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**PAVESE, HAVERFIELD, DALTON, HARRISON & JENSEN, L.L.P.**

A FLORIDA LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AND COUNSELORS AT LAW

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PLEASE REPLY TO  
FORT MYERS OFFICE

March 4, 2004

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

Re: Coral Cay I Condominium Association, Inc.

Dear Sir or Madam:

Enclosed herewith is the original and one copy of the Articles of Incorporation of the above referenced corporation, together with a check in the amount of \$78.75, said check allocated as follows:

\$35.00 - filing fee  
\$35.00 - registered agent fee  
\$ 8.75 - certified copy

Please certify and return one copy of the Articles of Incorporation. Thank you for your cooperation in this matter.

Very truly yours,



Christopher J. Shields

CJS/rj

Enclosures

cc: Coral Cay I Condominium Association, Inc.

ARTICLES OF INCORPORATION  
OF  
CORAL CAY I CONDOMINIUM ASSOCIATION, INC.

FILED  
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I, the undersigned, serve as incorporator 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: CORAL CAY I CONDOMINIUM ASSOCIATION, INC. The mailing address of the corporation shall be: P.O. Box 100399, Cape Coral, FL 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 Coral Cay I Condominium, located at 1714 Bikini Court, Cape Coral, Florida 33904, 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 the bylaws.

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:

Judy Scholle

1714 Bikini Court, Unit 105  
Cape Coral, FL 33904

John Wielgosz

1714 Bikini Court, Unit 205  
Cape Coral, FL 33904

Shirley Taylor

1714 Bikini Court, Unit 103  
Cape Coral, FL 33904

#### ARTICLE VI

The affairs of the corporation shall be managed and governed by a Board of Directors composed of not less than three (3) nor more than the number specified in the bylaws. The Directors, subsequent to the first Board of Directors, shall be elected at the annual meeting of the membership, for a term of two (2) years, or until their successors shall be elected and shall qualify. Provisions for such election, and provisions respecting the removal, disqualification and resignation of Directors and for filling vacancies shall be established by the bylaws.

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

Judy Scholle

1714 Bikini Court, Unit 105  
Cape Coral, FL 33904

John Wielgosz

1714 Bikini Court, Unit 205  
Cape Coral, FL 33904

Shirley Taylor

1714 Bikini Court, Unit 103  
Cape Coral, FL 33904

#### ARTICLE VII

Section 1. The officers named in Section 2 are to serve until the first election of officers pursuant to the terms of the Declaration of Condominium and bylaws.

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

Judy Scholle  
(President)

1714 Bikini Court, Unit 105  
Cape Coral, FL 33904

John Wielgosz  
(Vice-President)

1714 Bikini Court, Unit 205  
Cape Coral, FL 33904

Shirley Taylor  
(Secretary/Treasurer)

1714 Bikini Court, Unit 103  
Cape Coral, FL 33904

### ARTICLE VIII

The bylaws of the corporation were previously enacted and adopted. Amendments to the bylaws shall be governed according to said bylaws.

### ARTICLE IX

Amendments to these Articles of Incorporation may be proposed by a majority of the Directors or by written petition to the Board signed by at least one fourth (1/4th) of the voting interests. Amendments must be approved by at least two-thirds (2/3rds) of the Association's voting interests present in person or by proxy at any annual or special meeting called for the purpose, provided that notice of the amendment has been given to the members in accordance with law.

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 X

This corporation shall have all of the powers set forth in Florida Statute 617.021, 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 the bylaws, including the power to contract for the management of the condominium and recreational facilities.

### ARTICLE XI

Every Director and every officer and committee member of the Association shall be indemnified by the Association against all expenses and liabilities, including attorney's fees through all trial and appellate levels, reasonably incurred by or imposed in connection with any proceeding, arbitration, or settlement to which such person may be a party, or in which they may become involved, by reason of being or having been a Director, officer, or committee member of the Association. Notwithstanding the foregoing, in the event of a voluntary settlement, the indemnification provisions herein shall not be automatic and shall apply only when the Board approves such settlement. Notwithstanding anything contained herein to the contrary, in instances where the Director, officer, or committee member admits or is adjudged guilty by a court with jurisdiction of malfeasance, misfeasance or nonfeasance in the performance of their duties, the indemnification provisions contained herein shall not apply. Otherwise, the foregoing right of indemnification shall be in addition to and not exclusive of any and all rights of indemnification to which such Director, officer or committee member may be entitled by common law or statute.

### ARTICLE XII

There shall be no dividends paid to any of the members, nor shall any part of the net earnings of the corporation be distributed to its Board of Directors 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.

Nothing in this Article shall prohibit the corporation from paying current members of the Association, including those currently serving as directors, for services provided to the corporation so long as a quorum of the disinterested Directors so approves.

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 name and post office address of the incorporator of this corporation is as follows:

Judy Scholle

1714 Bikini Court, Unit 105  
Cape Coral, FL 33904

#### ARTICLE XIV

The street address of the initial registered office of this corporation is 909 S.E. 47<sup>th</sup> Terrace, Suite 105, Cape Coral, Florida 33904, and the name of the initial registered agent of this corporation at that address is Sue Kase.

IN WITNESS WHEREOF, I the undersigned being the sole incorporator of the corporation do certify the facts stated herein are true and accordingly hereto have hereunto set my hand and seal this 20 day of JANUARY, 2004.

Signed, sealed and delivered  
in the presence of:

[Signature]  
Witness

[Signature]  
JUDY SCHOLLE

[Signature]  
Witness

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 20 day of JANUARY, 2004, by JUDY SCHOLLE, who is personally known to me or who has produced N/A as identification and who did not take an oath.

(Notary Seal)

[Signature]  
Signature of Notary Public

My Commission:

(Print, type or stamp commissioned name of Notary Public)



Dale Hitchings  
Commission # CC 941576  
Expires June 4, 2004  
Bonded Thru  
Atlantic Bonding Co., Inc.

In pursuance of Chapter 48.091, Florida Statutes, the following is submitted, in compliance, with said Act:

First--That CORAL CAY I CONDOMINIUM ASSOCIATION, INC. desiring to organize under the laws of the State of Florida, with its principal office, as indicated in the Articles of Incorporation, at 1714 Bikini Court, City of Cape Coral, County of Lee, State of Florida, has named Sue Kase, located at 909 S.E. 47<sup>th</sup> Terrace, Suite 105, City of Cape Coral, State of 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 provision of said Act relative to keeping open said office.

By:   
SUE KASE, Registered Agent

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