

N02 00000 5976

PENSON & PADGETT

A PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW

ALBERT C. PENSON
TIMOTHY D. PADGETT
LAURA K. CONRAD
CELESTE F. ADORNO *
ROBERT A. MORRIS
ALLISON H. DEISON † (OF COUNSEL)

2810 REMINGTON GREEN CIRCLE
TALLAHASSEE, FLORIDA 32308
(850) 561-8000 TELEPHONE
(850) 561-8030 FACSIMILE

* CERTIFIED MEDIATOR
† ALSO ADMITTED IN ALABAMA

August 6, 2002

VIA HAND DELIVERY

Department of State
Division of Corporations
PO Box 6327
Tallahassee, FL 32314

Re: Incorporation of ERIKATARA CONDOMINIUM, INC.
Our File No.: 02-438

Dear Division of Corporations:

Enclosed is an original and one (1) copy of the Articles of Incorporation for the above-referenced corporation. Also enclosed is a check in the amount of \$78.75 representing the \$70.00 filing fee and \$8.75 for the certified copy. Please return the filed documents and the certified copy to our office.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Timothy D. Padgett
Penson & Padgett, P.A.

TDP/tdp
Enclosures

*Call when ready
561-8000*

F. CHESSER AUG 7

FILED
SECRETARY OF STATE
TALLAHASSEE, FLORIDA
02 AUG - 6 AM 12:03

700006925857-5
-08/07/02--01003--015
*****78.75 *****78.75

RECEIVED
DIVISION OF CORPORATIONS
02 AUG - 6 PM 3:30

**ARTICLES OF INCORPORATION OF
ERIKATARA CONDOMINIUM, INC..**

We, the undersigned natural persons competent to contract, acting as incorporators of a corporation not for profit under Chapter 617 of the Florida Statutes, adopt the following articles of incorporation.

Article I

Name

The name of this corporation is **ERIKATARA CONDOMINIUM, INC.**

Article II

Purposes

The purposes and objects of the corporation are such as are authorized under Chapter 617 of the Florida Statutes and include providing for the maintenance, preservation, administration, and management of **ERIKATARA CONDOMINIUM, INC.**, a condominium under the Florida Condominium Act pursuant to a declaration of condominium executed on JUN 14TH, 2002, and recorded on AUG. 5, 2002, in Leon County, Florida, under O.R. Book 2706 Page 01258.

The corporation is organized and operated solely for administrative and managerial purposes. It is not intended that the corporation show any net earnings, but no part of any net earnings that do occur shall inure to the benefit of any private member. If, in any taxable year, the net income of the corporation from all sources other than casualty insurance proceeds and other non-recurring items exceeds the sum of (1) total common expenses for which payment has been made or liability incurred within the taxable year, and (2) reasonable reserves for common expenses and other liabilities in the next succeeding taxable year, such excess shall be held by the corporation and used to reduce the amount of assessments that would otherwise be required in the following year. For such purposes, each unit owner will be credited with the portion of any excess that is proportionate to his or her interest in the common elements of the condominium.

Article III

Members

Each condominium unit shall have appurtenant to it a membership in the corporation, which membership shall be held by the person or entity, or in common by the persons or entities owning such unit, except that no person or entity holding title to a unit as security for performance of an obligation shall acquire the membership appurtenant to the unit by virtue of the title ownership. In no event may any membership be severed from the unit to which it is appurtenant.

Each membership in the corporation shall entitle the holder or holders of it to exercise that proportion of the total voting power of the corporation corresponding to the proportionate undivided interest in the common elements appurtenant to the unit to which the membership corresponds, as established in the declaration.

Article IV

Initial Registered Office And Agent

The street address of the initial registered office of the corporation is Penson & Padgett, P.A., 2810 Remington Green Circle, Tallahassee, FL 32308.

The name of the initial registered agent at the office is: Timothy D. Padgett, Esquire.

FILED
SECRETARY OF STATE
TALLAHASSEE, FLORIDA
02 AUG -6 AM 12:00

Article V

Incorporators

The names and residences of the incorporators of the corporation are as follows:

Name	Residence
ERIC R. MORTELL	1 Sandestin Estates Drive, Destin, FL 32550
DARLENE M. MORTELL	1 Sandestin Estates Drive, Destin, FL 32550

Article VI

Directors

The number of persons constituting the first board of directors is two (2). The names and addresses of the directors who are to serve until the first annual meeting of the members or until their successors are elected and qualified are:

Name	Address
ERIC R. MORTELL	1 Sandestin Estates Drive, Destin, FL 32550
DARLENE M. MORTELL	1 Sandestin Estates Drive, Destin, FL 32550

At the first annual meeting, the members shall elect from among the members of the corporation three (3) directors for a term of three (3) years each.

Article VII

Officers

The affairs of the corporation are to be managed by a president, secretary, and treasurer who will be accountable to the board of administration. Officers will be elected annually in the manner set forth in the bylaws.

The names of the officers who are to serve until the first election of officers are as follows:

ERIC R. MORTELL	President
DARLENE M. MORTELL	Secretary, Treasurer

Article VIII

Bylaws

Bylaws regulating operation of the corporation will be adopted by the Board of Directors at an organizational meeting following the filing of these articles. The bylaws may be amended by the first board of directors until the first annual meeting of members. Thereafter, the bylaws shall be amended by the members in the manner set forth in the bylaws.

Article IX

Powers of Corporation

To promote the health, safety, and welfare of the residents of ERIKATARA CONDOMINIUM, INC., the corporation may:

- (1) Exercise all of the powers and perform all of the duties of the association as set forth in the declaration of condominium and in the bylaws, as those documents may from time to time be amended.
- (2) Determine, levy, collect, and enforce payment by any lawful means of all assessments for common charges, and pay such common charges as the same become due.
- (3) Engage the services of a professional corporate management agent and delegate to the agent any of the powers or duties granted to the association of unit owners under the declaration or bylaws other than the power to engage or discharge the agent; the power to adopt, amend and repeal the provisions of it, or of the declaration, bylaws, or rules and regulations of the condominium;
- (4) Take and hold by lease, gift, purchase, devise or bequest any property, real or personal, including any unit in the condominium, borrow money and mortgage any property to finance the acquisition of it on the vote of 100% percent of members, and transfer, lease, and convey any such property.
- (5) Dedicate or otherwise transfer all or any portion of the common areas to any municipality, public agency, authority or utility on the approval of 100% percent of the members.
- (6) Have and exercise any and all rights, privileges and powers which may be held or exercised by corporations not for profit generally under Chapter 617 of the Florida Statutes, or by associations of unit owners under the Condominium Act.

Article X

Dissolution

This corporation may be dissolved at any time with the written consent of all the members to it. On dissolution, the assets of the corporation shall be dedicated to an appropriate municipality, public agency or authority to be used for purposes similar to those for which the corporation is organized. In the event such dedication is not accepted, such assets shall be conveyed or assigned to any nonprofit corporation, association, or other organization devoted to purposes similar to those for which this corporation is organized.

In witness, we, the undersigned, being the incorporators of this corporation, have, for the purpose of forming this nonprofit corporation under the laws of the State of Florida, executed these articles of incorporation on 25th June, 2002.


ERIC R. MORTELL


DARELENE M. MORTELL

STATE OF FLORIDA
COUNTY OF ~~LEON~~ WALTON

The foregoing instrument was acknowledged before me by ERIC R. MORTELL and DARELENE M. MORTELL, who ☒ are personally known to me ☐ produced the identification listed below, and are known to be the persons described in and who executed the foregoing instrument, and acknowledged to and before me that they executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 26 day of JUNE, 2002.



Barbara A. Tanner
Commission # DD110620
Expires May 5, 2006
Bonded Thru
Atlantic Bonding Co., Inc.

Barbara A. Tanner
5-5-06, NOTARY PUBLIC
My Commission Expires:

ACCEPTANCE OF APPOINTMENT AS REGISTERED AGENT

STATE OF FLORIDA
OFFICE OF THE SECRETARY OF STATE

The undersigned, having been designated as Agent for the service of process with the State of Florida, upon ERIKATARA CONDOMINIUM, INC., a corporation, organized under the laws of the State of Florida, does hereby accept the appointment as such agent for the above-named corporation.

IN WITNESS WHEREOF, the name of said registered agent is hereunto affixed at Tallahassee, Leon County, Florida, this 26th day of June, 2002.


TIMOTHY D. PADGETT

PRINCIPAL OFFICE: 1300 N MONROE ST
TALLAHASSEE, FL 32303

FILED
SECRETARY OF STATE
TALLAHASSEE, FLORIDA
02 AUG -6 AM 12:03