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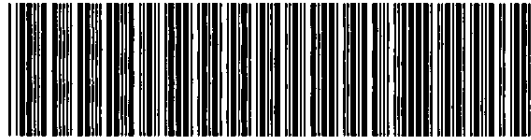
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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

NOV 19 2015

T. BROWN

## COVER LETTER

Department of State  
Division of Corporations  
P. O. Box 6327  
Tallahassee, FL 32314

**SUBJECT:** Donlon Dock Owners Association, Inc.

**(PROPOSED CORPORATE NAME – MUST INCLUDE SUFFIX)**

Enclosed is an original and one (1) copy of the Articles of Incorporation and a check for :

☐ \$70.00  
Filing Fee

☐ \$78.75  
Filing Fee &  
Certificate of  
Status

☒ \$78.75  
Filing Fee  
& Certified Copy

☐ \$87.50  
Filing Fee,  
Certified Copy  
& Certificate

**ADDITIONAL COPY REQUIRED**

**FROM:** Carol Gardner, Paralegal  
\_\_\_\_\_  
Name (Printed or typed)

Mark R. Hall, P.A., 124 Faulkner St.  
\_\_\_\_\_  
Address

New Smyrna Beach, FL 32168  
\_\_\_\_\_  
City, State & Zip

(386) 423-1221  
\_\_\_\_\_  
Daytime Telephone number

carol@mhallpa.com

E-mail address: (to be used for future annual report notification)

**NOTE: Please provide the original and one copy of the articles.**

**ARTICLES OF INCORPORATION**  
**OF**  
**DONLON DOCK OWNERS ASSOCIATION, INC.**

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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

The undersigned incorporator, for the purpose of forming a corporation under the Florida Not-for-Profit Corporation Act, hereby adopts the following Articles of Incorporation.

**ARTICLE I**  
**NAME**

The name of the corporation shall be: **DONLON DOCK OWNERS ASSOCIATION, INC.** For convenience, the Corporation shall be referred to in this instrument as the "Association."

**ARTICLE II**  
**PRINCIPAL OFFICE**

The principal office of this corporation shall be:

107 Donlon Drive  
New Smyrna Beach, FL 32168

The mailing address of this corporation shall be:

107 Donlon Drive  
New Smyrna Beach, FL 32168

**ARTICLE III**  
**PURPOSES**

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

1. To be and constitute the Association to which reference is made in the Declaration of Covenants, Conditions, and Restrictions for the Donlon Dock Owners Association (hereinafter the "Declaration"), as amended from time to time, to perform all obligations and duties of the Association, and to exercise all rights and powers of the Association as specified therein, in the Bylaws, and as provided by law; and

2. To operate, maintain and manage the shared docks used by the owners of real property on Donlon Drive in New Smyrna Beach, Florida.

3. To provide an entity for the furtherance of the interests of the owners of real property on Donlon Drive in New Smyrna Beach, Florida.

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

- C. All terms used herein which are not defined shall have the same meaning provided in the Declaration.

#### **ARTICLE IV**

#### **EXISTENCE AND DURATION**

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 V**

#### **POWERS**

The powers of the Association shall include and be governed by the following provisions:

- A. The Association shall have all the common law and statutory powers of a corporation not-for-profit which are not in conflict with the terms of these Articles, the Declarations, or the Bylaws of this Association.
- B. The Association shall have all the powers of homeowners' associations set forth in Florida Statutes Chapter 720.
- C. 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 Bylaws, or the Declaration, including, without limitation, the following:
  - 1. To levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the shared docks, as well as for any other purposes set forth in the Declaration;
  - 2. To manage, control, operate, maintain, repair, and improve property subjected 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;
  - 3. To enforce covenants, conditions, or restrictions affecting any property to the extent the Association may be authorized to do so under any Declaration or Bylaws;
  - 4. To adopt, alter, and amend or repeal such Bylaws as may be necessary or desirable for the proper management of the affairs of the Association; provided, however, such Bylaws may not be inconsistent with or contrary to any provisions of the Declaration.

**ARTICLE VI**  
**MANNER OF ELECTION OF DIRECTORS**

The number of Directors constituting the initial Board of Directors is three (3). The number of Directors may be increased or decreased from time to time in accordance with the Bylaws, but shall never be less than three (3). The method of election of Directors and number of Directors shall be provided for in the Bylaws. The name and address of each initial Director of the Corporation is as follows:

<u>Director</u>	<u>Director's Address</u>
Drew Kaiser	100 Donlon Drive New Smyrna Beach, FL 32168
Mark Wallschlaeger	107 Donlon Drive New Smyrna Beach, FL 32168
Palmer Wilson	101 Donlon Drive New Smyrna Beach, FL 32168

**ARTICLE VII**  
**ASSESSMENTS**

Assessments shall be used for the maintenance, repair, and improvement of the shared docks on Donlon Drive, as well as for any other purposes set forth in the Declaration.

**ARTICLE VIII**  
**MEMBERS**

A. The Association shall be a membership corporation without certificates or shares of stock.

B. The owner of each Lot 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 determined by the Bylaws of the Association.

C. Change of membership in the Association shall be established by recording in the public records of Volusia County a deed or other instrument establishing record title to a Lot subject to the Declaration. The owner designated by such instrument thereby becomes a voting member of the Association, as defined in the Declaration, and the membership of the prior owner is terminated.

D. The share of a member in the assets of the Association cannot be assigned, hypothecated, or transferred in any manner, except as an appurtenance of his or her Lot.

**ARTICLE IX**  
**INITIAL REGISTERED AGENT AND STREET ADDRESS**

The name and Florida street address of the initial registered agent are:

Joshua C. Wells, Esq.  
Mark R. Hall, P.A.  
124 Faulkner Street  
New Smyrna Beach, FL 32168

**ARTICLE X**  
**INCORPORATOR**

The name and address of the Incorporators to these Articles of Incorporation are:

Mark Wallschlaeger  
107 Donlon Drive  
New Smyrna Beach, FL 32168

**ARTICLE XI**  
**INDEMNIFICATION**

The Corporation shall indemnify each Officer and Director, including former Officers and Directors, to the full extent permitted by law.

**ARTICLE XII**  
**DISSOLUTION**

In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the shared docks shall become incident to each Lot owner on Donlon Drive.

IN WITNESS WHEREOF, the undersigned incorporator has executed these Articles of Incorporation on this 5<sup>th</sup> day of November, 2015.

  
Mark Wallschlaeger

**ACCEPTANCE OF REGISTERED AGENT**

Having been named to accept service of process for DONLON DOCK OWNERS ASSOCIATION, INC. at the place designated in the Articles of Incorporation, the undersigned is familiar with and accepts the obligations of the position pursuant to Florida Statute 617.0501(3)

DATED this 5 day of November, 2015.

  
Joshua C. Wells, Esq.

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TALLAHASSEE, FLORIDA