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**The Schweikhardt Law Firm, P.A.**

Benjamin T. Jepson  
Katherine Ann Schweikhardt  
William Schweikhardt

900 Sixth Avenue, South  
Naples, FL 34102  
(239) 262-2227  
Facsimile (239) 262-8287

May 5, 2004

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

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Re: Corporation

Dear Ladies/Sirs:

Enclosed for filing are the original and copy of the Articles of Incorporation regarding the following new Not-For-Profit Corporation:

**DON CARLOS CONDOMINIUM ASSOCIATION, INC.**

Also enclosed is our check in the amount of \$78.75, made payable to the Secretary of State to cover the filing fee.

Kindest regards.

Very truly yours,



Becky Armstead, Legal Assistant to  
Katherine Ann Schweikhardt

KAS/ba  
Enclosures

**ARTICLES OF INCORPORATION**  
**OF**  
**DON CARLOS CONDOMINIUM ASSOCIATION, INC.**

The undersigned hereby associate themselves for the purpose of forming a corporation not for profit under Chapter 617, Florida Statutes, and certify as follows:

**ARTICLE I. NAME**

The name of the corporation shall be DON CARLOS CONDOMINIUM ASSOCIATION, INC., hereinafter called the Association.

**ARTICLE II. PURPOSE**

1. The purpose for which the association is organized is to provide an entity pursuant to Chapter 718, Florida Statutes, hereinafter called the Condominium Act, for the operation of DON CARLOS, a Condominium, located upon the following lands:

See Exhibit "A" attached.

2. The Association shall make no distributions of income to its members, directors, or officers.

**ARTICLE III. PRINCIPAL OFFICE**

The principal office of the corporation shall be located at:

145 Oakwood Drive  
Naples, FL 3434110

**ARTICLE IV. 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 in conflict with the terms of these Articles.

2. The Association shall have all of the powers and duties set forth in the Condominium Act except as limited by these Articles and the Declaration of Condominium, hereinafter called the Declaration, and all of the powers and duties reasonably necessary to operate the Condominium as set forth in the Declaration and as it may be amended from time to time, including, but not limited to the following:

(a) To make and collect assessments against members to defray the costs, expenses, and losses 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 purchase insurance upon the condominium property and insurance for the protection of the Association and its members.

(e) To reconstruct improvements after casualty and to further improve the property.

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(f) To make and amend reasonable regulations respecting the use of the property in the condominium.

(g) To approve or disapprove the transfer and ownership of apartments as may be provided by the Declaration and the Bylaws.

(h) To enforce by legal means the provisions of the Condominium Act, the Declaration, these Articles, the Bylaws of the Association, and the regulations for the use of the condominium property.

(i) To contract for the management of the condominium and to delegate to such contractor all powers and duties of the Association except such as are specifically required by the Declaration to have approval of the Board of Directors or the membership of the Association.

(j) To contract for the management or operation of portions of the common elements susceptible to separate management or operation, and to lease such portions.

(k) To employ personnel to perform the services required for proper operation, and to lease such portions.

3. The Association shall have the power to purchase condominium units within the condominium.

4. All funds and the titles of all properties acquired by the Association and the proceeds thereof shall be held in trust for the members in accordance with the provisions of the Declaration, these Articles, and the By-laws.

5. The powers of the Association shall be subject to and shall be exercised in accordance with the provisions of the Declaration of the By-laws.

#### ARTICLE V. MEMBERS

1. The members of the Association shall consist of all of the record owners of condominium units.

2. Change of membership in the Association shall be established by the recording in the public records of Collier County, Florida, of a deed or other instrument establishing a record title to condominium units in the condominium and the delivery to the Association of a certified copy of such instrument, the owner designated by such instrument thereby becoming a member of the Association. The membership of the prior owner shall be thereby terminated.

3. 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 his condominium unit.

4. Each member of the Association shall be entitled to one vote for each condominium unit owned by him.

#### ARTICLE VI. DIRECTORS

1. The affairs of the Association will be managed by a Board consisting of the number of directors as shall be determined by the By-Laws, but not less than three directors, and in the absence of such determination shall consist of three directors.

2. Directors of the Association shall be elected at the annual meeting of the members in the manner determined by the By-Laws. Directors may be removed for cause and vacancies on the Board of Directors shall be filled in the same manner provided by the By-Laws.

3. The first election of the directors shall be held on June 15, 2004. The directors herein named shall serve

until the first election of directors, and any vacancies in their number occurring before the first election of directors, and any vacancies in their number occurring before the first election shall be filled by the remaining directors.

4. The names and addresses of the members of the first Board of Directors who shall hold office until their successors are elected and have qualified, or until removed, are as follows:

<u>NAME</u>	<u>ADDRESS</u>
WALDEMAR BOKRAND	145 Oakwood Drive Naples, FL 34110
HENRIETTE BOKRAND	145 Oakwood Drive Naples, FL 34110

#### ARTICLE VII. OFFICERS

The affairs of the Association shall be administered by officers elected by the Board of Directors 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 Directors. The names and addresses of the officers who shall serve until their successors are designated by the Board of Directors are as follows:

President: WALDEMAR BOKRAND  
Vice President: HENRIETTE BOKRAND  
Secretary: HENRIETTE BOKRAND

#### ARTICLE VIII. REGISTERED AGENT

The registered agent for the corporation will be:

KATHERINE ANN SCHWEIKHARDT  
900 Sixth Avenue South  
Suite 203  
Naples, Florida 34102.

I, Katherine Ann Schweikhardt, hereby am familiar with and accept the duties and responsibilities of Registered Agent.

  
Katherine Ann Schweikhardt

#### ARTICLE IX. INDEMNIFICATION

Every director 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 when 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 director or officer of the Association, or any settlement thereof, whether or not he is a director or officer at the time such expenses are incurred, excepts in such cases wherein the director or officer is adjudged guilty of 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 Directors 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 director or officer may be entitled.

#### ARTICLE X. BY-LAWS

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

#### ARTICLE XI. 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 Directors or by the members of the Association. Directors and members not present in person or by proxy at the meetings considering the amendment may express their approval in writing, providing such approval is delivered to the Secretary at or prior to the meeting.

3. Approval of the amendments must be by not less than seventy-five percent (75%) of the votes of the entire membership of the Association. Provided however, that no amendment shall make any changes in Article IV, not any change in Section 3 of Article III, without approval in writing by eighty percent (80%) of the entire membership of the Association.

4. A copy of each amendment shall be certified by the Secretary of State and recorded in the public records of Collier County, Florida.

#### ARTICLE XII. TERM

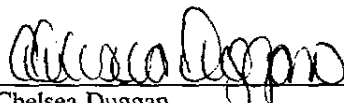
The term of the Association shall be perpetual.

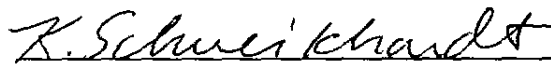
ARTICLE XIII. SUBSCRIBERS

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

<u>NAME</u>	<u>ADDRESS</u>
CHELSEA DUGGAN	900 Sixth Avenue South Naples, Florida 34102
KATHERINE ANN SCHWEIKHARDT	900 Sixth Avenue South Naples, Florida 34102
WILLIAM SCHWEIKHARDT	900 Sixth Avenue South Naples, FL 34102

their signatures on this 5<sup>th</sup> day of May, 2004

  
Chelsea Duggan

  
Katherine Ann Schweikhardt

  
William Schweikhardt

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\$4.50 OR: 3537 PG: 03987C \*\*\*

Commence at a concrete marker which is the Northeast corner of Block "B" of Kings Lake, Unit 4, a Subdivision according to the plat recorded in Plat Book 13, Pages 71 through 73, of the Public Records of Collier County, Florida; thence run South 00°37'10" East along the West right of way of Kings Lake Boulevard a distance of 650.00 feet; thence run South 89°22'50" West a distance of 156.85 feet; thence run South 00°37'10" East a distance of 114.13 feet; thence run South 89°22'50" West a distance of 100.40 feet to the point of beginning; thence run South 24°49'12" East a distance of 41.17 feet; thence run North 81°49'09" West a distance of 26.83 feet; thence run North 24°49'12" West a distance of 36.67 feet; thence run North 30°16'50" East a distance of 38.50 feet; thence run North 59°43'10" West a distance of 0.67 feet; thence run North 30°16'50" East a distance of 15.17 feet; thence run South 59°43'10" East a distance of 21.17 feet; thence run South 30°16'50" West a distance of 2.50 feet; thence run South 59°43'10" East a distance of 0.67 feet; thence run South 30°16'50" West a distance of 38.50 feet to the point of beginning.

AND

A portion of Block "B", Replat of Kings Lake, Unit 4, according to the plat thereof recorded in Plat Book 13, Pages 82 through 83, of the Public Records of Collier County, Florida., more particularly described as follows:

Commence at a concrete marker which is the Northeast corner of Block "B" of Kings Lake, Unit 4, a Subdivision, according to the plat thereof recorded in Plat Book 13, Pages 71 through 73, of the Public Records of Collier County, Florida; thence run South 00°37'10" East along the West right of way of Kings Lake Boulevard a distance of 650.00 feet; thence South 89°22'50" West along the centerline of a 10 foot drainage easement as shown in said plat for a distance of 156.85 feet; thence run South 00°37'10" East a distance of 114.13 feet; thence South 89°22'50" West for 75.73 feet to the point of beginning; thence run South 24°49'12" East a distance of 45.67 feet; thence run North 81°49'09" West a distance of 26.84 feet; thence run North 24°49'12" West a distance of 41.17 feet; thence run North 30°16'50" East a distance of 38.50 feet; thence run North 59°43'10" West a distance of 0.67 feet; thence run North 30°16'50" East a distance of 15.17 feet; thence run South 59°43'10" East a distance of 21.17 feet; thence run South 30°16'50" West a distance of 2.50 feet; thence run South 59°43'10" East a distance of 0.67 feet; thence run South 30°16'50" West a distance of 38.50 feet to the point of beginning, a/k/a Unit 7, Lakes Village.

AND

Commence at a concrete marker which is the Northeast corner of Block "B" of Kings Lake, Unit 4, a Subdivision, according to the plat thereof recorded in Plat Book 13, Pages 71 through 73, of the Public Records of Collier County, Florida; thence run South 00°37'10" East along the West right of way of Kings Lake Boulevard a distance of 658.00 feet; thence run South 89°22'50" West a distance of 156.85 feet; thence run South 00°37'10" East a distance of 114.13 feet; thence run South 89°22'50" West a distance of 47.76 feet to the point of beginning; thence run South 30°16'50" West a distance of 3.69 feet; thence run South 24°49'12" East a distance of 41.59 feet to a point on a curve concave to the Southeast; thence run along said curve having a radius of 15.00 feet thru a central angle of 44°55'01" a distance of 11.76 feet to a point of tangency; thence run North 81°49'09" West a distance of 14.12 feet; thence run North 24°49'12" West a distance of 45.67 feet; thence run North 30°16'50" East a distance of 38.50 feet; thence run North 59°43'10" West a distance of 0.67 feet; thence run North 30°16'50" East a distance of 15.17 feet; thence run South 59°43'10" East a distance of 24.67 feet; thence run South 30°16'50" West a distance of 39.31 feet to the point of beginning.



\$4.50 OR: 3537 PG: 03987B

A portion of Block "B", Replat of parts of Kings Lake, according to the plat thereof recorded in Plat Book 13, Pages 82 and 83, of the Public Records of Collier County, Florida, more particularly described as follows:

Commence at the Northeast corner of said Block "B"; thence run South 00°37'10" East along the East line of said Block "B" for a distance of 650.00 feet; thence run South 89°22'50" West along the centerline of a 10 foot drainage easement as shown on said plat for a distance of 156.85 feet to the point of beginning of the parcel of land hereinafter described; thence continue South 89°22'50" along the centerline of said 10 foot drainage easement for a distance of 272.26 feet to a point of intersection with the West line of said Block "B" and a point on a curve; thence run Southwesterly along the Westerly line of said Block "B" and the arc of a non-tangential curve concave to the Northwest having a radius of 174.56 feet, a central angle of 26°15'30", an arc length of 80.00 feet, and a chord which bears South 20°55'29" West to a point; thence run South 62°22'59" East for a distance of 342.09 feet; thence run North 00°37'10" West for a distance of 235.61 feet to the point of beginning; containing 1.04 acres of land, more or less; subject to easements and restrictions of record.

AND

A portion of Block "B", Replat of parts of Kings Lake, according to the plat thereof recorded in Plat Book 13, Pages 82 and 83, of the Public Records of Collier County, Florida, more particularly described as follows:

Commence at the Northeast corner of said Block "B"; thence run South 00°37'10" East along the East line of said Block "B" for a distance of 650.00 feet to the point of beginning of the parcel of land hereinafter described; thence continue South 00°37'10" East along the East line of said Block "B" for a distance of 138.86 feet; thence run South 89°22'50" West for a distance of 156.85 feet; thence run North 00°37'10" West for a distance of 138.86 feet to a point of intersection with the centerline of a 10 foot drainage easement as shown on said plat; thence run North 89°22'50" East along the centerline of said 10 foot drainage easement for a distance of 156.85 feet to the point of beginning; containing 0.50 acres of land, more or less; subject to easements and restrictions of record.

LESS AND EXCEPT THE FOLLOWING:

Commence at a concrete marker which is the Northeast corner of Block "B" of Kings Lake, Unit 4, a Subdivision according to the plat recorded in Plat Book 13, Pages 71 through 73, of the Public Records of Collier County, Florida; thence run South 00°37'10" East along the West right of way of Kings Lake Boulevard a distance of 650.00 feet; thence run South 89°22'50" West a distance of 156.85 feet; thence run South 00°37'10" East a distance of 114.13 feet; thence run South 89°22'50" West a distance of 125.07 feet to the point of beginning; thence run South 24°49'12" East a distance of 36.67 feet; thence run North 81°49'09" West a distance of 10.54 feet to a point of curvature of a curve concave to the Southwest; thence run along said curve having a radius of 15.00 feet a distance of 14.92 feet through a central angle of 56°59'57" to the point of tangency; thence run North 24°49'12" West a distance of 34.96 feet; thence run North 30°16'50" East a distance of 44.33 feet, thence run South 59°43'10" East a distance of 21.83 feet; thence run South 30°16'50" West a distance of 2.50 feet; thence run South 59°43'10" East a distance of 0.67 feet; thence run South 30°16'50" West a distance of 38.50 feet to the point of beginning.

AND