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W16-055407

[Signature] 08/17/16



FLORIDA DEPARTMENT OF STATE
Division of Corporations

August 10, 2016

CHRISTOPHER GERTZ
888 S. ANDREWS AVE. #204
FT. LAUDERDALE, FL 33316

SUBJECT: AQUARIUS CONDOMINIUM OWNERS ASSOCIATION, INC.
Ref. Number: W16000055407

We have received your document for AQUARIUS CONDOMINIUM OWNERS ASSOCIATION, INC. and your check(s) totaling \$70.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

The person designated as incorporator in the document and the person signing as incorporator must be the same.

The registered agent must sign accepting the designation.

Please return the corrected original and one copy of your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6052.

Thomas Chang
Regulatory Specialist II
New Filing Section

Letter Number: 616A00016880

COVER LETTER

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

SUBJECT: AQUARIUS CONDOMINIUM 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: CHRISTOPHER J. GERTZ, ESQ.

Name (Printed or typed)

888 S. ANDREWS AVENUE, #204

Address

FORT LAUDERDALE, FL 33316

City, State & Zip

954-565-2601

Daytime Telephone number

CHRIS@GERTZLAW.NET

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
AQUARIUS CONDOMINIUM OWNERS ASSOCIATION,
INC.

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

I
NAME

The name of the corporation shall be **AQUARIUS CONDOMINIUM OWNERS ASSOCIATION, INC.**, and it may be referred to hereinafter simply as the "Association".

II
TERMINOLOGY

The terms used in these Articles of Incorporation shall have the same meanings as they do in the Declaration of Condominium for Aquarius, a Condominium, located in Fort Lauderdale, Broward County, Florida ("the Condominium"), unless the context in which they are used requires another meaning.

III
PRINCIPAL OFFICE

The principal place of business and mailing address of this corporation shall be Aquarius Condominium Owners Association, Inc. 2805 East Oakland Park Blvd., Suite 365, Fort Lauderdale, FL 33306.

IV
PURPOSE

The purpose of the Association shall be to operate and manage the condominium to be established in accordance with the Condominium Act of the State of Florida, chapter 718, Florida Statutes, upon and within the lands located in Broward County, Florida, being more particularly described in Exhibit "A", attached hereto and made a part hereof, and to undertake the performance of the acts and duties incident to the operation and management of the condominium located thereon in accordance with the terms, provisions, conditions and authorizations contained in these Articles of Incorporation, and which may be contained in the Declaration of Condominium which shall be recorded in the Public Records of Broward County, Florida, and to own, operate, lease, sell, trade and otherwise deal with such property, whether real or personal, as may be necessary or convenient in the administration of said condominiums. The Association shall be conducted as a not for profit organization for the benefit of its members.

V
POWERS

The powers of the Association shall include the following powers:

- A. Operation and Management. To operate and manage the Condominium in accordance with the terms, provisions, conditions and authorizations contained in the Condominium Documents that will be recorded among the Public Records of Broward County, Florida.

PREPARED BY:
Christopher J. Gertz, Esq.
Christopher J. Gertz, P.A.
888 South Andrews Avenue, Suite 204
Fort Lauderdale, FL 33316
Florida Bar Number 106951
(954) 565-2601

- B. Transferring Property. To own, operate, lease, sell and trade real and personal property whenever it proves necessary or convenient in administering the Condominium.
- C. Establishing Bylaws and Rules. To establish bylaws and rules and regulations for the Association's operation and management.
- D. Enforcement. To enforce the Condominium Act, the provisions of the Condominium Documents and the Association's rules and regulations.
- E. Delegation of Duties. To contract for the Condominium's management and to delegate to any party with whom a contract has been entered into for that purpose the Association's powers and duties save those that the Condominium Act prohibits being delegated.
- F. Generally. To exercise all of the common law and statutory powers of a not for profit corporation which are not in conflict with the terms of the Condominium Documents or the Condominium Acts. The Association shall also have all the powers of condominium associations under the Condominium Act and all of the powers reasonably necessary to implement the Association's purposes.

VI EXISTENCE

The Association shall have perpetual existence.

VII MEMBERS

- A. Membership. Each Owner of a Unit in the Condominium shall automatically be a member of the Association. The Owner's membership will commence upon his or her acquiring title to a Unit and shall end upon his or her no longer owning a Unit. Membership certificates are not required and will not be issued.
- B. Voting Rights. The voting rights of each member of the Association shall be as provided in the recorded declarations establishing the Condominium in which he or she owns a Unit and in the Bylaws.
- C. Inseparability. No member's share of the Association's funds and assets may be assigned, hypothecated or transferred in any manner except as an appurtenance to his Unit.

VIII MANNER OF ELECTION OF DIRECTORS

- A. Composition of Board. The affairs and property of the Association shall be managed and governed by a Board of Directors composed of not less than three nor more than five persons. The first Board of Directors shall have three members, and the number of Directors on future Boards shall be determined from time to time in accordance with the Bylaws.
- B. Bearing the Bylaws. The number of Directors to be elected, the manner of their election, and their respective terms shall be as set forth in the Bylaws.
- C. Election of Officers. All officers shall be elected from time to time in the manner set forth in the Bylaws at the annual meeting of the Association's membership. The principal offices of the Association shall be a President, Vice President, Secretary, Treasurer and whatever other officers it deems desirable and consistent with the Bylaws.

IX
INITIAL BOARD OF DIRECTORS

The following persons shall constitute the Association initial Board of Directors. They shall hold office in accordance with the provisions of Section 5 of the Bylaws.

<u>NAME</u>	<u>ADDRESS</u>
Zen Mierzwa	1137 NE 7 th Ave, Fort Lauderdale, FL 33306
Susan L. Holt	1137 NE 7 th Ave, Fort Lauderdale, FL 33306
Gregory Mitchell	1137 NE 7 th Ave, Fort Lauderdale, FL 33306

X
BYLAWS

The Bylaws of the Association shall be adopted by its first Board of Directors and attached to the Declaration of Condominium to be filed in the Public Records of Broward County, Florida. While the Developer's designees constitute a majority of the Board of Directors, the Bylaws may be amended by the Board of Directors only. While the Developer's designees do not constitute a majority of the Board of Directors, they may be amended by a majority of the Board of Directors together with a majority of the Voting Members or by two-thirds of the Voting Members alone.

XI
AMENDMENTS

Proposals for the amendment of these Articles of Incorporation that do not conflict with the Condominium Act or the Declaration of Condominium may be made by a majority of the Board of Directors or a majority of the Voting Members. Any such proposal shall set forth the proposed amendment and shall be in writing, filed by the Board of Directors and delivered to the President. The President shall call a special meeting of the Association not less than ten days nor later than sixty days after he receives the proposed amendment. An affirmative vote of a majority of the Board of Directors and an affirmative vote of two-thirds of the Voting Members shall be required for adoption of the proposed amendment. An amendment shall be effective when a copy thereof, together with a certificate of the secretary of this Association that such amendment was adopted pursuant to the provisions of this section has been filed with the Secretary of State and recorded in the Public Records of Broward County, Florida.

XII
INDEMNIFICATION OF OFFICERS AND DIRECTORS


- A. Right to Indemnification. Every person who is or was a director or officer of the Association shall be entitled to indemnification from the Association to the fullest extent the Association is empowered to indemnify him under Section 607.014 of Florida's General Corporation Act.
- B. Insurance. Subject to reasonable availability, the Board of Directors may purchase and maintain insurance on behalf of any person who is or was an officer or director of the Association insuring him against any liability asserted against him and incurred by him in his capacity as an officer or director of the Association or arising out of his status as such whether or not the Association would have the power to indemnify him under Article XIIA of these Articles of Incorporation.

XIII
INITIAL REGISTERED AGENT AND STREET ADDRESS

The initial registered agent of this corporation shall be Christopher J. Gertz, Esq., 888 South Andrews Avenue, Suite 204, Fort Lauderdale, FL 33316.

PREPARED BY:
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Having been named as registered agent to accept service of process for the above stated corporation at the place designated in this certificate, I am familiar with and accept the appointment as registered agent and agree to act in this capacity.



Christopher J. Gertz, Esq.

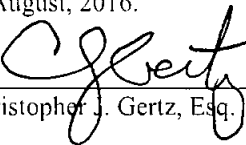
8.15.16

Date

XIV
INCORPORATOR

The name and address of the Incorporator to these Articles of Incorporation is Christopher J. Gertz, Esq., 888 South Andrews Avenue, Suite 204, Fort Lauderdale, FL 33316.

The undersigned incorporator has executed these Articles of Incorporation this 15th day of August, 2016.



Christopher J. Gertz, Esq.

2016
AUG
15
PM 4:10
FORT LAUDERDALE, FL
33316