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SECRETARY OF STATE
TALLAHASSEE, FL

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*CERTIFIED CIRCUIT CIVIL MEDIATOR

BOARD CERTIFIED IN CONDOMINIUM*
& PLANNED DEVELOPMENT LAW

April 7, 2021

Amendments Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Re: Amended and Restated Articles of Incorporation of Gator Trace Condominium Association I, Inc.

Dear Sir or Madam:

Enclosed for filing are the Amended and Restated Articles of Incorporation of Gator Trace Condominium Association I, Inc., together with a photocopy to be date stamped and returned to this office in the self-addressed stamped envelope enclosed for your convenience. Also enclosed is a check in the amount of \$35.00 to cover the filing fee.

Thank you for your assistance in this matter and should you have any questions, please do not hesitate to contact our office.

Sincerely,



Myra Laurent
Paralegal to Elizabeth P. Bonan, Esq.
Enclosures

SECRETARY OF STATE
TALLAHASSEE, FL
APR 12 AM 9:27

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**AMENDED AND RESTATED
ARTICLES OF INCORPORATION
OF
GATOR TRACE CONDOMINIUM ASSOCIATION I, INC.
a Florida Not-for-Profit Corporation**

FILED
2021 APR 12 AM 9:27
SECRETARY OF STATE
TALLAHASSEE, FL

The purpose of these Amended and Restated Articles of Incorporation is to continue the purposes of the Articles of Incorporation filed with the Secretary of State on August 27, 2001.

ARTICLE 1. NAME

The name of this corporation shall be GATOR TRACE CONDOMINIUM ASSOCIATION I, INC. For convenience, the corporation shall be referred to in this instrument as the "Association".

ARTICLE 2. PURPOSE

2.1 The purpose for which the Association is organized is to provide an entity pursuant to and governed by the Condominium Act which is Chapter 718, Florida Statutes (2020), as amended from time to time, for the operation of GATOR TRACE CONDOMINIUM I located upon the lands lying and being in St. Lucie County, Florida, and more particularly described by article 2 of the certain Declaration of Condominium for GATOR TRACE CONDOMINIUM I.

2.2 The Association will make no distributions of income to its members, directors or officers.

ARTICLE 3. POWERS

The powers of the Association will include and be governed by the following provisions:

3.1 The Association will have all of the common law and such statutory powers of a corporation not for profit, as set out in Section 617, Florida Statutes (2020), as amended from time to time, that are not in conflict with the terms of these Articles.

3.2 The Association will have all of the powers and duties set forth in the Condominium Act, and those set forth in these Articles, the By-Laws of the Association, and the Declaration of Condominium for the condominium operated by the Association, if not inconsistent with the Condominium Act; and it will have all of the powers and duties reasonably necessary to operate said condominium, including but not limited to the following:

a. To make and collect assessments against members to defray the costs, expenses and losses of the condominium;

- b. To use the proceeds of assessments in the exercise of its powers and duties;
- c. To buy or lease real and personal property for condominium use, and to sell or otherwise dispose of property so acquired;
- d. To maintain, repair, replace and operate the condominium properties;
- e. To purchase insurance for the condominium properties and insurance for the protection of the Association and its members as condominium unit owners;
- f. To reconstruct improvements after casualty, and further improve the condominium properties;
- g. To make and amend reasonable regulations respecting the use of the condominium properties;
- h. To approve or disapprove the transfer, mortgage and ownership of condominium units as may be provided by the Declaration of Condominium and the By-Laws of the Association;
- i. To endorse by legal means the provisions of the Condominium Act, these Articles, the By-Laws of the Association, and the Regulations for the use of the condominium properties;
- j. To contract for the management and operation of the condominium including its common elements, and to thereby delegate all powers and duties of the Association, except such as are specifically required to have approval of the Board of Directors or of the membership of the Association;
- k. To contract with any person or entity for the operation, maintenance and repair of the condominium property. The Association shall, however, retain at all times the powers and duties granted it by the Condominium Act;
- l. To enter into leases, as Lessee; and
- m. To employ personnel to perform the services required for the proper management and operation of the condominium.

3.3 All funds, except such portions thereof as are expended for the common expenses of the condominium, and the titles of all properties will be held in trust for the members of the Association in accordance with their respective interests under the Declaration of Condominium, and in accordance with the provisions of the Articles of Incorporation and the By-Laws of the Association.

3.4 The powers of the Association will be subject to and exercised in accordance with the provisions of the Declaration of Condominium and the By-Laws of the Association.

ARTICLE 4. MEMBERS

4.1 The members of the Association will consist of all of the record owners of the condominium units in the condominium, and, after termination of the condominium, will consist of those who were members of the terminated condominium at the time of such termination, their successors and assigns.

4.2 After receiving approval of the Association, change of membership will be established by recording in the public records of St. Lucie County, Florida, a deed or other instrument establishing a record title to a condominium unit and by the delivery to the Association of a copy of such instrument. The owner designated by such instrument thus becomes a member of the Association and the membership of the prior owner is terminated.

4.3 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 his condominium unit.

4.4 The owner of each condominium unit shall be entitled to one vote as a member of the Association. The exact number of votes to be cast by the owners and the manner of exercising voting rights shall be determined by the By-Laws of the Association.

ARTICLE 5. DIRECTORS

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

5.2 All of the duties and powers of the Association existing under the Condominium Act, Declaration of Condominium, these Articles, and the By-Laws, shall be exercised exclusively by the Board of Directors, its agents, contractors or employees, subject only to approval by unit owners when that is specifically required.

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

5.4 The Directors may be removed and vacancies on the Board of Directors will be filled in the manner provided by the By-Laws of the Association, or under the Condominium Act.

ARTICLE 6. OFFICERS

The affairs of the Association will be administered by the officers designated in the By-Laws of the Association. Said officers will be elected by the Board of Directors at its first meeting following the annual meeting of the members of the Association, and will serve at the pleasure of the Board of Directors.

ARTICLE 7. INDEMNIFICATION

Every director and every officer of the Association will be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonably incurred by or imposed upon him in connection with any proceeding or any settlement of any proceeding to which he may be a party or in which he may become involved by reason of his being or having been a director or officer of the Association, whether or not he is a director or officer at the time such expenses are incurred, except when the director or officer is adjudged guilty of willful misfeasance or malfeasance in the performance of his duties. Provided that in the event of a settlement, the indemnification will apply only when the Board of Directors approves such settlement and reimbursement as being for the best interests of the Association. The foregoing right of indemnification will be in addition to and not exclusive of all other rights to which such director or officer may be entitled.

ARTICLE 8. BY-LAWS

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

ARTICLE 9. AMENDMENTS

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

9.1 Notice of the subject matter of a proposed amendment will be included in the notice of any meeting at which a proposed amendment is considered.

9.2 A resolution for the adoption of a proposed amendment may be proposed either by the Board of Directors or by the members of the Association. Directors not present in person and members not present in person or by proxy at the meeting considering the amendment may express their approval in writing, providing such approval is delivered to the Secretary at or prior to the meeting. Such approvals must be by not less than 75 percent of the entire membership of the Board of Directors and by

not less than 75 percent of the votes of the entire membership of the Association, or by not less than 80 percent of the votes of the entire membership of the Association.

9.3 No amendment shall make any changes in the qualifications for membership nor the voting rights of members without approval in writing by all members and the joinder of all record owners of mortgages upon the condominium. No amendment shall be made that is in conflict with the Condominium Act or the Declaration of Condominium.

9.4 A copy of each amendment shall be certified by the Secretary of State and be recorded in the public records of St. Lucie County, Florida.

ARTICLE 10. TERM

The term of the Association shall be perpetual.

ARTICLE 11. REGISTERED AGENT AND OFFICE

The Registered Agent and registered office designated for this corporation shall be as determined by the Board of Directors from time to time.

These Amended and Restated Articles of Incorporation for Gator Trace Condominium Association I, Inc. have been approved by at least seventy-five percent (75%) of the Board of Directors, and at least seventy-five percent (75%) of the Members, said approval occurring at the members meeting held on February 23, 2021, which vote was sufficient for approval.

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 24 day of MARCH, 2021.

WITNESSES AS TO PRESIDENT:

GATOR TRACE CONDOMINIUM
ASSOCIATION I, INC.

By:

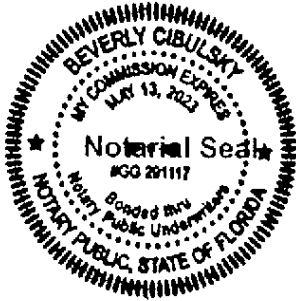
Sue E Quate
SUE E QUATE President

Jean A. Curburn
Print Name: JEAN A CURBURN

Julie K. Pate
Print Name: JULIE K PATE

STATE OF FLORIDA
COUNTY OF ST LUCIE

The foregoing instrument was subscribed, sworn, and acknowledged before me by means of [☒] physical presence or [☐] online notarization, by SUE QUATE, as President of Gator Trace Condominium Association I, Inc., [☒] who is personally known to me or [☐] who has produced _____ as identification on MARCH 24th, 2021.



Beverly Cibulsky
 Notary Public
 Print Name: BEVERLY CIBULSKY
 My Commission Expires: 4/13/2023

WITNESSES AS TO SECRETARY:

GATOR TRACE CONDOMINIUM
 ASSOCIATION I, INC.

Joan A. Colburn
 Print Name: JOAN A. COLBURN
Julie K. Plater
 Print Name: JULIE K. PLATER

By: Susan M. Lyle
Susan M. Lyle, Secretary

CORPORATE
 SEAL

STATE OF FLORIDA
 COUNTY OF ST. LUCIE

The foregoing instrument was subscribed, sworn, and acknowledged before me by means of [☒ physical presence or [☐ online notarization, by Susan M. Lyle, as Secretary of Gator Trace Condominium Association I, Inc., [☐ who is personally known to me or [☐ who has produced _____ as identification on MARCH 24th, 2021.



Beverly Cibulsky
 Notary Public
 Print Name: BEVERLY CIBULSKY
 My Commission Expires: 4/13/2023