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\*\* ALSO MEMBERCOLITO BAR

HOWOHIZKY (1912 - 2005) FRANK WOHIZKY (1916 - 2013)

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TDWARDL WORDZKY:

WARREN R. ROSS\*\*

November 1, 2018

#### **VIA FEDERAL EXPRESS**

Florida Division of Corporations Clifton Building 2661 Executive Center Circle Tallahassee, Florida 32301

Re:

The Hamilton at PGI Condominium Association, Inc.

#### Gentlemen:

Enclosed please find for filing an original and one (1) copy of the Articles of Incorporation for the Hamilton at PGI Condominium Association, Inc., a Florida not-for-profit corporation. Also enclosed please find our check in the amount \$87.50 for the filing fee, certification and certificate of status.

Please provide a copy of the Certificate of Status and filed Articles of Incorporation to the undersigned as follows:

Edward L. Wotitzky, Esq.
Wotitzky, Wotitzky, Ross, McKinley & Young, P.A.
1107 W. Marion Avenue, Unit 111
Punta Gorda, Florida 33950
(941)639-2171
ewotitzky@wotitzkylaw.com

We appreciate your consideration of this filing.

Very truly yours,

WOTITZKY, WOTITZKY, ROSS, MICKINLEY & Young, P.A.

Edward L. Wotitz

ELW/In Enclosure cc: client

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## ARTICLES OF INCORPORATION OF HAMILTON AT BOLCONDOMINIUM ASSOCI

#### THE HAMILTON AT PGI CONDOMINIUM ASSOCIATION, INC.

(A NON-PROFIT FLORIDA CORPORATION)

#### ARTICLE I.

The name of this corporation is THE HAMILTON AT PGI CONDOMINIUM ASSOCIATION, INC. The initial principal office of the corporation is 1107 W. Marion Avenue, Unit 111, Punt Gorda, Florida 33950, and the initial mailing address of the corporation is 1107 W. Marion Avenue, Unit 111, Punta Gorda, Florida 33950.

#### ARTICLE II.

The purpose for which this corporation is organized is to act as the governing association of the proposed THE HAMILTON AT PGI, A CONDOMINIUM, a residential condominium, located in Charlotte County, Florida, and to operate property owned by the Association.

#### ARTICLE III.

The terms used in these Articles of Incorporation shall have the same definitions and meanings as those set forth in the Declaration of Condominium of THE HAMILTON AT PGI, a CONDOMINIUM.

#### ARTICLE IV.

The qualification of members and the manner of their admission shall be as follows: Any person or persons who hold title in fee simple to a condominium unit in THE HAMILTON AT PGI, a CONDOMINIUM, shall by virtue of such ownership be a member of this corporation.

#### ARTICLE V.

This corporation shall exist perpetually. In the event, however, this Association is dissolved, the control or right of access to the property or common elements of the Condominium containing the surface water management system facilities shall be conveyed or dedicated to an appropriate governmental unit or public utility and that if not accepted, then the surface water management system facilities shall be conveyed to a not-for-profit corporation similar to the Association.

#### ARTICLE VI.

The corporation shall have all powers and duties existing under applicable provisions of the Florida Not-For-Profit Corporation Act (Chapter 617 of the Florida Statutes) and the Florida condominium Act (Chapter 718 of the Florida Statutes). Without limiting the generality of the foregoing, the corporation shall have the power to do the following:

- a. Own and control property.
- b. Operate and maintain the surface water management system facilities, including all inlets, ditches, swales, culverts, water control structures, retention and detention areas, ponds, lakes, flood plain compensation areas, wetlands and any associated buffer areas and wetland mitigation areas.
  - c. Establish rules and regulations.
  - Assess members and enforce assessments.
  - Sue and be sued.
- f. Contract for services to provide for operation and maintenance of the surface water management system facilities if the Association contemplates employing a maintenance company.
  - g. Require all unit owners to be members.
- h. Take any other action necessary for the purposes for which the Association is organized.

#### ARTICLE VII.

The name and residence of the subscriber to these Articles of Incorporation is as follows:

#### NAME

#### **ADDRESS**

a) Hamilton L. Paese, II

88 Vivante Boulevard, Apt. 8837 Punta Gorda, Florida 33950

#### ARTICLE VIII.

The affairs of the corporation are to be managed by a Board of Directors, the number of members of which shall be as provided in the Bylaws provided that there shall be not fewer than three and not more than seven. The Directors will be elected each year at the annual meeting of the Condominium Association as provided for in the Bylaws, subject to the rights of the Developer and unit owners to elect directors as provided in Section 718.301, Florida Statutes (2017), and in Declaration of Condominium of THE HAMILTON AT PGI, A CONDOMINIUM.

#### ARTICLE IX.

The names of the officers who are to serve until the first election or appointment under the Articles of Incorporation are:

President	-	Hamilton L. Paese II
Vice President	-	Moacyr Paecheco Netto

Secretary	-	Moacyr Paecheco Netto
Treasurer	-	Hamilton L. Paese II

#### ARTICLE X.

The number of persons constituting the first Board of Directors shall be three and their names and addresses are as follows:

Name	Address
a) Hamilton L. Paese II	88 Vivante Boulevard, Apt. 8837 Punta Gorda, Florida 33950
b) Raymond Brunner	810 Napoli Lane Punta Gorda, Florida 33950
c) Samia P.B. Paese	88 Vivante Boulevard, Apt. 8837 Punta Gorda, Florida 33950

#### ARTICLE XI.

The Bylaws of the corporation are to be made, altered or rescinded by the members of the corporation as provided for in the Bylaws.

#### ARTICLE XII.

Amendments to these Articles of Incorporation may be proposed and adopted at any regular or specially called meeting of the members of the Association by a majority vote of all the members. Due notice of the meeting must have been given as provided for in the Bylaws. Also, the Developer may amend these Articles of Incorporation, and its approval shall be required for amendments, in the manner provided in the Declaration of Condominium for THE HAMILTON AT PGI. A CONDOMINIUM.

#### ARTICLE XIII.

Each unit in THE HAMILTON AT PGI, a Condominium shall have one (1) full vote, which shall be cast by a designated owner as provided for in the Declaration of Condominium or Bylaws.

#### ARTICLE XIV.

This corporation reserves the right to amend or repeal any provisions contained in these Articles of Incorporation.

#### ARTICLE XV.

No part of the net earnings of this corporation shall inure to the benefit of any member or individual, except through the acquisition, construction, management, maintenance, or care of association property or through the rebate of the excess membership dues, fees, or assessments.

IN WITNESS WHEREOF, the und Incorporation this $25^{\circ}$ day of	dersigned subscriber has executed these Articles of
	Hamilton L. Paese II
	Taminon L. Paese II
State of Florida County of Charlotte	- , -
The foregoing instrument was acknowledged be Paese II, who is personally known to me or who produced	efore me this 28 day of Left Let, 2018, by Hamilton L.
My commission expires:	Notary Public  Jean A. Cea
	Notary Public Jean A. Cea
JEANA CEA	Printed Name of Notary
MY COMMISSION # GG 015749 EXPIRES: July 28, 2020 Rough Thru Notice Public Independent	Serial or Commission Number

### CERTIFICATE DESIGNATING A REGISTERED AGENT AND REGISTERED OFFICE FOR THE SERVICE OF PROCESS.

In compliance with Section 48.091, Florida Statutes, the following is submitted:

THE HAMILTON AT PGI CONDOMINIUM ASSOCIATION, INC. desiring to organize under the laws of the State of Florida with its principal office, as indicated in the Articles of Incorporation at Punta Gorda, County of Charlotte, State of Florida, has designated Edward L. Wotitzky whose street address is 1107 W. Marion Avenue, Unit 111, Punta Gorda, Florida 33950, as its agent to accept service of process within this state.

THE HAMILTON AT PGI CONDOMINIUM ASSOCIATION, INC.

#### **ACCEPTANCE**

Having been designated as agent to accept service of process for the above-named corporation, at the place stated in this certificate, I hereby agree to act in this capacity and to comply with the provision of said law relative to same.

Edward L. Wotitžky