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05 FEB -7 PM 1:32

TRANSMITTAL LETTER

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

SUBJECT: The Pond Group, Inc.

(PROPOSED CORPORATE NAME - MUST INCLUDE SUFFIX)

Enclosed is an original and one(1) copy of the Articles of Incorporation and a check for :

☐ \$70.00  
Filing Fee

☐ \$78.75  
Filing Fee &  
Certificate of  
Status

☐ \$78.75  
Filing Fee  
& Certified Copy

☒ \$87.50  
Filing Fee,  
Certified Copy  
& Certificate

ADDITIONAL COPY REQUIRED

FROM: Jerry Tootle

Name (Printed or typed)

124 Lookout Dr

Address

Apelle Beach, FL 33572

City, State & Zip

\_\_\_\_\_  
Daytime Telephone number

NOTE: Please provide the original and one copy of the articles.

**ARTICLES OF INCORPORATION**  
**FOR**  
**THE POND GROUP, INC.**  
**A Florida Corporation Not For Profit**

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SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
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The undersigned incorporator, a resident of the State of Florida, hereby makes, subscribes, acknowledges and files with the Department of the state of Florida these Articles of Incorporation for the purpose of forming a not for profit under the laws of the State of Florida.

**ARTICLE I**

**NAME**

The name of this corporation is THE POND GROUP, INC., a Florida corporation not for profit (hereinafter called the "Association" in these Articles).

**ARTICLE II**

**OFFICE AND REGISTERED AGENT**

This Association's principal office is P.O. Box 123, Ruskin Florida, 33575 and is physically located at 24 Thriftway Plaza, Ruskin, Florida 33575, located within Hillsborough County, Florida. The Association's office may be changed by the Association's Board of Directors as provided by law.

### ARTICLE III

#### PURPOSE

This Association does not contemplate pecuniary gain or profit to its members and the specific purposes for which it is formed are to :

- A. Promote interest among the residents of the city of Apollo Beach who live on the waterfront and adjacent to the pond along the east side of Lookout Drive including Lakeway Lane to the northeast of Lookout Drive to the pond's end at the Flamingo canal to the south: to foster interest pertaining to neighborhood issues to include, but not be limited to, civic, economic, educational, safety, cultural, recreational, and environmental conditions and its adjacent areas.
- B. Inform its membership of public issues impacting the Association including, but not limited to, zoning, transportation, sewer, water and drainage.
- C. Network with other organizations for cooperation and information.
- D. Reserved

### ARTICLE IV

#### MEMBERSHIP

There are be two (2) classes of membership.

- A. Regular members – Property owning residents within the Association (as defined in Article III A.). A membership shall be defined as one household and have one vote at general or special meetings of the Association that are properly noticed.

E. Commercial members – Business representatives within the Association's boundaries may participate through the formation of an alliance. They will not have voting rights on the Association's matters.

## ARTICLE V

### OFFICERS AND DIRECTORS

All Officers and Directors must be regular members of the Association.

A) Officers - The officers of the Association shall be President, vice President, Secretary, and Treasurer. The election of these officers shall be on a bi-annual basis and they shall serve during their term of two years or until replacements are elected. Officers may be reelected for successive terms. They will serve as members of the Board of Directors. The President will act as Chairman of the Board.

B) Directors - The Board of Directors shall consist of three (3) directors, in addition to the four (4) serving officers of the Association. To insure continuity, these three directors shall be elected for terms that do not coincide with the serving officers. Directors may be reelected for successive two-year terms. All members of the Board must be regular members of the Association.

F. Vacancies - If any vacancy occurs for any reason among the officers and directors before their expired term such vacancy shall be filled by majority vote of the Board of Directors. Removal of any elected or appointed officer may be done when it is in the best interest of the Association and it is the majority vote of the Board of Directors.

G. Initial Officers – The following officers have been duly elected on December 9, 2004 by the membership to serve 2 year terms effective January 1, 2005.

President: Donald Harlson  
224 Lookout Drive  
Apollo Beach, FL 33572

Vice-President: Sharon O'Leary  
202 Lookout Drive  
Apollo Beach, FL 33572

Secretary: Jeremy Foster-Fell  
206 Lookout Drive  
Apollo Beach, FL 33572

Treasurer: Violet Collins  
226 Lookout Drive  
Apollo Beach, FL 33572

H. Initial Directors – The following directors have been duly elected by the membership on December 9, 2004 to serve one (1) year term effective January 1, 2005.

Director 1: Jerry Tootle  
124 Lookout Drive  
Apollo Beach, FL 33572

Director 2: Kathleen Picone  
128 Lookout Drive  
Apollo Beach, FL 33572

Director3: David Mercer  
317 Lakeway Lane  
Apollo Beach, FL 33572

## ARTICLE VI

### BY-LAWS

*This Association's By-Laws have been initially adopted and ratified by the membership on December 9, 2004. Thereafter the Association's By-Laws may be altered as stipulated in the adopted by-laws.*

## ARTICLE VII

### AMENDMENTS TO ARTICLES OF INCORPORATION

The Articles of Incorporation for the Association may be amended, repealed, or adopted at the annual meeting, scheduled regular meeting, or at any special meeting called for that purpose. At least one (1) week notice prior to the meeting must be presented to the Board of Directors, which includes the specific proposal(s) on the existing Articles of Incorporation and/or the Association. The proposal will be adopted if passed by vote by two-thirds (2/3) of the members present and the quorum are present.

## ARTICLE VIII

### INITIAL REGISTERED AGENT AND STREET ADDRESS

The initial registered Agent and street address for the Association is:

Jerry E. Tootle  
124 Lookout Drive  
Apollo Beach, FL 33572

The registered agent and address may be changed by the Association's Board of Directors, as provided by law.

HAVING BEEN NAMED as registered agent to accept service of process for the 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]  
Signature/Registered Agent

JERRY E. TOOTLE  
Printed Name/Registered Agent

2/2/2005  
Date

ARTICLE VIII

INCORPORATOR

The Incorporator for the Articles of Incorporation for THE POND GROUP, INC is:

Jerry E. Tootle  
124 Lookout Drive  
Apollo Beach, FL 33572

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, I, the undersigned, constituting the incorporator, have executed these Articles of Incorporation for THE POND GROUP, INC.

[Signature]  
Signature/Incorporator  
STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

JERRY E. TOOTLE  
Printed Name/ Incorporator

2/2/2005  
Date

BEFORE ME, the undersigned authority, this day personally appeared Jerry E. Tootle and Jerry E. Tootle to me well known to be the persons described in, and who signed the foregoing Articles of Incorporation of THE POND GROUP, INC. and who acknowledged to me that they executed and subscribed such Articles of Incorporation for the purpose set forth herein. They are personally known to me and did (did not) take an oath.

WITNESS my hand and official seal this 2<sup>nd</sup> day of February, 2005.

My Commission Number: DD278688

My Commission Expires: January 4, 2008

Heather Kersting  
Notary Public, State of Florida

Heather Kersting  
Please Print Name



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