

N13000005980

ROBERT POTTER

(Requestor's Name)

2225 HWY A1A #511

(Address)

IN OCEAN HARBOR BEACH

(Address)

32937

(City/State/Zip/Phone #)



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FORTE BELLO HOME OWNERS ASS.

(Business Entity Name)

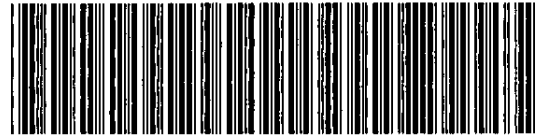
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**ARTICLES OF INCORPORATION
OF
FORTEBELLO HOMEOWNERS ASSOCIATION, INC.
A Not-for-Profit Corporation**

The undersigned hereby associate themselves for the purpose of forming a corporation not for profit under and pursuant to Chapter 617, Florida Statutes, and do hereby state as follows:

**ARTICLE I
NAME**

The name of this corporation shall be **FORTEBELLO HOMEOWNERS ASSOCIATION, INC.** ("Association"). The terms contained in these Articles of Incorporation shall have the same meaning as set forth in the Declaration unless otherwise defined herein.

**ARTICLE II
PURPOSES**

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

A. To form an "Association" as defined in Chapter 720, Florida Statutes, (the "Act"), and, as such, to operate, maintain, and administer the Common Areas of, and to perform the acts and duties necessary and desirable for the management of the development known as Fortebello ("Fortebello"); and to own, operate, lease, sell and trade property, whether real or personal, including Lots in Fortebello, as may be necessary or convenient in the administration of the development.

B. To carry out the duties and obligations of the Association, and receive the benefits given the Association, under the Restated Declaration of Covenants and Restrictions for Fortebello ("Declaration").

C. To establish bylaws for the operation of the Condominium Property ("Bylaws"), provide for the administration of the Association and rules and regulations for governing the same, and enforce the provisions of the Act, the Declaration, these Articles of Incorporation and the Bylaws.

D. The Association shall have all of the common law and statutory powers provided under the laws of the State of Florida, including but not limited to Chapter 617, Florida Statutes; and those powers provided by or implied by the Act, the Declaration, these Articles and the Bylaws of the Association.

**ARTICLE III
MEMBERS**

A. An Owner of a Lot shall automatically be a member of the Association and membership shall automatically terminate when title to a Lot is conveyed. Further provisions regarding membership are in the Declaration and Bylaws.

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B. Each Unit shall have a vote as provided in the Declaration and Bylaws.

C. The share of a Member in the funds and assets of the Association cannot be assigned, hypothecated or transferred in any manner; the same shall pass to the Member's transferee or successor in title. No part of the income of the Association shall be distributed to its Members, directors or officers.

ARTICLE IV EXISTENCE

The existence of the Association shall commence with the filing of these Articles with the Secretary of State. This Association shall have perpetual existence.

ARTICLE V INCORPORATOR

The name and street address of the incorporator to these Articles of Incorporation are as follows:

John L. Soileau, Esq.
Watson, Soileau, DeLeo, Burgett & Pickles, P.A.
3490 N. U.S. Highway 1
Cocoa, FL 32923

ARTICLE VI DIRECTORS

A. The affairs and property of the Association shall be managed and governed by a Board of Directors composed of not fewer than three (3) persons ("Directors"). The first Board of Directors shall have three (3) members and, in the future, the number shall be determined from time to time in accordance with the Association's Bylaws. The members of the Board shall initially be:

DAVID JENKINS
2225 Highway A1A, Suite 511,
Indian Harbor Beach, FL 32937

ROBERT POTTER
2225 Highway A1A, Suite 511,
Indian Harbor Beach, FL 32937

STANLEY CONQUEST
2225 Highway A1A, Suite 511,
Indian Harbor Beach, FL 32937

B. All officers shall be appointed by the Board of Directors in accordance with the Bylaws at the regular annual meeting of the Board as established by the Bylaws. The Board shall appoint a President, Vice President, Secretary, Treasurer and such other officers as it shall deem

necessary.

ARTICLE VII

STORMWATER MANAGEMENT

A. The Association shall operate, maintain and manage the surface water or stormwater management system(s) in a manner consistent with the St. Johns River Water Management District permit no. 42-009-87216-2 requirements and applicable District rules, and shall assist in the enforcement of the Declaration which relate to the surface water or stormwater management system.

B. The Association shall levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the surface water or stormwater management system.

C. In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water or stormwater management system must be transferred to and accepted by an entity which would comply with Section 40C-42.027, F.A.C., and be approved in writing by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.

ARTICLE VIII

BYLAWS

A. The By-Laws of the Association shall be adopted by the Board of Directors and attached to the Declaration to be filed in the Public Records of Brevard County, Florida. The Bylaws may be amended by the members in the manner provided in said Bylaws.

B. No amendment to these Articles or the Bylaws shall be passed which would change the rights and privileges of the Developer, Fortebello, LLC, without the Developer's written approval and joinder therein.

ARTICLE IX

AMENDMENT

Amendments to these Articles of Incorporation may be made by the Developer alone, at any time that the Developer owns any Lot in Fortebello; and thereafter, an affirmative vote of two-thirds (2/3) of all of the voting interests of the Members shall be required for amendment of these Articles.

ARTICLE X

INDEMNIFICATION

Every Director and officer of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees reasonably incurred by or imposed upon the officer or Director, in connection with any proceedings or any settlement thereof, to which he or she may be a party, or in which he or she may become involved by reason of being or having been a Director or officer of the Association, whether or not he or she is a Director or officer at the time

such expenses are incurred, except in such cases wherein the Director or officer is adjudged guilty of willful misfeasance or malfeasance in the performance of duties; provided, that all settlements must be approved by the Board 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.

ARTICLE XI ADDRESS

The principal address of the Association shall be 2225 Highway A1A, Suite 511, Indian Harbor Beach, FL 32937, or at such other place as may be subsequently designated by the Board.

ARTICLE XII QUORUM

A quorum at members' meeting shall be as provided in the Bylaws. If voting rights of any Owner are suspended pursuant to the provisions of the Declaration or the Bylaws, then the vote(s) of such Owner shall not be counted for the purpose of determining the presence of a quorum and a total number of authorized votes shall be reduced accordingly during the period of such suspension.

ARTICLE XIII INITIAL REGISTERED OFFICE AND AGENT

The street address of the initial registered office of the corporation is 3490 N. Highway U.S. 1, Cocoa, FL 32926 and the name of the Association's initial registered agent at that address is John L. Soileau, Esq.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 28th day of June 2013.



JOHN L. SOILEAU, Incorporator

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared John L. Soileau, personally known to me, who being by me first duly sworn, acknowledged that he executed the foregoing Articles of Incorporation, as Incorporator, for the purposes therein expressed on this 28th day of June, 2013.

Notary Public
My Commission Expires:

CERTIFICATE OF RESIDENT AGENT

Pursuant to Chapter 48.091, Florida Statutes, the following is submitted in compliance with said Act: **FORTEBELLO HOMEOWNERS ASSOCIATION, INC.**, a corporation not for profit, desiring to organize under the laws of the state of Florida, with its principal office, as indicated in the Articles of Incorporation, in the County of Brevard, state of Florida, has named John L. Soileau, as its agent to accept service of process for the above-stated corporation, at the place designated in this Certificate. I hereby accept to act in this capacity, and agree to comply with the provisions of said Act relative to keeping open said office.

JOHN L. SOILEAU

Date: June 29, 2013

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