Certificate Holders specifically agree to submit any and all claims and disputes arising under this indenture to any mutually agreeable arbitrator or arbitration panel, and to be bound by the decision of the arbitrator(s). If they cannot otherwise agree, then the dispute shall be submitted to an experienced attorney-arbitrator (or panel of three such) to be appointed by, and to operate under the then current rules of the American Arbitration Association (or its successor firm); and such award or decision shall be enforced by any court of competent jurisdiction.

D. 6835 Porto Fino Circle Trust shall not be amenable to judicial regulation or interpretation; PROVIDED, that a proper district (or superior) court may only appoint a disinterested successor trustee if there be no Trustee living and acting, terminate 6835 Porto Fino Circle Trust hereby created and to make proper distribution(s) and to close the same as herein provided, and enforce the award and/or decision of any arbitrator(s).

SECTION XIV

Savings Clause

A. Nothing herein contained shall be construed as intent to evade or to contravene any applicable Federal or State law, nor to delegate or authorize the Trustees to have any special powers belonging exclusively to the franchise of incorporation, special license, permit or other regulation.

B. If any provision of this Contract and Declaration of Trust shall be found to be invalid for any reason under given circumstances, the remaining provision shall nevertheless stand and remain in full effect. The parties hereto, the Trustees and their successors, and all Certificate holders, jointly and severally, acknowledge their present and future desire and intention that 6835 Porto Fino Circle Trust shall nevertheless continue in such event.

IN WITNESS WHEREOF, the Creator and Investors have hereunto set their hands and seals in token and recognition of this indenture, and of the conveyance, delivery, and acceptance of property, assets, and other things, and of the obligations, powers, and duties herein assigned to the Trustees of 6835 Porto Fino Circle Trust, and each agrees to all the stipulations and covenants herein imposed and stated.

Ralph P. Richard
Ralph P. Richard, Creator

Michael D. Roach
Michael D. Roach, Investor,

Donna J. Roach
Donna J. Roach, Investor

Rose Lowery
Rose Lowery, Investor

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STATE OF FLORIDA)
COUNTY OF LEE)

BEFORE ME, the undersigned authority, duly commissioned and qualified, on this day personally appeared **Ralph P. Richard**, who is personally known to me or who has produced his State of Florida driver's license as identification, and whose name is subscribed to the above and foregoing Contract and Declaration of Trust, who, being by me first duly sworn, acknowledged to me that as **Creator** in the said instrument, the same has been executed as the Creator's free act and deed, for the uses, purposes, consideration, and in the capacity therein stated, and personally appeared **Michael D. Roach, Donna J. Roach, and Rose Lowery**, who are personally known to me or who has produced their State of Florida driver's licenses as identification, whose names are subscribed to the above and foregoing Contract and Declaration of Trust, who, being by me first duly sworn, acknowledged to me that they executed the same as **Investors** in the said instrument, as their free act and deed, for the uses, purposes, consideration, and in the capacity therein stated.

SWORN TO, SUBSCRIBED AND ACKNOWLEDGED before me, to certify which, and witness my hand and seal of office.

Date: 4-10-12

Christine D. Isenhour
Notary Public

My commission Expires: 12-28-2013



SCHEDULE A

To

6835 PORTO FINO CIRCLE TRUST

LIST OF PERSONAL PROPERTY

1. \$40,000.00

Dated: April 10, 2012

Ralph P. Richard
Ralph P. Richard, Creator

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MINUTE NO. 2

of

6835 PORTO FINO CIRCLE TRUST

Contract and Declaration of Trust

The Creator of this Contract and Declaration of Trust, as the Creator's final duty pursuant to this Contract Trust Organization Indenture, hereby freely appoints **Michael D. Roach** as Trustee of the **6835 PORTO FINO CIRCLE Trust**, this Contract Trust Organization, while under no obligation to, and without compulsion by said Trustee. As evidenced by the signature below, said Trustee hereby accepts the said appointment, together with the powers, duties and responsibilities pertaining thereto.

Dated: April 10, 2012

Ralph P. Richard
Ralph P. Richard, Creator

Michael D. Roach
Michael D. Roach, Trustee

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MINUTE NO. 3

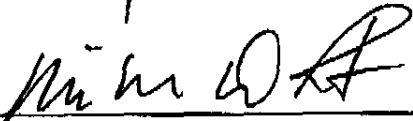
of

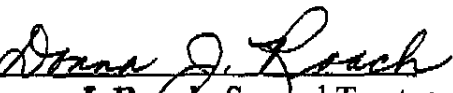
6835 PORTO FINO CIRCLE TRUST

Contract and Declaration of Trust

Michael D. Roach, Trustee, by the power vested in the Trustee by this Contract Trust Organization Indenture, hereby appoints **Donna J. Roach** as the Second Trustee of this Contract Trust Organization. By the signature appearing below, said Second Trustee hereby accepts such appointment, together with the powers, duties and responsibilities pertaining thereto.

Dated: April 10, 2012


Michael D. Roach, Trustee


Donna J. Roach, Second Trustee

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MINUTE NO. 4

of

6835 PORTO FINO CIRCLE TRUST

Contract and Declaration of Trust

The duly appointed Trustees, by the power vested in them as Trustees hereof under the Contract and Declaration of Trust, do now declare this Trust Organization to be in full force and effect; and pledge their best efforts on behalf of this Contract Trust Organization. They agree not to engage in any activity that would bring unfavorable reaction upon this Contract Trust Organization; and further for each other and successors that all new endeavors will have a majority of the then Trustees' approval for any new activity not incorporated within the Minutes at the time any such new endeavor is commenced.

Dated: April 10, 2012

Michael D. Roach
Michael D. Roach, Trustee

Donna J. Roach
Donna J. Roach, Trustee

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