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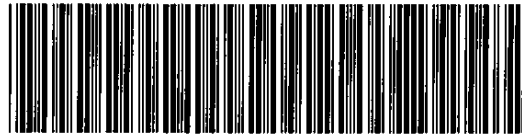
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2007 JUL 30 A 8:39  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

D. WHITE JUL 31 2007

LAW OFFICES OF  
**GOULD COOKSEY FENNELL, P.A.**

JOHN R. GOULD (1921-1988)  
DARRELL FENNELL (1937-2004)  
BYRON T. COOKSEY  
EUGENE J. O'NEILL\*  
CHRISTOPHER H. MARINE  
DAVID M. CARTER  
TODD W. FENNELL, LL.M.

979 BEACHLAND BOULEVARD  
VERO BEACH, FLORIDA 32963  
TELEPHONE: (772) 231-1100  
FAX: (772) 231-2020

TROY B. HAFNER, LL.M.\*\*  
BRIAN J. CONNELLY  
SANDRA G. RENNICK  
CLINT S. MALONE\*\*  
WILLIAM N. KIRK, LL.M.  
JASON L. ODOM

\*FL. BOARD CERTIFIED  
CIVIL TRIAL, BUSINESS LITIGATION  
AND CONSTRUCTION LAW

\*\*FL. BOARD CERTIFIED  
WILLS, TRUSTS AND ESTATES

July 27, 2007

**FEDERAL EXPRESS**

Florida Department of State  
Division of Corporations  
2661 Executive Center Circle West  
Tallahassee, FL 32301

**Re: Palm Island Plantation Dock Association, Inc.**

Gentlemen:

Enclosed please find an original and one (1) copy of the Articles of Incorporation of Palm Island Plantation Dock Association, Inc., together with this firm's check in the amount of \$122.50, payable to Secretary of State, representing the following:

\$ 35.00	Filing Fee
52.50	Certified Copy
35.00	Registered Agent Designation
<hr/> <hr/>	
\$122.50	TOTAL ENCLOSED

Please file the Articles and return one (1) certified copy of the Articles of Incorporation after filing.

Thank you for your attention to the above.

Sincerely yours,

  
Christopher H. Marine

CHM/nes  
enclosures  
cc: Mr. Dave Bauer  
Mr. Steve Owen

**ARTICLES OF INCORPORATION**  
**OF**  
**PALM ISLAND PLANTATION DOCK ASSOCIATION, INC.**  
**(A Florida corporation Not-For-Profit)**

**FILED**

**2001 JUL 30 A 8:39**

**SECRETARY OF STATE  
TALLAHASSEE, FLORIDA**

**This instrument prepared by:**  
**Christopher H. Marine, Esquire**  
**Gould, Cooksey, Fennell, O'Neill,**  
**Marine, Carter & Hafner, P.A.**  
**979 Beachland Boulevard**  
**Vero Beach, Florida 32963**

**ARTICLES OF INCORPORATION  
OF  
PALM ISLAND PLANTATION DOCK ASSOCIATION, INC.  
(A Florida Corporation Not-For-Profit)**

**FILED**

2021 JUL 30 A 8:39

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

The undersigned, by these Articles, associate themselves for the purpose of forming a corporation not-for-profit under Chapter 617, Florida Statutes, and certify as follows:

**Article 1. Name.** The name of the Corporation shall be PALM ISLAND PLANTATION DOCK ASSOCIATION, INC. For convenience, the Corporation shall be referred to in this instrument as the "Association." The place of business shall be 979 Beachland Boulevard, Vero Beach, Florida, until changed by the owners at the first meeting.

**Article 2. Purpose.**

A. The purposes for which the Association is organized are:

(i) to establish, maintain and operate a corporation not for profit; to provide for maintenance, preservation, and control of the boat dock facilities located adjacent to the Palm Island Plantation development which is located upon the following tract of real property in Indian River County, Florida:

SEE SCHEDULE "A" ATTACHED

(ii) to be and constitute the Association to which reference is made in the Declaration Of Covenants, Conditions, Reservations And Restrictions Of Dock Use For Palm Island Plantation, recorded in the Public Records of Indian River County, Florida, as amended or supplemented from time to time (the "Declaration"), to perform all obligations and duties of the Association, and to exercise all rights and powers of the Association, as specified therein, in the By-Laws, and as provided by law; and

B. The Association shall make no distributions of income to its members, directors, or officers.

**Article 3. Definitions.** All terms used herein which are not defined shall have the same meaning provided in the Declaration.

**Article 4. Powers.** The powers of the Association shall include and be governed by the following provisions:

A. The Association shall have all of the common law and statutory powers of a corporation not-for-profit which are not in conflict with the terms of these Articles, the Declaration, and the By-Laws of this Association.

B. The Association shall have all of the powers necessary or desirable to perform the obligations and duties and to exercise the rights and powers set out in these Articles, the By-Laws, or the Declaration, including, without limitation, the power:

(i) to fix and to collect assessments and other charges for the expenses associated with the maintenance and operation of the boat dock facilities;

(ii) to manage, control, operate, maintain, repair, and improve the property subject to the Declaration or any other property for which the Association by rule, regulation, Declaration, or contract has a right or duty to provide such services;

(iii) to enforce covenants, conditions, or restrictions affecting any property to the extent the Association may be authorized to do so under the Declaration or By-Laws;

(iv) to engage in activities which will actively foster, promote, and advance the common interests of all members;

(v) to buy or otherwise acquire, sell, or otherwise dispose of, mortgage, or otherwise encumber, exchange, lease, hold, use, operate, and otherwise deal in and with real, personal, and mixed property of all kinds and any right or interest therein for any purpose of the Association;

(vi) to borrow money for any purpose, subject to any limitations contained in the By-Laws;

(vii) to enter into, make, perform, or enforce contracts of every kind and description, and to do all other acts necessary, appropriate, or advisable in carrying out any purpose of the Association, with or in association with any other association, corporation, or other entity or agency, public or private;

(viii) to act as agent, trustee, or other representative of other corporations, firms, or individuals, and as such to advance the business or ownership interests in such corporations, firms, or individuals;

(ix) to adopt, alter, and amend or repeal such By-Laws as may be necessary or desirable for the proper management of the affairs of the Association; provided, however, such By-Laws may not be inconsistent with or contrary to any provisions of the Declaration; and

(x) to provide any and all supplemental municipal services as may be necessary or proper.

(xi) the foregoing enumeration of powers shall not limit or restrict in any manner the exercise of other and further rights and powers which may now or hereafter be allowed or permitted by law; and the powers specified in each of the paragraphs of this Article 4 are independent powers, not to be restricted by reference to or inference from the terms of any other paragraph or provision of Article 4.

#### **Article 5. Members.**

A. The Association shall be a membership corporation without certificates or shares of stock. Membership shall be appurtenant to and may not be separated from ownership of any boat dock slip which is subject to assessment by the Association.

B. The record owner of the exclusive right of use of each boat dock slip subject to the Declaration shall be a member of the Association and shall be entitled to vote in accordance with the formula set forth in the Declaration. The manner of exercising voting rights shall be as set forth in the Declaration and in the By-Laws of the Association.

C. Change of membership in the Association shall be established by recording in the Public Records of Indian River County, Florida, an assignment or other instrument establishing record title to the exclusive right of use of a boat dock slip subject to the Declaration. Written notice shall be given to the Association of such change in title. Upon such recordation, the owner designated by such instrument shall become a member of the Association and the membership of the prior owner shall be terminated.

D. The share of a member in the funds and assets of the Association cannot be assigned, hypothecated, or transferred in any manner.

**Article 6. Term.** Existence of the Association shall commence with the filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The Association shall exist in perpetuity.

#### **Article 7. Directors.**

A. The affairs of the Association shall be conducted, managed, and controlled by a

Board of Directors. The initial Board of Directors shall consist of three (3) directors; provided, however, the Board shall have the right to increase the number of Directors not to exceed five (5).

B. The names and addresses of the members of the initial Board of Directors, who shall hold office until their successors are elected and have qualified, or until removed, are as follows:

David C. Bauer  
4050 Westmark Drive  
Dubuque, Iowa 52002

Steven C. Owen  
3003 Cardinal Drive, Suite D  
Vero Beach, FL 32963

Gregory G. Feltes  
4050 Westmark Drive  
Dubuque, Iowa 52002

C. The method of election and term of office, removal, and filling of vacancies shall be as set forth in the By-Laws.

D. The Board may delegate its operating authority to such companies, individuals, and committees as it, in its discretion, may determine.

**Article 8. Officers.** The affairs of the Association shall be administered by the officers designated by the By-Laws. The officers shall be elected by the Board of Directors at its first meeting following the annual meeting of the Association, and they shall serve at the pleasure of the Board of Directors, as provided in the By-Laws. The names and addresses of the officers who shall serve until their successors are designated by the Board of Directors are as follows:

David C. Bauer  
4050 Westmark Drive  
Dubuque, Iowa 52002

President

Steven C. Owen  
3003 Cardinal Drive, Suite D  
Vero Beach, FL 32963

Vice President/Secretary

Gregory G. Feltes  
4050 Westmark Drive  
Dubuque, Iowa 52002

Treasurer

**Article 9. By-Laws.** The By-Laws of the Association shall be adopted by the Board of Directors and may be altered, amended, or rescinded in the manner provided by the By-Laws.

**Article 10. Dissolution.** Upon dissolution of the Association all its assets remaining after payment of all costs and expenses of such dissolution shall be distributed to organizations which have qualified for exemption under Section 501(c)(3) of the Internal Revenue Code, or to the Federal Government, or to a State or local government, for a public purpose, and none of the assets will be distributed to any member, officer or trustee of the Association.

**Article 11. Amendments.** Amendments to the Articles of Incorporation may be proposed and adopted as provided in Chapter 617, Florida Statutes, provided that no amendment may be in conflict with the Declaration, and provided, further, no amendment shall be effective to impair or dilute any rights of members that are governed by such Declaration.

**Article 12. Subscribers.** The names and addresses of the subscribers to these Articles of Incorporation are as follows:

Christopher H. Marine  
979 Beachland Boulevard  
Vero Beach, FL 32963

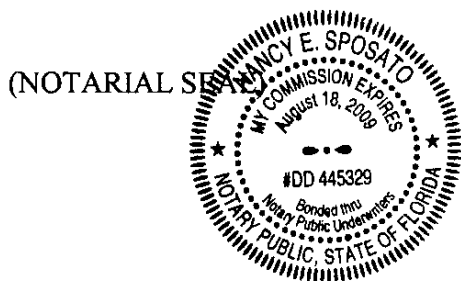
**Article 13. Registered Agent and Office.** The initial registered office of the Corporation is 979 Beachland Boulevard, Vero Beach, Florida, 32963, and the initial registered agent at such address is Christopher H. Marine.


**IN WITNESS WHEREOF**, the subscriber has hereunto affixed his signature this 27 day of July, 2007.

  
\_\_\_\_\_  
**CHRISTOPHER H. MARINE**

**STATE OF FLORIDA  
COUNTY OF INDIAN RIVER**

The foregoing Articles of Incorporation were acknowledged before me this 27<sup>th</sup> day of July, 2007, by **CHRISTOPHER H. MARINE**, who, being duly sworn, acknowledged before me that he executed the same for the purposes expressed in such Articles.



  
\_\_\_\_\_  
Notary Public, State of Florida  
NANCY E. SPOSATO  
\_\_\_\_\_  
Printed Name of Notary  
My Commission Expires: \_\_\_\_\_



**ACCEPTANCE OF DESIGNATION OF REGISTERED AGENT**

The undersigned hereby accepts the designation of registered agent on behalf of **PALM ISLAND PLANTATION DOCK ASSOCIATION, INC.**



**CHRISTOPHER H. MARINE**

**FILED**

2007 JUL 30 A 8:39  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**SCHEDULE "A"**

**LEGAL DESCRIPTION**

Palm Island Plantation P.R.D. - Plat 1, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Indian River County, Florida, recorded in Plat Book 16, Page 72, public records of Indian River County, Florida.

**FILED**

2007 JUL 30 A 8:39

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA