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TALLAHASSEE, FLORIDA

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## CAPITAL CONNECTION, INC.

417 E. Virginia Street, Suite 1 • Tallahassee, Florida 32301  
(850) 224-8870 • 1-800-342-8062 • Fax (850) 222-1222

Alberg Tropical Gardens

Signature \_\_\_\_\_

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Name \_\_\_\_\_

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- ☒ Art of Inc. File \_\_\_\_\_
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- \_\_\_\_ L.C. File \_\_\_\_\_
- \_\_\_\_ Fictitious Name File \_\_\_\_\_
- \_\_\_\_ Trade/Service Mark \_\_\_\_\_
- \_\_\_\_ Merger File \_\_\_\_\_
- \_\_\_\_ Art. of Amend. File \_\_\_\_\_
- \_\_\_\_ RA Resignation \_\_\_\_\_
- \_\_\_\_ Dissolution / Withdrawal \_\_\_\_\_
- \_\_\_\_ Annual Report / Reinstatement \_\_\_\_\_
- \_\_\_\_ Cert. Copy \_\_\_\_\_
- \_\_\_\_ Photo Copy \_\_\_\_\_
- \_\_\_\_ Certificate of Good Standing \_\_\_\_\_
- \_\_\_\_ Certificate of Status \_\_\_\_\_
- \_\_\_\_ Certificate of Fictitious Name \_\_\_\_\_
- \_\_\_\_ Corp Record Search \_\_\_\_\_
- \_\_\_\_ Officer Search \_\_\_\_\_
- \_\_\_\_ Fictitious Search \_\_\_\_\_
- \_\_\_\_ Fictitious Owner Search \_\_\_\_\_
- \_\_\_\_ Vehicle Search \_\_\_\_\_
- \_\_\_\_ Driving Record \_\_\_\_\_
- \_\_\_\_ UCC 1 or 3 File \_\_\_\_\_
- \_\_\_\_ UCC 11 Search \_\_\_\_\_
- \_\_\_\_ UCC 11 Retrieval \_\_\_\_\_
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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

ARTICLES OF INCORPORATION

OF

ALBERG TROPICAL GARDENS CONDOMINIUM ASSOCIATION, INC.

WE, the undersigned, hereby associate ourselves together for the purpose of forming a non-profit corporation under the laws of the State of Florida, pursuant to Florida Statute 617, and hereby certify as follows:

ARTICLE I

The name of this corporation shall be: ALBERG TROPICAL GARDENS CONDOMINIUM ASSOCIATION, INC.

The address of this corporation shall be: 1315 SW 47th Terrace, Cape Coral, Florida 33904.

ARTICLE II

The general purpose of this non-profit corporation shall be as follows: To be the "Association" (as defined in the Condominium Act of the State of Florida, F.S. 718), for the operation of the ALBERG TROPICAL GARDENS CONDOMINIUM, located at 1315 SW 47th Terrace, Cape Coral, Florida, to be created pursuant to the provisions of the Condominium Act, and as such Association, to operate and administer said condominium and carry out the functions and duties of said condominium, as set forth in the Declaration of Condominium establishing said condominium and exhibits annexed thereto.

ARTICLE III

All persons who are owners of condominium parcels within said condominium shall automatically be members of this corporation. Such membership shall automatically terminate when such person is no longer the owner of a condominium parcel. Membership in the corporation shall be limited to such condominium parcel owners.

Admission to and termination of membership shall be governed by the Declaration of Condominium that shall be filed for said condominium among the Public Records of Lee County, Florida.

ARTICLE IV

This corporation shall have perpetual existence.

#### ARTICLE V

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

ANTHONY LOMBARDO  
4831 Sands Blvd, Cape Coral, Fl. 33914

FRANK LOMBARDO  
6855 N. Minnetonka, Chicago, IL. 60646

SALVATORE LOMBARDO  
6878 N. Dowgiac Avenue, Chicago, IL. 60646

#### ARTICLE VI

Section 1. The affairs of the corporation shall be managed and governed by a Board of Administrators composed of not less than three nor more than the number specified in the bylaws. The administrators, subsequent to the first Board of Administrators, shall be elected at the annual meeting of the membership, for a term of one (1) year, or until their successors shall be elected and shall qualify. Provisions for such election, and provisions respecting the removal, disqualification and resignation of administrators and for filling vacancies shall be established by the bylaws.

Section 2. The principal officers of the corporation shall be:

President  
Vice President  
Secretary  
Treasurer

(the last two officers may be combined), who shall be elected from time to time, in the manner set forth in the bylaws adopted by the corporation.

#### ARTICLE VII

The names of the officers who are to serve until the first election of officers, pursuant to the terms of the Declaration of Condominium and bylaws, are as follows:

President	ANTHONY LOMBARDO
Vice President	FRANK LOMBARDO
Secretary	SALVATORE LOMBARDO
Treasurer	FRANK LOMBARDO

#### ARTICLE VIII

The following persons shall constitute the first Board of Administrators and shall serve until the first election of the Board of Administrators at the first regular meeting of the membership:

ANTHONY LOMBARDO  
FRANK LOMBARDO  
SALVATORE LOMBARDO

#### ARTICLE IX

The bylaws of the corporation shall initially be made and adopted by its first Board of Administrators.

Prior to the time the property described in Article II hereinabove has been submitted to condominium ownership by the filing of the Declaration of Condominium, the bylaws may be amended, altered, supplemented or modified by the membership at the annual meeting, or at a duly convened special meeting of the membership by a vote of unit owners entitled to exercise sixty-seven percent (67%) or more of the total voting power of the Association.

#### ARTICLE X

Amendments to these Articles of Incorporation may be proposed by one-third of the members or any two administrators and shall be adopted in the same manner as is provided for the amendment of the bylaws as set forth in Article IX above. Said amendment(s) shall be effective when a copy thereof, together with an attached certificate of its approval by the membership, sealed with the Corporate Seal, signed by the secretary or an assistant secretary, and executed and acknowledged by the president or vice president, has been filed with the Secretary of State, and all filing fees paid.

#### ARTICLE XI

This corporation shall have all of the powers set forth in Florida Statute 617.0302, all of the powers set forth in the Condominium Act of the State of Florida, and all powers granted to it by the Declaration of Condominium and exhibits annexed thereto, including the power to contract for the management of the condominium and recreational facilities.

ARTICLE XII

There shall be no dividends paid to any of the members, nor shall any part of the income of the corporation be distributed to its Board of Administrators or officers.

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 nonrecurring items exceed 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 interest in the common elements of the condominium.

This corporation shall issue no shares of stock of any kind or nature whatsoever. Membership in the corporation and the transfer thereof, as well as the number of members, shall be upon such terms and conditions as provided for in the Declaration of Condominium and bylaws. The voting rights of the owners of parcels in said condominium property shall be as set forth in the Declaration of Condominium and bylaws.

ARTICLE XIII

The street address of the initial registered office of this corporation is 1420 SE 47th Street, Cape Coral, Florida, 33904, and the name of the initial registered agent of this corporation at that address is DIXIE LEE BALL.

IN WITNESS WHEREOF, the subscribers hereto have hereunto set their hands and seals this 16 day of June 2003.

Signed, sealed and delivered  
in the presence of:

Jore Colon

Genie L. Lombardo

Anthony Lombardo (SEAL)  
ANTHONY LOMBARDO

Joseph J. Lombardo Frank Lombardo (SEAL)  
FRANK LOMBARDO  
John Colon  
Joseph J. Lombardo Salvatore Lombardo (SEAL)  
SALVATORE LOMBARDO  
Alfred Clemente

Pursuant to Chapter 48.091, Florida Statutes, the following is submitted in compliance with said Act:

FIRST, that ALBERG TROPICAL GARDENS CONDOMINIUM ASSOCIATION, INC., desiring to organize under the laws of the State of Florida, with the location of its condominium, as indicated in the Articles of Incorporation at City of Cape Coral, County of Lee, State of Florida, has named DIXIE LEE BALL, located at 1420 SE 47th Street, Cape Coral, Florida, as its agent to accept service of process within this state.

#### ACKNOWLEDGMENTS

Having been named to accept service of process for the above stated corporation, at place designated in this certificate, I hereby accept to act in this capacity, and agree to comply with the provisions of said Act relative to keeping open said office.

Dixie Lee Ball  
REGISTERED AGENT