

N04000002434

(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



600029271966

03/02/04--01007--007 **78.75

FILED
04 MAR - 1 AM 11:14
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

✓

8/3/10

ALAN S. CHRISTNER, JR. P.A.
ATTORNEY AT LAW

350 GULF BOULEVARD
INDIAN ROCKS BEACH, FL 33785
(727) 596-3383-FAX (727) 595-4054

REPLY TO
P.O. BOX 1116
INDIAN ROCKS BEACH, FL 33785-1116

February 26, 2004

Department of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Re: El Tesoro Condominium
Homeowners Association

Gentlemen:

Please file the enclosed Articles of Incorporation. I have enclosed my check for \$78.75 for the filing fee and a Certificate of Status. Please return a stamped copy of the Articles with the Certificate of Status.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan S. Christner, Jr.", with a stylized, flowing script.

Alan S. Christner, Jr.

Enclosures

ARTICLES OF INCORPORATION

EL TESORO CONDOMINIUM
HOMEOWNERS ASSOCIATION, INC.

FILED
04 MAR - 1 AM 11:14
CLERK OF STATE
TALLAHASSEE, FLORIDA

The undersigned incorporator hereby forms a corporation not-for-profit under the provisions of Chapter 617 of the laws of the State of Florida, do agree to the following:

ARTICLE I. NAME

The name of this corporation shall be EL TESORO CONDOMINIUM HOMEOWNERS ASSOCIATION, INC., hereinafter referred to as the Association.

ARTICLE II. PURPOSE

The Association is organized as a corporation not-for-profit under the terms of provisions of Chapter 617 of the Florida Statutes. The specific purpose for which the Association is organized is to provide an entity responsible for the operation of EL TESORO, a Condominium in Pinellas County, Florida hereinafter the "Condominium". The Declaration of Condominium, and any amendments thereof, whereby said Condominium has been or will be created is hereinafter referred to as the Declaration. The developer of said Condominium is EL PIRATA GROUP, INC., a Florida corporation, hereinafter referred to as "Developer".

The foregoing paragraph enumerates the specific purposes of the Association, but it is expressly provided hereby that such enumeration shall not be held to limit or restrict in any manner the purposes or powers of the Association otherwise permitted by law.

ARTICLE III. POWERS AND DUTIES

Section 1. The Association shall have all of the common law and statutory powers of a corporation not-for-profit to include, but not limited to, own and convey property; operate and maintain common property, specifically the surface water management system as permitted by the Southwest Florida Water Management District including all lakes, retention areas, culverts and related appurtenances, establish rules and regulations; assess members and enforce said assessment; sue and be sued; contract for services to provide for operation and maintenance; and require all unit owners to be members.

Section 2. The Association shall have all of the powers and duties set forth in these Articles of Incorporation, the Bylaws of the Association or the Declaration.

ARTICLE IV. LIMITATIONS ON ACTIVITIES

No part of the net earnings of the Association shall inure to the benefit of, or be distributable to, any member, director or officer of the Association; provided, however, the Association may pay compensation in a reasonable amount for services rendered, may confer benefits on its members in conformity with its purposes, and may make rebates of excess membership dues, fees or assessments. The amount of earnings, if any, is not to be taken into account in any manner for the purpose of determining whether there should be a rebate or the amount of any rebate.

ARTICLE V. TERM OF EXISTENCE

The Association shall have perpetual existence, unless dissolved according to law. If dissolved, property consisting of the surface water management system shall be conveyed to an appropriate agency of local government, and if not accepted, the surface water management system shall be dedicated to a similar non-profit organization.

ARTICLE VI. MEMBERS

The Association shall have members. The sole qualification for membership is the ownership of a recorded vested present fee simple interest in a condominium unit; provided, however, in the event of termination of the condominium, members shall be those persons or other legal entities who are owners at the time of such termination, their successors and assigns. Each owner designated in a deed or other instrument establishing title to a unit of the condominium unit duly recorded in the Public Records of Pinellas County, Florida, will automatically become a member upon delivery to the Association of a copy of such instrument and receipt of an acknowledgement of said delivery signed by the President or Secretary. Membership in the Association shall be terminated automatically when title to the Condominium unit supporting said membership vests another legal entity; provided, however, any party who owns more than one (1) unit shall remain a member of the Association so long as he shall retain title to any unit.

Prior to the recording of the Declaration in the Public Records of Pinellas County, Florida, the subscribers hereto shall remain members of the Association and shall each be entitled to one vote.

ARTICLE VII. BOARD OF DIRECTORS

Section 1. The business affairs of this Association shall be managed by the Board of Directors.

Section 2. This Association shall have three (3) directors initially who are to serve as directors until the first election by the members. The names and addresses of the initial directors are as follows:

NAME

ADDRESS

CHARLES F. LOWE

9828 62nd Terrace N.
St. Petersburg, FL 33708

ROBERT L. FRANCKLE

7123 - 8th Street South
St. Petersburg, FL 33705

ALAN S. CHRISTNER, JR.

8540 140th Street N.
Seminole, FL 33776

Section 3. The number of directors may be changed from time to time is provided by the Bylaws, but their number shall never be less than three (3).

Section 4. The first election of directors shall not be held until unit owners other than Developer are entitled to elect at least one (1) director. Any vacancies in the Board occurring before the first election may be filled by Developer.

Section 5. Subsequent to the first election of directors, directors entitled to be elected by unit owners other than the developer shall be elected at the annual meeting of the members and shall hold office as provided in the Bylaws. The Bylaws may provide that the directors be divided into not more than four (4) classes, as nearly equal in number as possible, whose terms of office shall respectively expire at different times, so long as no term shall continue longer than four (4) years, and at least one of the directors shall be elected annually.

ARTICLE VIII. OFFICERS

Section 1. The officers of the Association shall be a President, one or more Vice Presidents (if determined to be necessary by the Board of Directors), a Secretary and Treasurer. Such other officers, assistant officers and agents as may be deemed necessary may be elected or appointed from time to time as provided by the Bylaws.

Section 2. The names of the persons who are to serve as officers of the Association until the first annual meeting of the Board of Directors are:

OFFICE

NAME

President

Charles F. Lowe

Vice President
Secretary/Treasurer

Robert L. Franckle

Section 3. The officers shall be elected at each annual meeting of the Board of Directors or as provided in the Bylaws, and each shall serve until his successor is chosen and qualified, or until his earlier resignation, removal from office or death.

Section 4. The officers shall have such duties, responsibilities, and powers as provided in the Bylaws and the Florida Statutes.

ARTICLE IX. BYLAWS

The initial Board of Directors shall adopt Bylaws for the Association at the organizational meeting of the Association after the approval of these Articles of Incorporation by the Secretary of State. The conduct of the affairs of the Association shall be limited by the various provisions of the Bylaws, including but not limited to, provisions creating, dividing, limiting and regulating the powers of the Association, the directors and the members. The power to adopt, amend or repeal Bylaws of the Association shall be vested in the Board of Directors or the membership as provided in the Bylaws.

ARTICLE X. AMENDMENTS

These Articles of Incorporation may be amended at any regular or special meeting at which a quorum is present by approval of not less than two-thirds (2/3) of the entire membership of the Board and two-thirds (2/3) of the voting representatives of the Association who cast their vote, or by not less than seventy percent (70%) of the voting representatives of the Association who cast their vote. No amendment to said Articles of Incorporation shall be valid unless certified by the Secretary of State of the State of Florida.

ARTICLE XI. INITIAL REGISTERED OFFICE AND AGENT

The street address of the initial registered office of this Association is 350 Gulf Boulevard, Indian Rocks Beach, FL 33785, and the name of the initial registered agent of this Association located at that address is Alan S. Christner, Jr. P.A..

ARTICLE XII. INCORPORATOR

The name and address of the incorporator to these Articles of Incorporation is:

Alan S. Christner, Jr. P.A.
350 Gulf Boulevard
Indian Rocks Beach, FL 33785

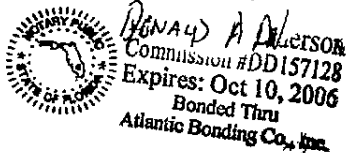
IN WITNESS WHEREOF, for the purpose of forming a corporation not-for-profit under the provisions of Chapter 617 of the Florida Statutes, the undersigned, constituting the Incorporator hereof, has set the hand and seal of Alan S. Christner, Jr. P.A. on this 26th day of February, 2004.

ALAN S. CHRISTNER, JR. P.A.

By: *Alan S. Christner, Jr.*
Alan S. Christner, Jr. President

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 26th day of February 2004, by ALAN S. CHRISTNER, JR. who is personally known to me and who did take an oath.



Donald A. Anderson
NOTARY PUBLIC

FILED
04 MAR - 1 AM 11:14
CLERK OF STATE
TALLAHASSEE, FLORIDA

ACCEPTANCE OF REGISTERED AGENT DESIGNATED
IN ARTICLES OF INCORPORATION

Alan S. Christner, Jr. P.A. a Florida Professional Association authorized to transact business in this State, having a business office identical with the registered office of the corporation named above, and having been designated as the Registered Agent in the above and foregoing Articles, accepts the obligations of the position of Registered Agent.

ALAN S. CHRISTNER, JR. P.A.

By: *Alan S. Christner, Jr.*
Alan S. Christner, Jr., President