

N030000007114

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP ☐ WAIT ☐ MAIL

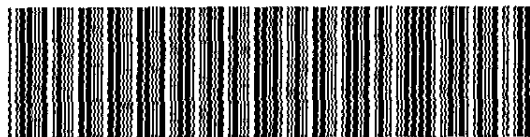
(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

Office Use Only



900021901079

08/01/03--01061--023 **78.75

FILED
03 AUG 19 AM 1:33
TALLAHASSEE, FLORIDA

CB 8-19
W0322212

RICHARD H. POWELL & ASSOCIATES, P.A.

Attorneys & Counselors At Law

RICHARD H. POWELL
JENNIFER E. FRENCH
Of Counsel:
F.B. ESTERGREN

92 EGLIN PARKWAY NE
P. O. DRAWER 2167
FORT WALTON BEACH, FLORIDA
32549-2167

TEL (850) 243-7184
FAX (850) 244-2148
E-MAIL RHPLAW@GNT.NET

HOKE SMITH, III*
*admitted in GA only

Legal Assistants:
MARCIA SARANPA
NIKKI WILSON

August 12, 2003

Florida Department of State
Division of Corporations
P. O. Box 6327
Tallahassee, Florida 32314

Attn: Cynthia Blalock, Document Specialist

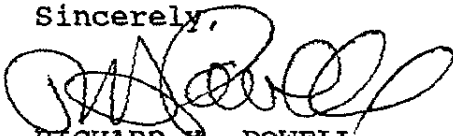
Re: Yacht Club Harbor Condominium Association, Inc.
Ref. Number: W03000022212

Dear Ms. Blalock:

Enclosed are the original and one copy of the Articles of Incorporation of Yacht Club Harbor Condominium Association, Inc. The Articles have been amended per your letter of August 6, 2003 (copy enclosed) to include the principal address of the corporation and the mailing address of the corporation.

Please file the original Articles and certify and return the copy enclosed. Thank you for your attention to this matter.

Sincerely,



RICHARD H. POWELL
RHP/mws

Enclosures

RECEIVED
03 AUG 19 AM 8:57
SECRETARY OF STATE
TALLAHASSEE, FLORIDA



FLORIDA DEPARTMENT OF STATE

Glenda E. Hood
Secretary of State

August 6, 2003

RICHARD H. POWELL, ESQ.
P.O.DRAWER 2167
FT WALTON BCH, FL 32549-2167

SUBJECT: YACHT CLUB HARBOR CONDOMINIUM ASSOCIATION, INC.
Ref. Number: W03000022212

We have received your document for YACHT CLUB HARBOR CONDOMINIUM ASSOCIATION, INC. and your check(s) totaling \$78.75. However, the enclosed document has not been filed and is being returned for the following correction(s):

You must list the corporation's principal office and/or a mailing address in the document.

Please return the original and one copy of your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6925.

Cynthia Blalock
Document Specialist
New Filings Section

Letter Number: 803A00045055

FILED
23 AUG 19 AM 1:31
SEAL OF THE STATE OF FLORIDA
TALLAHASSEE, FLORIDA

**ARTICLES OF INCORPORATION OF YACHT CLUB HARBOR CONDOMINIUM
ASSOCIATION, INC., a Florida nonprofit corporation**

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.

§ I. Name

The name of this corporation is Yacht Club Harbor Condominium Association, Inc.

§ 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 Yacht Club Harbor Condominium, a condominium under the Florida Condominium Act pursuant to a declaration of condominium executed on July 10, 2003, and recorded on July 30, 2003, in the office of the Clerk of the Circuit Court of the County of Okaloosa, State of Florida, in Book 2459, beginning at page 1654.

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.

§ 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.

§ IV. Initial Registered Office And Agent*

The street address of the initial registered office of the corporation is 92 Eglin Parkway, Fort Walton Beach, Florida 32548.

The name of the initial registered agent at the office is: Richard H. Powell, Esq.

§ V. Incorporators

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

John W. Bonner, 110 Habersham Drive, Suite 121, Fayetteville, Georgia 30214
Carter W. Johnson, 110 Habersham Drive, Suite 121, Fayetteville, Georgia 30214

***§IV(A). Corporation's Principal Address
and Mailing Address.**

The corporation's principal address is 8 Yacht Club Drive, Fort Walton Beach, Florida 32548, and the corporation's mailing address is P. O. Drawer 2167, Fort Walton Beach, Florida 32549-2167.

§ 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:

John W. Bonner, 110 Habersham Drive, Suite 121, Fayetteville, Georgia 30214
Carter W. Johnson, 110 Habersham Drive, Suite 121., Fayetteville, Georgia 30214

At the first annual meeting, the members shall elect from among the members of the corporation TWO directors for a term of one year each, FIVE directors for a term of one year each; at each annual meeting after that the members shall elect from among the membership five directors for a term of one years each.

§ VII. Officers

The affairs of the corporation are to be managed by a president, vice 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:

John W. Bonner, 110 Habersham Drive, Suite 121, Fayetteville, Georgia 30214
President
Carter W. Johnson, 110 Habersham Drive, Suite 121, Fayetteville, Georgia 30214
Secretary/Treasurer

§ VIII. Bylaws

Bylaws regulating operation of the corporation are annexed to the declaration. 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.

§ IX. Powers of Corporation

To promote the health, safety, and welfare of the residents of Yacht Club Harbor Condominium, 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 attached thereto, 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 75 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 75 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.

§ X. Stormwater Management and Discharge Facility

The Association shall operate and maintain a stormwater management system and stormwater discharge facility as exempted or permitted by Okaloosa County and the State of Florida. The Association shall establish rules and regulations, assess members, and contract for services to provide the services for operation and maintenance. Said operation of the stormwater management system and discharge facility shall be as follows:

(1) Unit owner shall be a part of the storm water management system, which requires storm water retention facilities and retention areas to be maintained by the Association, and operated in accordance with the agreements and regulations of Okaloosa County and the State of Florida.


(2) There shall be assessed by the Association, on each Unit owner, a pro-rated and monthly basis assessment in the amount required to maintain, repair, and meet the expenses and costs of the storm water retention facilities, including but not limited to, the expenses of repair, maintenance, and when necessary, the replacement of the drainage system, and storm water system.

§ XL 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 this 30th day of July, 2003.

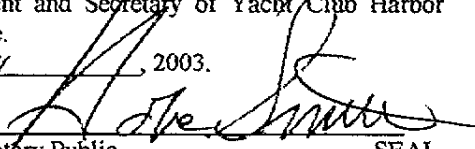

JOHN W. BONNER


CARTER W. JOHNSON

STATE OF FLORIDA
COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this 30th day of July, 2003, by John W. Bonner and Carter W. Johnson as President and Secretary of Yacht Club Harbor Condominium Association, Inc., who are personally known to me.

WITNESS my hand and seal this 30th day of July, 2003.


Notary Public

SEAL

My commission expires:




Hoke Smith III

My Commission CC879384

Expires October 13, 2003

ACCEPTANCE BY REGISTERED AGENT

RICHARD H. POWELL, named as Registered Agent in the foregoing Articles of Incorporation, accepts the appointment as Registered Agent and acknowledges that he is familiar with, and accepts, the obligations provided for in § 607.0505 Fla. Stat.



RICHARD H. POWELL

FILED
03 AUG 19 AM 1:33
STATE
TALLAHASSEE, FLORIDA