

No 3000008037

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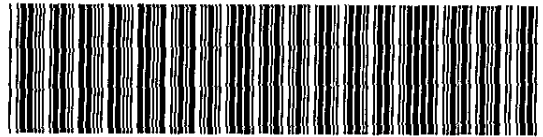
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03 SEP 15 AM 11:25  
DIVISION OF CORPORATION  
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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

B 9/17

# CAPITAL CONNECTION, INC.

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

18th Avenue SW Homeowners

Signature \_\_\_\_\_

Requested by: SW 9/15

Name \_\_\_\_\_

Date \_\_\_\_\_

Time \_\_\_\_\_

Walk-In \_\_\_\_\_

Will Pick Up \_\_\_\_\_

☒ Art of Inc. File \_\_\_\_\_

\_\_\_\_ LTD Partnership File \_\_\_\_\_

\_\_\_\_ Foreign Corp. File \_\_\_\_\_

\_\_\_\_ 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 \_\_\_\_\_

\_\_\_\_ Courier \_\_\_\_\_



FLORIDA DEPARTMENT OF STATE

Glenda E. Hood  
Secretary of State

September 15, 2003

CAPITAL CONNECTION

SUBJECT: 18TH AVENUE SW HOMEOWNERS ASSOCIATION, INC.  
Ref. Number: W03000026274

We have received your document for 18TH AVENUE SW HOMEOWNERS 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):

Section 617.0803, Florida Statutes, requires that the board of directors never have fewer than three directors.

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: 103A00051066

**RE-SUBMIT**  
PLEASE OBTAIN THE ORIGINAL  
FILE DATE

RECEIVED  
03 SEP 16 PM 3:02  
DIVISION OF CORPORATIONS  
TALLAHASSEE, FLORIDA

**Articles Of Incorporation of 18th Avenue SW  
Homeowners Association, Inc.**

FILED  
03 SEP 15 PM 12:  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

The undersigned, for the purpose of forming a nonprofit corporation under the Florida Not-For-Profit Corporation Act, Florida Statutes, Chapter 617, do hereby make and adopt the following Articles of Incorporation:

**Article I  
Name**

The name of the Corporation is "18th Avenue SW Homeowners Association, Inc.", hereafter referred to as the "Association".

**Article II  
Not For Profit**

The Association is a corporation not-for-profit as defined in Section 617.01, Florida Statutes. The Association is not formed for pecuniary profit. No part of the income or assets of the Association is distributable to or for the benefit of its Members, Directors or Officers, except to the extent permissible under law.

**Article III  
Commencement Of Corporate Existence  
And Duration**

The date when corporate existence shall commence is the date of filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The duration (term) of the Association is perpetual.

**Article IV  
Purposes**

The Association is organized, and shall be operated exclusively for, the following purposes:

1. To enforce the Declaration of Easements, Covenants, Conditions and Restrictions of 18th Avenue SW (the "Declaration"), consisting of homesites in Indian River County, Florida, to be the Association referred to in said Declaration, and to assess homeowners in accordance with said Declaration, and levy and collect adequate assessments against its Members for the cost of maintenance and operation of the surface water or stormwater management system.
2. Operate, maintain and manage the surface water or stormwater management system(s) in a manner consistent with the St. Johns River Water Management District Permit No. 42-061-87470-1 (Application No.) requirements and applicable District rules, and shall assist in the

enforcement of the Declaration that relate to the surface water or stormwater management system.

The Association shall levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the surface water or stormwater management system.

3. To exercise all rights and powers conferred by the laws of the State of Florida upon nonprofit corporations, including without imitating the generality of the foregoing, to acquire by bequest, devise, gift, purchase, lease or otherwise any property of any sort or nature without limitation as to its amount or value, and to hold, invest, reinvest, manage, use, apply, employ, sell, expend, disburse, lease, mortgage, manage, option, donate or other wise dispose of such property and the income, principal and proceeds of such property, for any of the purposes set forth herein.

4. To do such other things as are incidental to the purposes of the Association or necessary or desirable in order to accomplish them.

#### **Article V Limitation**

No part of the net earnings of the Association shall inure to the benefit of or be distributable to its Members, Directors, or Officers, but the Association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article IV (Purposes) hereof.

#### **Article VI Dissolution**

In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water or stormwater management system must be transferred to and accepted by an entity that would comply with Section 40C-42.027, F.A.C., and be approved by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each class of members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to such similar purposes.

#### **Article VII Members**

The Association shall have Voting Members who shall be selected as provided in the Bylaws and

shall have all the rights and privileges of members of the Association. The Bylaws shall also provide for Non-voting Members, who shall consist of all of those persons who are, from time to time, the record fee simple title holders of homes in 18th Avenue SW as set forth in the Declaration of Restrictions, Easements, and Covenants of 18th Avenue SW of Indian River County.

The Non-Voting Members shall have such rights and privileges as are set forth in the Bylaws, but shall not have the right to vote. Within three (3) months after ninety percent (90%) or more of the lots in all phases of the "Community", as defined in the Declaration, that will ultimately be operated by the Association have been conveyed by Developer to third parties, Developer shall relinquish control of the Association to the then lot owners, and the lot owners, other than Developer, are entitled to elect at least a majority of the directors to the Board of Directors of the Association. At such time as Developer relinquishes control of the Association, the lot owners assume control of the Association subject to the terms and conditions of the Declaration, and such other instruments governing the Association and its members. Each homeowner shall thereafter be a Voting Member of the Association and its voting privileges cannot thereafter be suspended or removed as long as it remains a homeowner, unless provided otherwise in the Declaration.

The name and address of each initial Voting Member is as follows:

<b>Name</b>	<b>Address</b>
Michael Staszewski	1425 23 <sup>rd</sup> Avenue SW Vero Beach, FL 32962
Ann M. Staszewski	1425 23 <sup>rd</sup> Avenue SW Vero Beach, FL 32962

**Article VIII**  
**Initial Registered Office And Agent**  
**And Principal Office Of The Association**

The street and mailing address of the initial registered office of business and principal office of the Association is 1425 23<sup>rd</sup> Avenue SW, Vero Beach, FL 32962 and the initial registered agent of the Association at that address is Michael Staszewski. The principal office address and the registered office address is the same.

**Article IX**  
**Initial Board Of Directors**

The management of the Association shall be vested in the Board of Directors. The number of Directors constituting the initial Board of Directors is three. The number of Directors may be increased or decreased from time to time in accordance with the Bylaws, but shall never be less than three. The Voting Members shall elect the Directors at the annual meeting of Voting Members. The Bylaws may provide for ex officio and honorary Directors, and their rights and

privileges. The name and address of each initial Director of the Association is as follows:

<b>Name</b>	<b>Address</b>
Michael Staszewski	1425 23 <sup>rd</sup> Avenue SW Vero Beach, FL 32962
Ann M. Staszewski	1425 23 <sup>rd</sup> Avenue SW Vero Beach, FL 32962
Carl Brobst	5880 1 <sup>st</sup> Street SW Vero Beach, FL 32968

#### **Article X Officers**

The Officers of the Association shall consist of a President, Vice President, Secretary, Treasurer and such other Officers and Assistant Officers as may be provided in the Bylaws. Each Officer shall be elected by the Board of Directors (and may be removed by the Board of Directors) at such time and in such manner as may be prescribed by the Bylaws. The name and address of each initial Officer of the Association is as follows:

Michael Staszewski President, Treasurer	1425 23 <sup>rd</sup> Avenue SW Vero Beach, FL 32962
Ann M. Staszewski Vice President, Secretary	1425 23 <sup>rd</sup> Avenue SW Vero Beach, FL 32962

#### **Article XI Incorporators**

The name and address of each Incorporator is as follows:

<b>Name</b>	<b>Address</b>
Michael Staszewski	1425 23 <sup>rd</sup> Avenue SW, Vero Beach, FL 32962

#### **Article XII Bylaws**

The Bylaws of the Association are to be made and adopted by the Board of Directors, and may be altered, amended or rescinded by the Board of Directors.

#### **Article XIII Amendment**

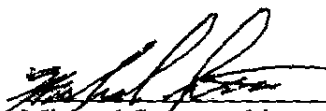
The Association reserves the right to amend or repeal any provisions contained in these Articles of Incorporation or any amendment to them, and all rights and privileges conferred upon the

Members, Directors, and Officers are subject to this reservation.

**Article XIV  
Indemnification**

The Association shall indemnify each Officer and Director, including former Officers and Directors, to the full extent permitted by the Florida General Corporation Act and the Florida Not For Profit Corporation Act.

**In Witness Whereof**, the undersigned has signed these Articles of Incorporation on this 10<sup>th</sup> day of September, 2003.

  
\_\_\_\_\_  
Michael Staszewski  
Incorporator

State of Florida  
County of Indian River

Before me personally appeared Michael Staszewski, to me well known and known to me to be the person described in and who executed the foregoing Articles of Incorporation and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

Witness my hand and official seal this 10<sup>th</sup> day of September, 2003.

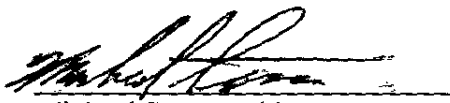
  
\_\_\_\_\_  
Notary Public  
My Commission Expires:



Christopher C. Campione  
My Commission DD185078  
Expires January 03, 2007

**Acceptance By Registered Agent**

The undersigned hereby accepts the appointment as Registered Agent of 18th Avenue SW Homeowners Association, Inc., which is contained in the foregoing Articles of Incorporation.

  
\_\_\_\_\_  
Michael Staszewski  
Registered Agent

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

03 SEP 15 PM 12:58

FILED