

CAPITAL CONNECTION, INC.

417 E. Virginia Street, Suite 1 • Tallahassee, Florida 32302
(850) 224-8870 • 1-800-342-8062 • Fax (850) 222-1222

NO000000001611

The Oaks at Niceville Condominium
Association, Inc.

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ARTICLES OF INCORPORATION

OF

THE OAKS AT NICEVILLE CONDOMINIUM OWNERS ASSOCIATION, INC.

ARTICLE I. NAME

The name of this corporation is THE OAKS AT NICEVILLE CONDOMINIUM OWNERS ASSOCIATION, INC., hereinafter called the Association and the address of the principal office is 25 Walter Martin Road, NE, Fort Walton Beach, Florida 32548. The address of the principal office and the registered office are the same.

ARTICLE II. PURPOSE

This corporation is organized for the purpose of providing an entity pursuant to Section 718.111, Florida Statutes, for the operation of THE OAKS AT NICEVILLE, a Condominium, located in Okaloosa County, Florida. Further, the Association shall operate and maintain any stormwater management system and any stormwater discharge facility exempted or permitted by the Florida Department of Environmental Regulation or other state agency on the property of the Association, and shall have all powers necessary to establish rules and regulations, assess members, and contract for services for the maintenance and operation thereof.

ARTICLE III. TERM

The term of the Association shall be the life of the condominium, unless the Association is terminated by the Declaration. Upon any such termination, any stormwater management system or discharge facility for which the Association is responsible shall be maintained by local government units, including Okaloosa County, or any municipality, a municipal servicing taxing unit, an active water control district, a drainage district created by a special act, a community development district created under Chapter 190, Florida Statutes, a special assessment district created under Chapter 170, Florida Statutes, a state or federal agency, any duly constituted communication, water, sewer, electrical or other public utility, or any entity acceptable to the Department of Environmental Regulation or its successor under its rules and regulations.

ARTICLE IV. SUBSCRIBER

The names and addresses of the subscribers of these Articles of Incorporation are as follows:

Paul J. Roberts
915 E. John Sims Pkwy.
Niceville, FL 32578

Robert E. McElroy
915 E. John Sims Pkwy.
Niceville, FL 32578

Donnie Howell
915 E. John Sims Pkwy.
Niceville, FL 32578

ARTICLE V. DIRECTORS

1. The affairs of the Association will be managed by a board consisting of the number of directors as shall be determined by the By-Laws, but not less than three directors and in the absence of such determination shall consist of three directors.

2. Directors of the Association shall be elected at the annual meeting of the members in the manner determined by the By-Laws. Directors may be removed and vacancies of the Board of Directors shall be filled in the manner provided in the By-Laws.

3. When unit owners other than the developer own fifteen percent (15%) or more of the units within the condominium, the unit owners other than the developer shall be entitled to elect not less than one-third (1/3) of the members of the Board of Directors of the Association. Unit owners other than the developer shall be entitled to elect not less than a majority of the members of the Board of Directors of the Association three (3) years after sales by the developer have been closed on fifty percent (50%) of the units within the condominium, within three (3) months after sales have been closed by the developer on ninety percent (90%) of the units within the condominium, when all of the units within the condominium have been completed, some of them have been sold and none of the others are being offered for sale by the developer in the ordinary course of business, when some of the units have been conveyed to purchasers and none of the others are being constructed or offered for sale by the developer in the ordinary course of business, or seven (7) years after recordation of the declaration of condominium, whichever of the foregoing events shall first occur. The developer shall be entitled to elect at least one member of the Board of Directors of the Association as long as the developer holds for sale in the ordinary course of business at least five percent (5%) of the units within the condominium. Within seventy-five (75) days after the owners other than the developer are entitled to elect a member or members of the Board of Directors of the Association, the Association shall call and give not less than sixty (60) days' notice of an election for this purpose. The notice may be given if the Association fails to do so.

4. The names and addresses of the members of the first Board of Directors who shall hold office until their successors are elected and have qualified, or until removed, are as follows:

Paul J. Roberts
915 E. John Sims Parkway
Niceville, FL 32578

Robert E. McElroy
915 E. John Sims Parkway
Niceville, FL 32578

Donnie Howell
915 E. John Sims Parkway
Niceville, FL 32578

M. Guy Sadler
915 E. John Sims Parkway
Niceville, FL 32578

ARTICLE VI. OFFICERS

The affairs of the Association shall be administered by the officers elected by the

Board of Directors at its first meeting following the annual meeting of the members of the Association, which officers shall serve at the pleasure of the Board of Directors. The names and addresses of the officers who shall serve until their successors are designated by the Board of Directors are as follows:

President: Paul J. Roberts, 915 E. John Sims Pkwy., Niceville, FL 32578
Vice President: Robert E. McElroy, 915 E. John Sims Pkwy., Niceville, FL 32578
Secretary: Donnie Howell, 915 E. John Sims Pkwy., Niceville, FL 32578
Treasurer: Donnie Howell, 915 E. John Sims Pkwy., Niceville, FL 32578

ARTICLE VII. BY-LAWS

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

ARTICLE VIII. AMENDMENTS

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

1. Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting at which a proposed amendment is considered.
2. A resolution approving a proposed amendment may be proposed by either the Board of Directors or by the members of the Association. Directors and members not present in person or by proxy at the meetings considering the amendment may express their approval in writing, providing such approval is delivered to the secretary at or prior to the meeting.
3. Approval of an amendment must be by not less than seventy-five percent (75%) of the votes of the entire membership of the Association.
4. No amendments shall make any changes in the qualifications for the membership nor the voting rights of members.
5. A copy of each amendment shall be certified by the Secretary of State and recorded in the Public Records of Okaloosa County, Florida.

ARTICLE IX. RESIDENT AGENT

The Association has named James W. Grimsley, whose address is 25 Walter Martin Road, NE, Fort Walton Beach, Florida 32548, as its resident agent to accept service of process within the State of Florida.

IN WITNESS WHEREOF, the subscribers have hereunto affixed their signatures this 23rd day of NOVEMBER, 1999.

Paul J. Roberts (Seal)
Paul J. Roberts

Robert E. McElroy (Seal)
Robert E. McElroy

Donnie Howell (Seal)
Donnie Howell

STATE OF FLORIDA
COUNTY OF OKALOOSA

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid, to take acknowledgments, personally appeared Paul J. Roberts, Robert E. McElroy, and Donnie Howell, who are

- ☒ Personally known to me; or who
☐ Produced _____ as identification

to me known to be the persons described in and who executed the foregoing and acknowledged before me that they executed the same for the uses and purposes therein contained.

WITNESS my hand and official seal in the County and State last aforesaid this
23rd day of NOVEMBER, 1999.

Marilyn S. McGraw (Seal)

Printed Name

Notary Public

Commission #:

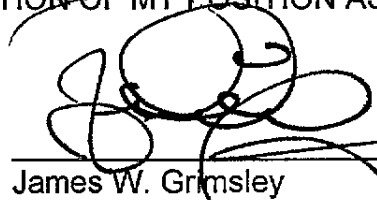
My Commission Expires:



Marilyn S. McGraw
MY COMMISSION # CC800595 EXPIRES
April 18, 2003
BONDED THRU TROY FAIN INSURANCE, INC.

OATH OF RESIDENT AGENT

HAVING BEEN NAMED AS REGISTERED AGENT AND TO ACCEPT SERVICE OF PROCESS FOR THE ABOVE STATED CORPORATION AT THE PLACE DESIGNATED IN THIS CERTIFICATE, 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 OBLIGATION OF MY POSITION AS REGISTERED AGENT.



(Seal)

James W. Grimsley

Date: 23rd October 1989

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