

N 05 00000 3819

AFFIDAVIT OF ALAN PERRY

STATE OF FLORIDA  
COUNTY OF BROWARD

800417244048

BEFORE ME, the undersigned authority, personally appeared Alan Perry ("Affiant"), whom, after being duly cautioned and sworn, upon his oath, deposes and states the following:

1. The facts stated in this Affidavit are true and based on my own personal knowledge.

2. Alster Industrial Park Bay Owner's Association (the "Association") is a Florida not-for-profit corporation that is the community association for Alster Industrial Park.

3. I was elected, and have been serving, as the President of the Association since 2020.

4. No other officer or directors were elected or appointed since I became President in 2020.

5. On October 17, 2023, I became aware that on October 17, 2023, Jonathan Scott filed an Amended Annual Report falsely claiming that he is the Director, President, Vice President, Secretary and Treasurer of the Association.

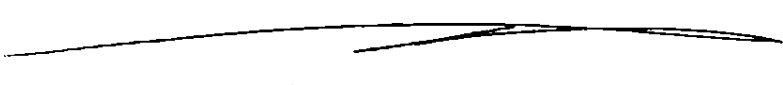
6. Jonathan Scott is one of the owners of a unit in Alster Industrial Park (which he owns with his wife Lubianca Scott) but he has never been elected to any position on the Board of Directors and he had no authority to file the Amended Annual Report on behalf of the Association.

7. Jonathan had informal conversations with some owners in the Association and he claims that he interpreted those conversations as being a proper vote based on the Bylaws of the Association. No proper vote was held.

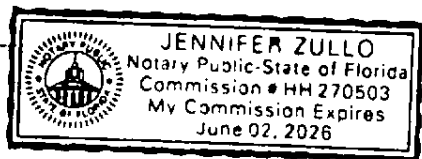
8. Attached to this Affidavit, as Exhibit "A", is true and correct copy of an email from Jonathan Scott, dated October 24, 2023, confirming, among other things, that "...my election was not valid and I am not president of our association."

9. I have filed a second Amended Annual Report to correct the records with the Department of State, Division of Corporations.

10. I am familiar with the nature of an oath and with the penalties provided by Florida law for falsely swearing to statements made in an instrument of this nature.

  
\_\_\_\_\_  
Alan Perry

SWORN TO AND SUBSCRIBED before me by means of (☒) physical presence or (☐) online notarization, this 25 day of October, 2023, by Alan Perry, who (☒) is personally known to me or (☐) produced a driver's license as identification.



  
\_\_\_\_\_  
NOTARY PUBLIC

Print/Type/Stamp Name:

Commission Expiration Date:

Notary Seal:

## EXHIBIT "A"

Email from Jonathan Scott

----- Forwarded Message -----

**From:** Jon Scott <[bhacds@yahoo.com](mailto:bhacds@yahoo.com)>

**To:** Eric Markarian <[ericmarkarian74@gmail.com](mailto:ericmarkarian74@gmail.com)>; Shannon Kelleher <[rccc1@bellsouth.net](mailto:rccc1@bellsouth.net)>; Michelle Kelleher <[oldstang2001@yahoo.com](mailto:oldstang2001@yahoo.com)>; Charles Fox <[amfoxroofing@aol.com](mailto:amfoxroofing@aol.com)>; Mozzarita <[norbaimport@bellsouth.net](mailto:norbaimport@bellsouth.net)>

**Cc:** Lubianca <[lubijoy@hotmail.com](mailto:lubijoy@hotmail.com)>; Dominick Colasuonno <[dom@urbancontracting.org](mailto:dom@urbancontracting.org)>

**Sent:** Tuesday, October 24, 2023 at 01:52:33 PM EDT

**Subject:** Election of Alster President -- UPDATE

All,

After the vote for president was conducted, Eric has stated that Dom as his proxy did not vote according to his wishes. Additionally, Shannon and I have opposite recollections of a phone conversation and he has said he did not vote for me as president. As I no longer have five votes for president (three does not a majority make!), my election was not valid and I am not president of our association.

Alan can no longer be president as he is no longer a board member thus cannot serve as an officer or the corporation... (but someone else may have a different interpretation of the by-laws).

Moving forward, a new officer needs to be elected, sunbiz needs to be edited and meeting minutes submitted to the bank. (I have given a credit to our account that will more than cover the expenses associated with these changes.)

In the future, if I were to be nominated for any officer position in our association, I will steadfastly refuse the nomination.

I have given Vito written authorization to act as my proxy for all association issues for the duration of my ownership in Alster. This now gives Vito four of the eight votes and I believe he holds "tie breaker" as well since he votes he has represent the majority of the common expenses... but again, someone else may have a different opinion of the by-laws.

I wish you all the best of luck.

Warm regards,

Jon and Lubianca