



N00000002346

ACCOUNT NO. : 072100000032

REFERENCE : 654643 81445B

AUTHORIZATION : *Patricia Pizit*

COST LIMIT : \$ 78.75

ORDER DATE : April 7, 2000

ORDER TIME : 11:02 AM

ORDER NO. : 654643-005

900003200109--2-

CUSTOMER NO: 81445B

CUSTOMER: Mr. Robert H. Berntsson  
BATSEL MCKINLEY ITTERSAGEN  
BATSEL MCKINLEY ITTERSAGEN  
18401 Murdock Circle

Port Charlotte, FL 33948

DOMESTIC FILING

NAME: PINFISH POINT HOME OWNER'S  
ASSOCIATION, INC.

EFFECTIVE DATE:

XX ARTICLES OF INCORPORATION  
       CERTIFICATE OF LIMITED PARTNERSHIP

PLEASE RETURN THE FOLLOWING AS PROOF OF FILING:

XX CERTIFIED COPY  
       PLAIN STAMPED COPY  
       CERTIFICATE OF GOOD STANDING

CONTACT PERSON: Janine Lazzarini

EXAMINER'S INITIALS:

RECEIVED  
00 APR - 7 PM 12:18  
DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS  
TALLAHASSEE, FLORIDA

FILED  
00 APR - 7 PM 2:39  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

T BROWN APR - 7 2000

**ARTICLES OF INCORPORATION**  
**OF**  
**PINFISH POINT HOME OWNER'S ASSOCIATION, INC.**  
**(A FLORIDA NOT-FOR-PROFIT CORPORATION)**

**FILED**  
00 APR -7 PM 2:39  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

The undersigned incorporator hereby adopts the following Articles of Incorporation for the purposes of forming a not-for-profit corporation under the "Florida Not-For-Profit Corporation Act."

**ARTICLE I**

The name of this corporation is PINFISH POINT HOME OWNER'S ASSOCIATION, INC. (hereinafter the "Association"). The principal address for the office of the Association is 18401 Murdock Circle, Port Charlotte, Florida 33948.

**ARTICLE II**

The purpose for which this Association is organized is to act as the governing association of PINFISH POINT, a residential community located in Charlotte County, Florida. The objects and purposes for which this Association is established are solely for those exempt purposes as defined in Section 501(c)(3) of the Internal Revenue Code of 1986, and specifically do not include pecuniary profit, gain or private advantage for the incorporators, directors, or officers, or for the Association.

**ARTICLE III**

The qualification of members and the manner of their admission shall be as follows: Any person or persons or entity that hold title in fee simple to a Lot in PINFISH POINT shall, by virtue of such ownership, automatically be a member of this Association.

**ARTICLE IV**

The Association shall have two classes of voting membership:

A. Class A: Class A Members shall be all owners except the Developer, KENNETH J. SANDSTOM (hereinafter the "Developer"), until the Developer becomes a Class A Member as more particularly provided below. Each Class A Member shall be entitled to one (1) vote for each Lot in which the Member holds an interest. When more than one (1) person holds an interest in any Lot, all such persons shall be Members, but only one (1) vote for such Lot shall be cast as they among themselves determine in accordance with the procedures set forth in the Bylaws of the corporation.

B. Class B: Class B Members shall be the Developer, its successors and assigns. The Class B Member's approval on all matters shall be required until the earlier of such time as the Class B Member shall voluntarily authorize a transfer of its membership to Class A Membership or until Developer ceases to own more than three (3) Lots. At such time as the Class B Membership shall cease and be converted to Class A Membership, Developer shall be entitled to one vote for each Lot then held by Developer. Within ninety (90) days after conversion of Class B Membership into Class A Membership, a meeting shall be held at which the Developer shall formally relinquish control of the Association and the Class A Members will be entitled to elect not less than a majority of the members of the Board of Directors of the Association, subject, however, to the Developer's right to elect not less than one (1) member of the Board of Directors of the Association for as long as the Developer holds for sale in the ordinary course of business at least one (1) Lot in the subdivision and further subject to certain limitations on actions affecting the Developer as long as it owns any Lots, as set forth in the Bylaws.

#### **ARTICLE V**

This Association shall exist perpetually. Should the Association be dissolved, the property consisting of the surface water management system shall be conveyed to an appropriate agency of local government, and if not accepted, then the surface water management system shall be dedicated to a similar non-profit corporation.

#### **ARTICLE VI**

The name and address of the subscriber to these Articles of Incorporation is as follows:

Robert H. Berntsson, P.A.  
Batsel, McKinley, Ittersagen,  
Gunderson & Berntsson, P.A.  
18401 Murdock Circle  
Port Charlotte, Florida 33948

#### **ARTICLE VII**

The street address and mailing address of the initial registered office of this Association shall be 18401 Murdock Circle, Port Charlotte, Florida, 33948. The name of the initial registered agent at such address is Robert H. Berntsson.

### ARTICLE VIII

The affairs of the Association are to be managed initially by a Board of three (3) Directors. The Board may be increased to any number not to exceed five (5). The Directors will be elected each year at the annual meeting of the Association as provided for in the Bylaws. The number of persons constituting the first Board of Directors shall be three (3) and their names and addresses are as follows:

Kenneth J. Sandstorm	45 Sherman Grove Spencer, MA 01562
Julie Gay	45 Sherman Grove Spencer, MA 01562
Robert H. Berntsson	18401 Murdock Circle Port Charlotte, FL 33948

### ARTICLE IX

The names of the officers who are to serve until the first election or appointment under the Articles of Incorporation are:

Kenneth J. Sandstrom	President
Kenneth J. Sandstrom	Vice President
Kenneth J. Sandstrom	Treasurer
Kenneth J. Sandstrom	Secretary

### ARTICLE X

The Bylaws of the Association are to be made, altered, or rescinded by the members of the Association as provided for in the Bylaws.

### ARTICLE XI

Amendments to these Articles of Incorporation may be proposed and adopted at any regular or specially called meeting of the members of the Association by a majority vote of all the members. Due notice of the meeting must be given as provided for in the Bylaws.

### ARTICLE XII

No part of the net earnings of this Association shall inure to the benefit of any member or individual, except through the acquisition, construction, management, maintenance, or care of property owners association property or through the rebate of the excess membership dues, fees or assessments.

IN WITNESS WHEREOF, the undersigned subscriber has executed these Articles of  
Incorporation this 4<sup>th</sup> day of April, 2000.

Witnesses:

Jessam M. Pettit

Robert H. Berntsson  
Robert H. Berntsson

Irene M. Hamman

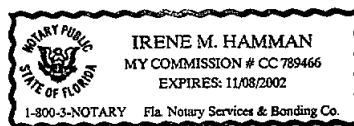
STATE OF FLORIDA  
COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of April, 2000,  
by Robert H. Berntsson, who is personally known to me and who did not take an oath.

Irene M. Hamman

Notary Public, State of Florida

My Commission Expires:



**CERTIFICATE DESIGNATING A REGISTERED AGENT  
AND REGISTERED OFFICE FOR THE SERVICE OF PROCESS**

In compliance with Section 48.091, Florida Statutes, the following is submitted:

PINFISH POINT HOME OWNER'S ASSOCIATION, INC., desiring to organize under the laws of the State of Florida with its principal office, as indicated in the Articles of Incorporation at Port Charlotte, County of Charlotte, State of Florida, has designated ROBERT H. BERNTSSON, whose street address is 18401 Murdock Circle, Port Charlotte, Florida 33948, County of Charlotte, State of Florida, as its agent to accept service of process within this state.

**ACCEPTANCE**

Having been designated as agent to accept service of process for the above-named corporation, at the place stated in this certificate, I hereby agree to act in this capacity and to comply with the provision of said law relative to same.

  
Registered Agent

**FILED**  
00 APR - 7 PM 2:39  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA