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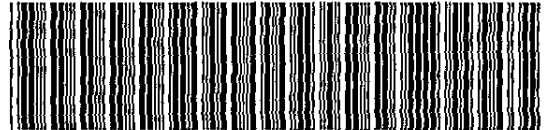
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MAY 12 2006
TALLAHASSEE, FLORIDA

FILED
MAY 12 2006

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J. Shivers MAY 12 2006

ROBERT T. MAHER
ATTORNEY

CERTIFIED CIRCUIT COURT MEDIATOR
CERTIFIED COUNTY COURT MEDIATOR
BUSINESS LAW
CONSTRUCTION & LIEN LAW

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April 27, 2006

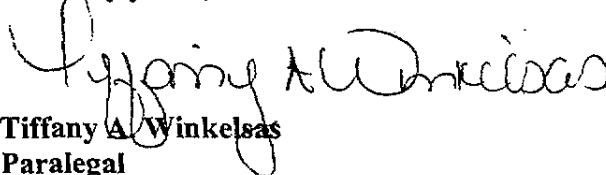
Secretary of State
Division of Corporations
409 E. Gaines Street
Tallahassee, Florida 32399

RE: Lost Tree Condominium Association, Inc.

Dear Madam or Sir:

Enclosed is the Articles of Incorporation for the above named for profit corporation together with my check in the amount of \$78.75 for the filing fee, registered agent designation fee and certified copy fee.

Sincerely yours,


Tiffany A. Winkelsas
Paralegal

FILED
06 MAY - 1 AM 11:12
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

**ARTICLES OF INCORPORATION
OF
LOST TREE CONDOMINIUM ASSOCIATION, INC.**

In compliance with the requirements of Chapter 617, Florida Statutes, the undersigned, being a natural person, hereby acts as an incorporator in adopting and filing the following articles of incorporation for the purpose of organizing a not for profit corporation.

ARTICLE I - CORPORATE NAME.

The name of this corporation is *Lost Tree Condominium Association, Inc.*

ARTICLE II - PRINCIPAL OFFICE.

The principal place of business and mailing address of this corporation are 15105 Pine Meadow Drive, Fort Myers, Florida 33908.

ARTICLE III - PURPOSE

The purposes for which this association is formed are as follows:

- A. To form an "Association" as defined in Chapter 718, Florida Statutes ("Condominium Act"), as enacted upon the date of recording of the Declaration of Condominium, (the "Declaration") and to perform the acts and duties necessary and desirable for the management of the Units and Common Elements in Lost Tree Condominium, a condominium (referred to herein as the "Condominium") and to own, operate, lease, sell and trade property whether real or personal, including Units in the Condominium, as may be necessary or convenient in the administration of the Condominium.**
- B. To carry out the duties and obligations and receive the benefits given the Association by the Declaration.**
- C. To establish Bylaws for the operation of the Condominium Property (referred to herein as the "Bylaws"), provide for the administration of the Association, establish Rules and Regulations for governing the same, and enforce the provisions of the Condominium Act, the Declaration, these Articles of Incorporation and the Bylaws.**
- D. To have all the common law and statutory powers provided under the laws of the State of Florida, and those powers provided by the Condominium Act, the Declaration, these Articles and Bylaws of the Association and Chapter**

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617, Florida Statutes.

- E. To assess unit owners for the common expenses of the Association and enforce said assessments.**
- F. To own and operate common elements of the Condominium as described and defined in the Declaration, including, but not limited to, the surface water management system as permitted by the South Florida Water Management District, including all lakes, retention areas, culverts and related appurtenances, and to enter into contract for such purposes.**

ARTICLE IV - INITIAL REGISTERED AGENT AND OFFICE.

The name and address of the initial registered agent are Robert T. Maher, Esq., 1601 Jackson Street, Suite 201, Fort Myers, Florida 33901.

ARTICLE V - INCORPORATORS.

The name and street address of the incorporator of these articles of incorporation are Robert T. Maher, Esq., 1601 Jackson Street, Suite 201, Fort Myers, Florida 33901.

ARTICLE VI - TERM OF EXISTENCE

The corporation shall have perpetual existence, or until dissolved in accordance with law.

ARTICLE VII - DIRECTORS

- A. The affairs and property of the Association shall be managed and governed by a Board of Directors (sometimes referred to herein as the "Board of Directors"). The first Board of Directors shall have one (1) member and, in the future, the number and qualifications shall be determined from time to time in accordance with the Association's Bylaws within the limits prescribed therein.**
- B. The Director named in Article VII shall serve until the first election of directors as provided in the Bylaws. Thereafter, Directors shall be elected by the Members in accordance with the Bylaws at the regular annual meetings of the membership of the Association. Directors shall be elected to serve for a term of one (1) year and, in the event of a vacancy, such vacancy shall be filled in accordance with the terms of the Bylaws.**
- C. All officers shall be elected by the Board of Directors in accordance with the Bylaws at the regular annual meeting of the Board as established by the Bylaws. The executive officers of the Association shall be a President, Vice-**

President, Treasurer and Secretary, all of whom shall be elected annually by the Board of Directors. Only two (2) of said offices may be united in one (1) person, except that the President shall not also be the Secretary or an Assistant Secretary of the Association. The President, Secretary and Treasurer of the Association must, at all times after Unit Owners other than the developer are entitled to elect a majority of the Board, be Resident Unit Owners. (The term "Resident Unit Owner" shall, for this purpose, mean a Unit Owner who personally occupies his Unit for a minimum of 183 days of the calendar year or whose parent, spouse or child occupies the Unit for said period of time.) If the Board so determines, there may be one or more Vice-President.

ARTICLE VIII - MEMBERS

All Unit Owners in the Condominium operated by the Association shall automatically be Members of the Association and their memberships shall automatically terminate when title to their Units is conveyed. If a Member conveys title to his Unit under the Declaration, the new owner shall automatically acquire membership in the Association. Membership certificates are not required and will not be issued.

ARTICLE IX - BYLAWS

- A. The Bylaws of this Association shall be adopted by the Board of Directors and attached to the Declaration to be filed among the Public Records of Lee County, Florida. The By-laws may be amended by the Members in the manner provided therein.**

ARTICLE X- AMENDMENTS


- A. Proposals for amendments to these Articles of Incorporation which do not conflict with the Condominium Act or the Declaration may be made either by the Board of Directors or by sixty-seven (67%) percent of the Members. Such proposals shall be in writing and shall be delivered to the President who shall thereupon call a special meeting of the Members not less than ten (10) days nor more than sixty (60) days following his receipt of the proposed amendment. Should the President fail to call such special meeting the Members may, in lieu thereof, call a special meeting. Such request shall state the purpose or purposes of the proposed amendment(s). Notice of such special meeting shall be given and posted in the manner provided in the By-laws. Upon the affirmative vote of sixty-seven (67%) percent of all Members (not just those voting) the amendment shall be adopted.**
- B. Any Member may waive the requirements of this Article as to the notice of special meetings vote on proposed amendments to these Articles of**

• Incorporation, either before, at or after a membership meeting at which a vote is taken to amend these Articles, and any amendment passed by sixty-seven (67%) percent of the membership shall not be invalid merely because some members did not receive notice of the special meeting.

ARTICLE XI - INDEMNIFICATION

Every Director and officer of the Association shall be indemnified by the Association to the maximum extent permitted by law, against all expenses and liabilities, including counsel fees reasonably incurred by or imposed upon him, in connection with any proceedings or any settlement thereof, 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, whether or not he is a Director or officer at the time such expenses are incurred, except in such cases wherein the Director or officer in bad faith commits an act of willful malfeasance in the performance of his duties; provided, that all settlements must be approved by the Board of Directors as being in the best interest 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. However, the right of indemnification shall not be applicable to any person who receives regular compensation for his duties from which the claim arises except to the extent such acts are covered by insurance and then only to that extent.

IN WITNESS WHEREOF, the undersigned incorporator has executed these articles of incorporation on April 26, 2006.


Robert T. Maher

ACCEPTANCE OF REGISTERED AGENT

Having been named to accept service of process for this corporation at the place designated in the articles of incorporation, the undersigned is familiar with and accepts the obligations of that position.


Robert T. Maher

April 26, 2006

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06 MAY - 1 PM 11:12
TALLAHASSEE, FLORIDA