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04/12/04--01068--024 **61.25

04/12/04--01068--025 **761.25

FILED
2004 APR -8 P 2:10
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

TRANSMITTAL LETTER

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

SUBJECT: East Haven Condominium Association, Inc.
(PROPOSED CORPORATE NAME - MUST INCLUDE SUFFIX)

Enclosed is an original and one(1) copy of Reinstatement/Reincorporation and a check for :

FEES:

| | |
|--|----------------------------|
| ✓ Filing Fee | \$35.00 |
| ✓ Registered Agent | \$35.00 |
| ✓ Annual Reports for 1993 through present year | \$61.25 per calendar year. |

OPTIONAL:

✓ Certified Copy \$8.75 (plus \$1 per page over 8, not to exceed a maximum of \$52.50)
✓ Certificate of Status \$8.75

TOTAL \$ 761.25

FROM: Richard McGloin Sec.
Name (Printed or typed)

640 E. Atlantic Ave. # 1,
Address

Delray Beach, Florida 33483
City, State & Zip

561 - 715 - 4193
Daytime Telephone number

RECEIVED
DEPARTMENT OF STATE
DIVISION OF CORPORATIONS
TALLAHASSEE, FLORIDA

04 APR -8 PM 4:19

CERTIFICATE OF REINCORPORATION

FILED

Pursuant to s. 617.0901, Florida Statutes, this certificate of reincorporation was duly authorized by a meeting of its members regularly called or by a meeting of its board of directors if there were no members entitled to vote on the reincorporation.

2004 APR -8 P 2:10
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

ARTICLE I NAME

The name of the corporation shall be:

East Haven Condominium Association, Inc.

ARTICLE II PRINCIPAL OFFICE

The principal place of business and the mailing address of this corporation shall be:

34 S.E. 7th Avenue, Unit #11
Delray Beach, Florida 33483

ARTICLE III PURPOSE

The specific purpose for which the corporation is organized:

Organize the eleven member owners into an association to manage and implement the business of the condominium.

ARTICLE IV MANNER OF ELECTION

The manner in which the directors are elected or appointed:

Directors are elected by majority vote of all members.

ARTICLE V INITIAL REGISTERED AGENT AND STREET ADDRESS

The name and Florida street address of the registered agent is:

Maura Dersh-Wisserkerke
34 S.E. 7th Avenue, Unit #11
Delray Beach, Florida 33483

ARTICLE VI INCORPORATOR

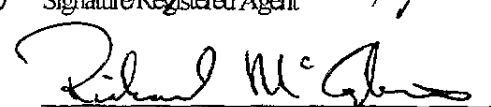
The name and address of the Incorporator is:

Richard McGloin
640 E. Atlantic Avenue Unit #1
Delray Beach, Florida 33483

Having been named as registered agent to accept service of process for the above stated corporation at the place designated in this certificate, I am familiar with and accept the appointment as registered agent and agree to act in this capacity.


Signature/Registered Agent


Date


Signature/Incorporator

3/31/04
Date

**APPLICATION FOR REINSTATEMENT AND REINCORPORATION OF
LEGISLATIVELY OR JUDICIALLY CHARTERED NOT FOR PROFIT
CORPORATION**

FILED

IN COMPLIANCE WITH s. 617.1623(1)(d), FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REINSTATE AND REINCORPORATE A NOT FOR PROFIT LEGISLATIVELY OR JUDICIALLY CHARTERED CORPORATION WHICH WAS DISSOLVED ON JULY 2, 1992, PURSUANT TO S. 617.1623(1)(c):

JUL 11 1992
2:10
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

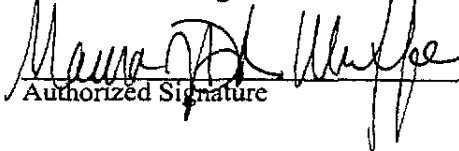
1. East Haven Condominium Association, Inc.
Name of corporation exactly as it appears in legislative or judicial charter.
2. 34 S.E. 7th Avenue, Delray Beach FL. 33483
Street address of the principal office of the corporation.
(This address will be used for the mailing of corporation annual reports)
3. June 27, 1968
Date of legislative or judicial incorporation

4. FEI Number - ☐ FEI Number applied for
☒ FEI Number not required

5. Name, address and title of current officers and/or directors:
(use additional page if necessary)

| Title | Name | Street Address | City/State/Zip |
|----------|-------------------------|-------------------------|------------------------|
| Pres. | Maura Dersh-Wisserkerke | 34 SE 7th Ave. #11 | Delray Beach, FL 33483 |
| VP/Tres. | Linda Serva | 34 SE 7th Ave. #10 | Delray Beach, FL 33483 |
| Sec. | Richard McGloin | 640 E. Atlantic Ave. #1 | Delray Beach, FL 33483 |
| | | | |
| | | | |

6. Attached is a copy of the judicial charter and all amendments thereto certified by the Circuit Court of the county wherein recorded or a copy of the chartering law certified by the Department of State, Division of Elections as to legislative charters and completed Certificate of Reincorporation.


Authorized Signature

MAURA J. DERSH-WISSEKERKE, PRESIDENT OF
Name and capacity of person signing application
(see S. 617.10201(6))
EAST HAVEN CONDO
ASSOCIATION

ARTICLES OF INCORPORATION

2004 APR -8 P 2:10

OF

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

EAST HAVEN CONDOMINIUM ASSOCIATION, INC.

The undersigned hereby associate themselves for the purpose of forming a corporation not for profit under Florida Statutes 1967, and certify as follows:

ARTICLE I - Name

The name of the Corporation shall be EAST HAVEN CONDOMINIUM ASSOCIATION, INC. For convenience the Corporation shall hereinafter be referred to as the Association. The address shall be 501 East Atlantic Avenue, Delray Beach, Florida.

ARTICLE II - Purpose

The purpose for which the Association is organized is stated as follows:

1. A Condominium known as EAST HAVEN, A CONDOMINIUM, is presently being erected or constructed upon the following described property situate in Palm Beach County, Florida:

Lots 19 and 20, Block 117, CITY OF DELRAY BEACH, according to the Plat thereof, recorded in Plat Book 1, page 3 of the Public Records of Palm Beach County, Florida.

2. The Condominium being erected or constructed upon the property described above shall consist of 11 single family residence apartment units together with other improvements. This Association is organized for the purpose of providing a means of administering the Condominium by the individual owners of the apartment units.

3. The Association shall make no distributions of income to its Members, Governors or Officers.

ARTICLE III - Powers

The powers of the Association shall include and be governed by the following provisions:

1. The Association shall have all of the common law and statutory powers of a corporation not for profit which are not otherwise contradicted by these Articles.

2. The Association shall have all of the powers reasonably necessary to accomplish and implement the purposes of the Association, including but not limited to the following:

- (a) To make and collect assessments against Members to defray the costs of the operation and management of the Condominium.
- (b) To use the proceeds of assessments in the exercise of its powers and duties.
- (c) To maintain, repair, replace and operate the condominium property.
- (d) To reconstruct the improvements of the Condominium in the event of casualty loss or damage.
- (e) To make and amend reasonable regulations respecting the use of the property of the Condominium, provided, however, that all such regulations and amendments thereto be approved by not less than eight of the eleven votes of the entire membership of the Association.
- (f) To approve or disapprove proposed purchasers, lessees and mortgagees of the apartment units in the manner set forth in the Declaration of Condominium.
- (g) To enforce the provisions of the Condominium Documents, these Articles, the By-Laws of the Association and the Regulations for the use of the property of the Condominium.
- (h) To contract for the management of the Condominium and to delegate to such person and/or persons all powers and duties of the Association except such as are specifically required by the Condominium Documents to have approval of the Board of Governors or the membership of the Association.

3. All funds acquired by the Association shall be held in trust for the members in accordance with the provisions of the Condominium Documents.

4. The powers of the Association shall be subject to the provisions of the Declaration of Condominium which governs the use of the land.

ARTICLE IV - Members

The qualification of members, the manner of their admission and voting by members shall be as follows:

1. All owners of apartment units in the Condominium shall be members of the Association.

2. No other persons or entities shall be entitled to membership except that the original Incorporators, Officers and Board of Governors need not be owners of apartment units in the

Condominium, and they shall serve in their capacity as Officers and Governors of the Association until their successors are elected and have qualified, or until removed.

3. Membership in the Association shall be established by the recording in the Public Records of Palm Beach County, Florida a deed or other instrument establishing a change of record title to an apartment in the Condominium and the delivery to the Association of a certified copy of such instruments; the new owner designated by such instrument thereby becoming a Member of the Association. The membership of the prior owner shall be thereby terminated.

4. The share of a Member in the funds and assets of the Association cannot be assigned, hypothecated or transferred in any manner except as an appurtenance to the apartments in the Condominium.

5. Members of the Association shall be entitled to one vote for each apartment owned by them and voting rights will be exercised in the manner provided by the By-Laws of the Association.

ARTICLE V - Governors

1. The affairs of the Association will be managed by a Board of not less than three (3) nor more than five (5) Governors as shall be determined by the By-Laws.

2. Governors of the Association shall be appointed or elected at the annual meeting of the Members in the manner determined by the By-Laws, except that for so long as METROPOLITAN TRUST, INC. owns two (2) or more than two (2) apartment units, it shall have the right to elect the majority of the Governors who need not be residents of the Condominium; however, this provision shall only apply until July 1, 1970, irrespective of the number of apartment units owned by the aforementioned METROPOLITAN TRUST, INC. at that time.

3. Governors may be removed and vacancies on the Board of Governors shall be filled in the manner provided by the By-Laws.

4. The names and addresses of the members of the first Board of Governors who shall hold office until their

successors are elected and have qualified, or until removed, are as follows:

V. V. Cooke, Sr.

955 S. Third Street
Louisville, Kentucky

C. H. Wells

955 S. Third Street
Louisville, Kentucky

John W. Spinner

501 E. Atlantic Avenue
Delray Beach, Florida

ARTICLE VI - Officers

The affairs of the Association shall be administered by officers elected by the Board of Governors at its first meeting following the annual meeting of the Members of the Association, which officers shall serve at the pleasure of the Board of Governors. The names and addresses of the officers who shall serve until their successors are designated by the Board of Governors are as follows:

V. V. Cooke, Sr., President

955 S. Third Street
Louisville, Kentucky

C. H. Wells, Vice President
and Treasurer

955 S. Third Street
Louisville, Kentucky

John W. Spinner, Secretary

501 E. Atlantic Avenue
Delray Beach, Florida

ARTICLE VII - Indemnification

Every Governor and every Officer of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonably incurred by or imposed upon him in connection with any proceeding to which he may be a party, or in which he may become involved, by reason of his being or having been a Governor or Officer of the Association, or any settlement thereof, whether or not he is a Governor or Officer at the time such expenses are incurred, except in such cases wherein the Governor or Officer is adjudged guilty of wilful misfeasance or malfeasance in the performance of his duties; provided that in the event of a settlement the indemnification herein shall apply only when the Board of Governors approves such settlement and reimbursement as being for the best interests of the Association. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which such Governor or Officer may be entitled.

ARTICLE VIII - By-Laws

The By-Laws of the Association shall be adopted by the Board of Governors, and may be altered, amended or rescinded in the manner provided by the By-Laws.

ARTICLE IX - Amendments

Amendments to the Articles of Incorporation shall be proposed and adopted in the following manner:

1. Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting at which a proposed amendment is considered.
2. A resolution approving a proposed amendment may be proposed by either the Board of Governors or by a member of the Association, and after being proposed, said amendment must be approved by not less than 8 of the 11 members of the Association. Members not present at a meeting and/or meetings considering an amendment may express their approval in writing.
3. A copy of each amendment shall be certified by the Secretary of State and recorded in the Public Records of Palm Beach County, Florida.

ARTICLE X - Term

The term of the Association shall be the life of the Condominium, unless the Association is terminated sooner in accordance with the Declaration. The Association shall be terminated by the termination of the Condominium in accordance with the provisions of the Condominium Documents.

ARTICLE XI - Subscribers

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

| | |
|------------------|---|
| V. V. Cooke, Sr. | 955 S. Third Street Louisville, Kentucky |
| C. H. Wells | 955 S. Third Street Louisville, Kentucky |
| John W. Spinner | 501 E. Atlantic Avenue Delray Beach, Florida |

IN WITNESS WHEREOF the subscribers have hereto affixed their signatures this 25th & 29th day of June, 1968.

V. V. COOKE, SR.
V. V. Cooke, Sr.

C. H. WELLS
C. H. Wells

STATE OF KENTUCKY }
COUNTY OF JEFFERSON }

BEFORE ME, the undersigned authority, personally
appeared V. V. COOKE, SR., and C. H. WELLS, who after being
sworn, acknowledged that they executed the foregoing Articles
of Incorporation for the purposes therein expressed this 25
day of JUNE, 1968.

/s/ C. L. KITCHEN
Notary Public

STATE OF FLORIDA }
COUNTY OF PALM BEACH }

BEFORE ME, the undersigned authority, personally
appeared JOHN W. SPINNER, who after being sworn, acknowledged
that he executed the foregoing Articles of Incorporation for the
purpose therein expressed this 27 day of JUNE, 1968.

/s/ DONALD M. PATE
Notary Public

RULES AND REGULATIONS

1. No sign, advertisement, notice or other lettering shall be exhibited, inscribed, painted or affixed by any apartment unit owner on any part of the outside or inside of the premises or building without the prior written consent of the Association.
 2. No awnings or other projections shall be attached to the outside walls of the building without the prior written consent of the Association.
 3. The walkways, entrances, stairways, corridors and halls must not be obstructed or encumbered, or used for any purpose other than ingress and egress to and from the apartment units.
 4. No vehicle or object other than a passenger vehicle shall be permitted to stand or be parked in the parking area in front of the building, nor shall any apartment unit owner use a parking space other than the one designated for him without the prior written consent of the Association.
 5. Children under the age of 12 years shall not be allowed to reside on the demised premises, although children under the aforementioned age may from time to time be housed as guests of an apartment unit owner.
 6. No garbage cans, supplies, milk bottles or other articles shall be placed in the halls or on the staircase landings, nor shall anything be hung from the windows. Neither shall any linens, cloths, clothing, curtains, rugs or mops be shaken or hung from any of the windows or doors.
 7. No apartment unit owner shall make or permit any disturbing noises in the building by himself, his family, servants, employees, agents, visitors and licensees, nor do or permit anything by such persons that will interfere with the rights, comforts or convenience of the other apartment unit owners.
- No apartment unit owner shall play upon or suffer to be played upon any musical instrument, or operate or suffer to be operated a phonograph, television set or radio in the demised premises between the hours of 11:00 P.M. and the following 8:00 A.M. if the same shall disturb or annoy other occupants of the building.
8. No radio or television installatoon shall be made without the written consent of the Association.
 9. No animals of any kind shall be kept or harbored in the premises unless the same in each instance be expressly permitted in writing by the Association, and such consent, if given, shall be revocable by the Association at any time.

Exhibit D

APR-28-1997 2:50pm 97-148084

ORB 9765 Pg 316

DOROTHY H. WILKEN, CLERK PB COUNTY, FL

ROBERT B. CHAPMAN
802 S. PROSPECT ST
BURLINGTON, VT 05401

EAST HAVEN CONDOMINIUM ASSOCIATION
34 SOUTHEAST 7TH AVENUE
DELRAY BEACH, FL 33483
(561) 272-4178

April 21, 1997

CLERK OF CIRCUIT COURTS

Palm Beach County
200 W. Atlantic Ave
Delray Beach, FL 33483

Please record the following amendments to the governing documents of the EAST HAVEN CONDOMINIUM ASSOCIATION which have been approved by the Board of Governors and the required majority of the owners of the Association in properly constituted meetings of the Board and Owners. The original documents are difficult to identify but have identifying numbers of 1688 at the bottom of each page and the page numbers begin with number 1583 and continue through 1688. Amendments are keyed to appropriate page numbers. Amendments are as follows:

A. Amend Paragraph I, subparagraph 1. of the Articles of Incorporation to read: "The office of the Association shall be at 34 Southeast 7th Avenue." (Page 1599)

B. Amend Paragraph II, subparagraph 1, of the By-Laws to read: "The annual member's meeting shall be held at the office of the corporation at Delray Beach, Florida within 60 days of the end of the Association's Fiscal Year at a date to be determined by the Board of Governors which in no case shall be no later than March 1 of each year, for the purpose of electing Governors and of transacting any other business authorized to be transacted by the members. (Page 1605)

C. Amend Declaration of Condominium, Page 10, Paragraph 13 (f) to read: "(f) Assessment and installments thereon not paid when due shall bear interest from the date when due until paid at the rate allowed in Chapter 718, Florida Statutes and the Association shall have a lien on each condominium parcel for any unpaid assessment and interest thereon as provided in Chapter 718.116, Florida Statutes. Said lien shall also secure reasonable attorney's fees incurred by the Association incident to the collection of such assessment or enforcement of such lien. However, no lien shall be recorded in the Public Records of Palm Beach County, Florida until an assessment remains unpaid at least thirty (30) days from date when due. The Association may charge a late fee not to exceed the amount allowed in Chapter 718.116, Florida Statutes and any payment received by the Association shall be applied first to any interest accrued by the Association, then to any administrative late fee, then to any costs and reasonable attorney's fees incurred in collection, and then to the delinquent assessment." (Page 1592)

The above changes have been approved by the Board of Governors and the Owners of the East Haven Condominium Association in duly warned and conducted meetings of said board and owners.

ROBERT B. CHAPMAN
President

ROBERT B. CHAPMAN personally appeared before me, identified himself with his Florida Driver's License Number C155-762-30-297-0, expiration date Aug 17, 1997, and signed the above in my presence on April 26, 1997. 97

Priscilla Ann Chandler
Priscilla Ann Chandler
Notary Public, State of Florida
Commission No. CC 605879
My Commission Exp. 1/19/2001
Bonded Through Fla. Notary Service & Bonding Co.

Priscilla Ann Chandler

FILED
2000 APR -8 P 2:10
TALLAHASSEE, FLORIDA
SECRETARY OF STATE