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COLONIAL CONDOMINIUM ASSOCIATION, INC.

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Florida Dept of State



September 26, 2006

FLORIDA DEPARTMENT OF STATE
Division of Corporations

CORPORATION SERVICE COMPANY

SUBJECT: COLONIAL CONDOMINIUM ASSOCIATION, INC.
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**ARTICLES OF INCORPORATION
OF
COLONIAL CONDOMINIUM ASSOCIATION, INC.**

THE UNDERSIGNED, acting as the incorporator of a Not For Profit Corporation under Chapter 617 of the Florida Statutes, adopts the following Articles of Incorporation for such Corporation:

ARTICLE I - NAME

The name of the corporation shall be Colonial Condominium Association, Inc. For convenience, the corporation shall be referred to in this instrument as the "Association", these Articles of Incorporation as the "Articles", and the Bylaws of the Association as the "Bylaws".

**ARTICLE II
PRINCIPAL OFFICE**

The principal place of business and mailing address of this Corporation shall be:

2510 E. Oakland Park Blvd.
Fort Lauderdale, Florida 33306

ARTICLE III - PURPOSES AND POWERS

A. General. The purpose of the Association is provide an entity, in accordance with the Florida Condominium Act, Chapter 718, to operate the condominium located in Broward County, Florida, and known as The Colonial, a Condominium. This Corporation is a not-for-profit corporation organized under Chapter 617, Florida Statutes. It is not organized for the private gain of any person. This Corporation is organized exclusively for purposes within the meaning of §528 of the Internal Revenue Code. The Association shall not engage in any action which is not permitted to be carried on by nonprofit corporations under the Internal Revenue Code and no part of the net earnings of the Corporation shall inure to the benefit of or be distributable to its members, directors, or officers, and if the association is dissolved, all its assets shall be transferred only to another nonprofit corporation or a public agency; but the Corporation shall be authorized and empowered to pay reasonable compensation to these people for services rendered, and to make payments and distributions in furtherance of its stated purpose. The Association does not contemplate pecuniary gain or profit to the members thereof. The specific purposes for which the Association is formed is to provide for maintenance, preservation and architectural control of the condominium units and common elements within that certain Condominium more particularly described in the Declaration of Condominium for The Colonial, A Condominium (hereafter, "the Declaration"), and to promote the health, safety and welfare of the residents within the Condominium and any additions. The Association shall have all of the

ARTICLES OF INCORPORATION
COLONIAL CONDOMINIUM ASSOCIATION, INC.

common-law and statutory powers of a corporation not for profit under the Laws of Florida, except as expressly limited or restricted by the terms of these Articles, the Declaration, the By-laws or the Act.

B. Enumeration. The Association shall have all the powers and duties set forth in the Act, except as limited by these Articles, the By-Laws and the Declaration (to the extent that they are not in conflict with the Act), and all of the powers and duties reasonably necessary to operate the Condominium pursuant to the Declaration and as more particularly described in the By-Laws, as they may be amended from time to time, including, but not limited to, the following:

- i. To make and collect Assessments and other charges against members as Unit Owners (whether or not such sums are due and payable to the Association), and to use the proceeds thereof in the exercise of its powers and duties.
- ii. To buy, accept, own, operate, lease, sell, trade and mortgage both real and personal property in accordance with the provisions of the Declaration.
- iii. To maintain, repair, replace, reconstruct, and to operate the Condominium Property and/or Association Property, and other property acquired or leased by the Association.
- iv. To purchase insurance upon the Condominium Property and Association Property and insurance for the protection of the Association, its officers, directors and Unit Owners.
- v. To make and amend reasonable rules and regulations for the maintenance conservation and use of the Condominium Property and Association Property and for the health, comfort, safety and welfare of the Unit Owners.
- vi. To approve or disapprove the leasing, transfer, ownership and possession of Units as may be provided by the Declaration.
- vii. To enforce by legal means the provisions of the Act, the Declaration, these Articles, the By-Laws, and the rules and regulations for the use of the Condominium Property and Association Property.
- viii. To contract for the management and maintenance of the Condominium Property and/or Association Property and to authorize a management agent (which may be an affiliate of the Developer) to assist the Association in carrying out its powers and duties by performing such functions as the submission of proposals, collection of Assessments, preparation of records, enforcement of rules and maintenance, repair and replacement of the Common Elements and Association Property with such funds as shall be made available by the Association for such purposes.

The Association and its officers shall, however, retain at all times the powers and duties granted by the Condominium Act, including, but not limited to, the making of Assessments, promulgation of rules and execution of contracts on behalf of the Association.

- ix. To employ personnel to perform the services required for the proper operation of the Condominium and the Association Property.
- x. To execute all documents or consents, on behalf of all Unit Owners (and their mortgagees), required by all governmental and/or quasi-governmental agencies in connection with land use and development matters (including, without limitation, plats, waivers of plat, unities of title, covenants in lieu thereof, etc.), and in that regard, each Owner, by acceptance of the deed to such Owner's Unit, appoints and designates the Board of Directors of the Association as such Owner's Unit, appoints and designates the Board of Directors of the Association as such Owner's agent and attorney-in-fact to execute, any and all such documents or consents.

ARTICLE IV - MEMBERSHIP AND VOTING

A. Membership: The members of the Association shall consist of all of the record title owners of Units in the Condominium from time to time, and after termination of the Condominium, shall also consist of those who were members at the time of such termination, and their successors and assigns. The foregoing does not include persons or entities who hold an interest merely as security for the performance of an obligation. Change of membership in the Association shall be established by recording in the Public Records of Florida, a deed or other instrument establishing a record title to any Unit in a transferee and the delivery to the Association of a certified copy of such instrument shall become a member of the Association and the membership of the transferee shall be terminated.

B. Appurtenance to Unit: The share of a member in the funds and assets of the Association shall not be assigned, hypothecated or transferred in any manner except as an appurtenance to his Unit.

C. Voting Rights: Each Owner shall be entitled to one vote for each Unit owned. The manner of exercising voting rights shall be determined by the By-Laws of the Association.

D. Meetings: The By-Laws shall provide for meetings of the members.

ARTICLE V - BOARD OF DIRECTORS

ARTICLES OF INCORPORATION
COLONIAL CONDOMINIUM ASSOCIATION, INC.

A. Number and Qualification. The property, business and affairs of the Association shall be managed by a board consisting of the number of directors determined in the manner provided by the By-Laws, but which shall consist of not less than three (3) directors. Directors need not be members of the Association. Directors must be natural persons who are 18 years of age or older.

B. Duties and Powers. All of the duties and powers of the Association existing under the Act, the Declaration, these Articles and the By-Laws shall be exercised exclusively by the Board of Directors, its agents, contractors or employees, subject only to approval by Unit Owners when such approval is specifically required.

C. Election Removal. Directors of the Association shall be elected at the annual meeting of the members in the manner determined by and subject to the qualifications set forth in the By-Laws. Directors may be removed and vacancies on the Board of Directors shall be filled in the manner provided by the By-Laws.

D. Term of Developer's Directors. The Developer of the Condominium shall appoint the members of the first Board of Directors who shall hold office until their successors are elected and have taken office, as provided in the By-Laws, are as follows:

<u>NAME</u>	<u>ADDRESS</u>
Thomas A. Dvorak	2510 E. Oakland Park Blvd. Fort Lauderdale, Florida 33306
Thomas W. Dvorak	2510 E. Oakland Park Blvd Fort Lauderdale, Florida 33306
Lella B. Dvorak	2510 E. Oakland Park Blvd. Fort Lauderdale, FL 33306

ARTICLE VI - OFFICERS

The affairs of the Association shall be administered by the officers holding the offices designated in the By-Laws. The officers shall be elected by the Board of Directors of the Association at its first meeting following the annual meeting of the members of the Association and shall serve at the pleasure of the Board of Directors. The By-Laws may provide for the removal from office of officers, for filling vacancies and for the duties and qualifications of the officers. The names and addresses of the officers who shall serve until their successors are designated by the Board of Directors are as follows:

<u>OFFICE</u>	<u>NAME</u>	<u>ADDRESS</u>
President	Thomas A. Dvorak	2510 E. Oakland Park Blvd. Fort Lauderdale, Florida 33306
Vice-President	Thomas W. Dvorak	2510 E. Oakland Park Blvd. Fort Lauderdale, Florida 33306
Secretary		
Treasurer		

ARTICLE VII - 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 with any proceeding or any settlement of 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, whether or not he is an Director or Officer of the Association at the time such expenses are incurred, except when the Director or Officer is adjudged guilty of willful misfeasance or malfeasance in the performance of his duties; provided that in the event of a settlement, the indemnification shall apply only when the Board approves such settlement and reimbursement as being in 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 VIII - 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 in the By-Laws and the Declaration.

ARTICLE IX - AMENDMENTS

Amendments to these Articles shall be proposed and adopted in the following manner:

A. Notice. Notice of a proposed amendment shall be included in the notice of any meeting at which the proposed amendment is to be considered and shall be otherwise given in the time and manner provided in Chapter 617, Florida Statutes. Such notice shall contain the proposed amendment or a summary of the changes to be affected thereby.

B. Adoption. Amendments shall be proposed and adopted in the manner provided in Chapter 617, Florida Statutes and the act (the latter to control over the former to the extent provided for in the Act).

ARTICLE X - TERM

The term of the Association shall be perpetual.

ARTICLE XI - DISSOLUTION

In conjunction with the termination of the Condominium as authorized in the Declaration, the Association may be dissolved with the assent given in writing and signed by not less than two thirds (2/3) percent of the voting members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to any appropriate public agency to be used for purposes similar to those for which the Association was created. In the event that such dedication shall be refused acceptance, such assets shall be granted, conveyed and assigned to any non-profit corporation, association, trust or other organization to be devoted to such similar purposes.

ARTICLE XII - INCORPORATOR

The name and street address of the incorporator signing these Articles of Incorporation is as follows:

<u>Name</u>	<u>Street Address</u>
Thomas W. Dvorak	2510 E. Oakland Park Blvd. Fort Lauderdale, FL 33306

ARTICLE XIII - RESIDENT AGENT

The name and street address of the Resident Agent of the Corporation is:

Thomas W. Dvorak
2510 E. Oakland Park Blvd.
Fort Lauderdale, Florida 33306


Thomas W. Dvorak

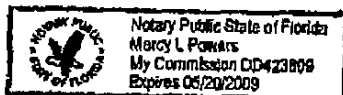
In Witness Whereof, the undersigned incorporator has affixed his signature below at Broward County Florida on the 27, day of September 2006.


THOMAS W. DVORAK

STATE OF FLORIDA
COUNTY OF BROWARD

THIS INSTRUMENT WAS ACKNOWLEDGED before me, this 27th day of September, 2006, by THOMAS W. DVORAK, who is: ☒ personally known to me or ☐ has produced _____ as identification and who did not take an oath.


NOTARY PUBLIC, State of Florida



ARTICLES OF INCORPORATION
COLONIAL CONDOMINIUM ASSOCIATION, INC.

**CERTIFICATE DESIGNATING PLACE OF
BUSINESS OF DOMICILE FOR THE SERVICE
OF PROCESS WITHIN THIS STATE NAMING
AGENT UPON WHOM PROCESS MAY BE SERVED**

In pursuance of §§48.091(1) and 617.0501, Florida Statutes, the following is submitted in compliance thereof:

That COLONIAL CONDOMINIUM ASSOCIATION, INC. desiring to organize as a corporation under the laws of the State of Florida, with its initial registered office in Florida being in the County of Broward, at 2510 E. Oakland Park Blvd., Fort Lauderdale, FL 33306 has named Thomas W. Dvorak, located at that same address as its initial registered agent to accept service of process within this State.

ACKNOWLEDGMENT:

Having been named to accept service of process for the above-stated corporation, at the place designated in this certificate, I hereby agree to act in this capacity, and I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I accept the duties and obligations of Section 617.0501, Florida Statutes.


Thomas W. Dvorak, Registered Agent

September 26, 2006
Date

SEP 27 2006
TALLAHASSEE, FLORIDA

06 SEP 27 PM 1:09

FILED

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COLONIAL CONDOMINIUM ASSOCIATION, INC.