

N 05 0000 9602

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP

☐ WAIT

☐ MAIL

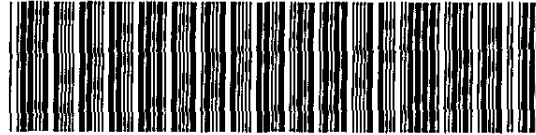
(Business Entity Name)

(Document Number)

Certified Copies \_\_\_\_\_ Certificates of Status \_\_\_\_\_

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J. Shivers SEP 19 2005

DEBIT ROLL #  
072100000305

**ATTORNEYS' TITLE**

Requestor's Name

1965 Capital Circle NE, Suite A

Address

Tallahassee, Fl 32308

850-222-2785

City/St/Zip

Phone #

**CORPORATION NAME(S) & DOCUMENT NUMBER(S), (if known):**

- 1- THE PRESERVE AT BAL HARBOR CONDOMINIUM ASSOCIATION, INC.
- 2-
- 3-
- 4-

- ☒ Walk-in      ☐ Pick-up time ASAP      ☐ Certified Copy  
☐ Mail-out      ☐ Will wait      ☐ Photocopy      ☐ Certificate of Status

NEW FILINGS	
<input type="checkbox"/>	Profit
<input checked="" type="checkbox"/>	Non-Profit
<input type="checkbox"/>	Limited Liability
<input type="checkbox"/>	Domestication
<input type="checkbox"/>	Other

AMENDMENTS	
<input type="checkbox"/>	Amendment
<input type="checkbox"/>	Resignation of R.A., Officer/Director
<input type="checkbox"/>	Change of Registered Agent
<input type="checkbox"/>	Dissolution/Withdrawal
<input type="checkbox"/>	Merger

OTHER FILINGS	
<input type="checkbox"/>	Annual Report
<input type="checkbox"/>	Fictitious Name
<input type="checkbox"/>	Name Reservation

REGISTRATION/QUALIFICATION	
<input type="checkbox"/>	Foreign
<input type="checkbox"/>	Limited Partnership
<input type="checkbox"/>	Reinstatement
<input type="checkbox"/>	Trademark
<input type="checkbox"/>	Other

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Examiner's Initials

**ARTICLES OF INCORPORATION**  
**OF**  
**THE PRESERVE AT BAL HARBOR CONDOMINIUM ASSOCIATION,**  
**INC.**

(A NONPROFIT FLORIDA CORPORATION)

**ARTICLE I**

The name of this corporation is THE PRESERVE AT BAL HARBOR CONDOMINIUM ASSOCIATION, INC. (hereinafter the "Association"). The principal address for the office of the Association is 2100 Bal Harbor Blvd., Punta Gorda, Florida 33950.

**ARTICLE II**

The purpose for which this Association is organized is to act as the governing association of THE PRESERVE AT BAL HARBOR, A CONDOMINIUM, located in Punta Gorda, Florida. The object and purposes for which this Association is established are solely for those exempt purposes as defined in Section 501(c)(3) of the Internal Revenue Code of 1986, and specifically, do not include pecuniary profit, gain, or private advantage for the incorporators, directors, officers, or for the Association.

**ARTICLE III**

The qualifications of members and the manner of their admission shall be as follows: Any person or persons who hold title in fee simple to a Condominium Unit in the Condominium shall by virtue of such ownership be a member of this Association.

**ARTICLE IV**

This Association shall exist perpetually. Should the Association be dissolved, the property consisting of the surface water management system shall be conveyed to an appropriate agency of local government, and if not accepted, then the surface water management system shall be dedicated to a similar non-profit corporation.

**ARTICLE V**

The name and address of the subscriber to these Articles of Incorporation is as follows:

Name

Address

Miko P. Gunderson

18401 Murdock Circle  
Port Charlotte, Florida 33948

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## ARTICLE VI

The affairs of the Association are to be managed initially by a Board of Directors comprised of three (3) individuals who will be elected each year at the annual meeting of the Association as provided for in the By-Laws. At such time as the Developer has relinquished control of the Association as provided by the Condominium Act, the Board of Directors may be composed of any odd number of Directors not less than three (3) nor more than five (5).

## ARTICLE VII

The number of persons constituting the first Board of Directors shall be three (3) and their names and addresses are as follows:

<u>Names</u>	<u>Addresses</u>
John Wise	175 Portland Street Boston, MA 02114
Jean Scarborough	175 Portland Street Boston, MA 02114
Don Pizzuti	197 Portland Street Boston, MA 02114

## ARTICLE VIII

The names of the officers who are to serve until the first election or appointment under the Articles of Incorporation are:

<u>Names</u>	<u>Title</u>	<u>Addresses</u>
Don Pizzuti	President	197 Portland Street Boston, MA 02114
John Wise	Vice President	175 Portland Street Boston, MA 02114
Don Pizzuti	Treasurer	197 Portland Street Boston, MA 02114
John Wise	Secretary	175 Portland Street Boston, MA 02114

## ARTICLE IX

All of the powers and duties of the Association existing under the Articles of Incorporation shall be exercised exclusively by the Board of Directors, or its duly authorized agents, contractors, or employees subject only to the approval by the Unit Owners when such is specifically required. The Board of Directors shall have all the powers contained in the Declaration of Condominium, By-Laws, and as permitted by law, including, but not limited to, the following:

A. To make and collect Assessments against Unit Owners to defray the costs, expenses and losses of the Association and Association property.

B. To use the proceeds of Assessments in the exercise of its powers and duties.

C. The maintenance, repair, replacement and operation of the Condominium Property.

D. The reconstruction of improvements after casualty and the further improvement of the Condominium Property.

E. To make and amend the Rules and Regulations.

F. To approve or disapprove proposed transactions on behalf of the Association.

G. To enforce by legal means the provisions of applicable laws, the Declaration of Condominium, these Articles of Incorporation, the Bylaws, and the Rules and Regulations for the use of the Condominium Property and to charge reasonable penalties and fines against Unit Owners for violation of the Declaration of Condominium, these Articles of Incorporation, the By-Laws, and the Rules and Regulations as promulgated by the Board of Directors.

H. To contract for management of the Condominium.

I. To pay taxes and assessments which are liens against any part of the Condominium other than individual units and the appurtenances thereto, and to assess the same against the Unit subject to such liens.

J. To carry insurance for the protection of the Unit Owners and the Association against casualty and liabilities.

K. To pay the cost of all water, sewer, electricity, telephone, and other utility services rendered to the Condominium and not billed to the Unit Owners.

L. To employ personnel for reasonable compensation to perform the services required for proper administration of the purposes of the Association.

M. To acquire and to enter into agreements whereby the Association acquires leaseholds, memberships and other possessory or use interest in lands or facilities for the enjoyment, recreation or other use and benefit of the Unit Owners.

N. To own, hold, lease, mortgage and convey all kinds of property.

O. To maintain a class action on behalf of the Association and to settle a cause of action on behalf of the Unit Owners with reference to matters of common interest.

P. To convey a portion of the Common Elements to a condemning authority for the purpose of providing utility easements, right-of-way expansion, or other public purposes, whether negotiated or as a result of eminent domain proceedings.

Q. To operate and maintain the Surface Water Management System Facilities, including all inlets, ditches, swales, culverts, water control structures, retention and detention areas, ponds, lakes, floodplain compensation areas, wetlands and any associated buffer areas, and wetland mitigation areas.

R. To contract for services to provide for operation and maintenance of the Surface Water Management System Facilities if the Association contemplates employing a maintenance company.

## **ARTICLE X**

The By-Laws of the Association are to be made, altered or rescinded by a majority vote of the members and Directors of the Association.

## ARTICLE XI

Amendments to these Articles of Incorporation may be proposed and adopted as follows:

An Amendment may be proposed by either the Board of Directors or by any Unit Owner and may be considered at any meeting of the Unit Owners, regular or special, or which due notice has been given according to the By-Laws, which includes a notice of the substance of the proposed amendment.

The Amendment must be approved by a vote of a majority of the members of the Association.

## ARTICLE XII

Each Unit in the Condominium shall have one (1) full vote, which vote shall be cast by a designated Unit Owner as provided for in the Declaration of Condominium.

## ARTICLE XIII

This Association reserves the right to amend or repeal any provisions contained in these Articles of Incorporation.

## ARTICLE XIV

No part of the net earnings of this Association shall inure to the benefit of any member or individual, except through the acquisition, construction, management, maintenance, or care of association property or through the rebate of the excess membership dues, fees, or assessments.

IN WITNESS WHEREOF, the undersigned subscriber has executed these Articles of Incorporation this 15 day of September, 2005.

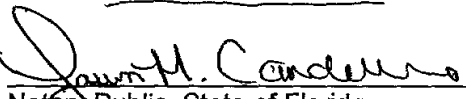
  
MIKO P. GUNDERSON

STATE OF FLORIDA            )  
  )  
COUNTY OF CHARLOTTE    )

The foregoing instrument was acknowledged before me this 15 day of September, 2005, by MIKO P. GUNDERSON, who is personally known to me and who did not take an oath.



**Fawn M. Candelmo**  
Commission # DD279393  
Expires January 6, 2008  
Burdette Gray Palm - Insurance, Inc. 800-365-7019

  
Notary Public, State of Florida  
My Commission Expires:

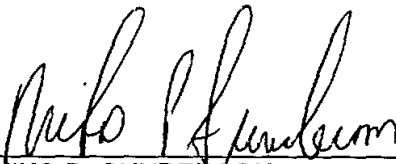
**CERTIFICATE DESIGNATING A REGISTERED AGENT  
AND REGISTERED OFFICE FOR THE SERVICE OF PROCESS**

In compliance with Section 48.091, Florida Statutes, the following is submitted:

**THE PRESERVE AT BAL HARBOR CONDOMINIUM ASSOCIATION, INC.**, a non-profit Florida corporation, desiring to organize under the laws of the State of Florida with its principal office, as indicated in the Articles of Incorporation, at Punta Gorda, County of Charlotte, State of Florida, has designated MIKO P. GUNDERSON, whose street address is 18501 Murdock Circle, Suite 101, Port Charlotte, County of Charlotte, State of Florida, 33948-1088, as its agent to accept service of process within this state.

**ACCEPTANCE**

Having been designated as agent to accept service of process for the above-named corporation, at the place stated in this certificate, I hereby agree to act in this capacity and to comply with the provision of said law relative to same.

  
MIKO P. GUNDERSON

551715a17 legal.wpd

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