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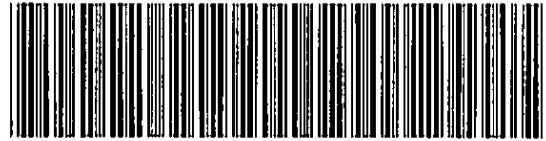
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Department of State
Division of Corporations
P. O. Box 6327
Tallahassee, FL 32314

SUBJECT: 8695 Business Park Condominium 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: Anthony J. Gargano, P.A.

Name (Printed or typed)

2240 West First St., Suite 105

Address

Fort Myers, FL 33901

City, State & Zip

239-337-2280

Daytime Telephone number

tgargano@garganolaw.com

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

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

2021 OCT -1 PM 1:52
SECRETARY OF STATE
TALLAHASSEE, FL 32314

ARTICLES OF INCORPORATION
OF
8695 BUSINESS PARK CONDOMINIUM ASSOCIATION, INC.
(a Florida corporation not-for-profit)

All capitalized terms used in these Articles of Incorporation of 8695 Business Park Condominium Association, Inc. (the “**Articles**”) will have the same meaning as the identical terms used in the Declaration of Condominium of 8695 Business Park, a Commercial Land Condominium, as amended from time to time (the “**Declaration**”), unless the context clearly otherwise requires.

ARTICLE I

Name

The name of the corporation will be **8695 Business Park Condominium Association, Inc.** For convenience, this corporation will be referred to as the “**Association.**”

ARTICLE II

Purposes

1. The purpose for which the Association is organized is (i) to manage the Association, (ii) to provide for the operation, management, maintenance, and improvement of that certain commercial condominium located in Lee County, Florida, and more specifically known as the 8695 Business Park, a Commercial Land Condominium (the “**Condominium**”), and (iii) for all such other lawful purposes as may be reasonable or incidental to the operation of the Condominium in accordance with the Declaration.

2. The Association will have no capital stock and will make no distribution of income or profit to its Directors (as defined in Article VI), officers or Members (as defined in Article V below).

ARTICLE III

Reserved

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TALLAHASSEE, FL

ARTICLE IV

Powers

1. The Association will have (i) all of the common law and statutory powers of a corporation not-for-profit, as provided in Chapter 617, *Florida Statutes*, (ii) all of the common law and statutory powers of a commercial condominium association, as provided in Chapter 718, *Florida Statutes*, (iii) such additional specific powers as are contained in the Bylaws and Declaration, and (iv) all other powers reasonably necessary to implement the purpose, obligation, and intent of the Association.

2. All funds and the titles to all property owned or acquired by the Association, including all proceeds arising therefrom, must be held only for the benefit of the Members of the Association in accordance with the provisions of the Declaration.

3. The powers of the Association will be subject to and will be exercised in accordance with the provisions of the Declaration.

ARTICLE V

Members

The qualifications of Members, the manner of their admission to the Association, and voting by Members will be as follows:

1. All Owners of fee title of a Unit within the Condominium, including the Developer, are Members of this Association (hereinafter "**Member**"), and no other persons or entities are entitled to membership. Each Member will be entitled to vote in accordance with the provisions contained in the Bylaws and the Declaration.

2. Changes in membership in the Association will be established by the recording, in the Public Records of Lee County, Florida, of a deed or other instrument establishing a change of record title to a Unit within the Condominium and the delivery to the Association of a copy of such recorded instrument. The new Owner designated by such instrument will thereby become a Member of the Association. The membership of the prior Owner will be thereby terminated.

3. The share of a Member in the funds and assets of the Association cannot be assigned, hypothecated, or transferred in any manner except as an appurtenance to the Member's Unit.

ARTICLE VI

Directors

The affairs of the Association will be managed by a board of Directors ("**Board**") consisting of not less than three (3) Directors ("**Directors**"). The number of Directors, as well as the manner in which they are selected, shall be further determined in the manner provided in the Bylaws.

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ARTICLE VII

Indemnification

Every Director and every officer of the Association is indemnified by the Association against all expenses and liabilities, including attorneys' and other professionals' fees, reasonably incurred by or imposed upon such officer or Director in connection with any proceeding to which he or she may be a party, or in which such officer or Director may become involved by reason of his or her being or having been 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 his or her duties; provided, that in the event of a settlement, the indemnification herein will apply only when the Board has approved such settlement and reimbursement as being in the best interests of the Association. The foregoing indemnification will be in addition to and not exclusive of all other rights to which such Director or officer may be entitled.

ARTICLE VIII

Bylaws

The Bylaws will be adopted by the Board and may be altered, amended or rescinded in the manner as provided in the Bylaws.

ARTICLE IX

Amendments

Amendments to these Articles will be proposed and adopted in the following manner:

1. Unless otherwise expressly required by the Declaration, these Articles may only be amended through a resolution proposed by any Member, provided that approval thereof will require the consent of at least Seventy-Five Percent (75%) of the Voting Interests of the Members.

2. Notice of the subject matter of a proposed amendment must be included in the notice of any meeting at which a proposed amendment is considered.

4. Once adopted, an amendment will be effective when filed with the Secretary of State of the State of Florida and recorded in the Public Records of Lee County, Florida.

5. Notwithstanding the foregoing, these Articles may be amended by the Developer (i) as may be required by any governmental entity; or (ii) as may be necessary to conform these Articles to any governmental statutes. The Developer shall provide the Members notice of any amendments made pursuant to this Article IX.5.

ARTICLE X

Term

1. The term of the Association is perpetual unless the Association is dissolved pursuant to any applicable provision of the *Florida Statutes*.

2. Any dissolution of the Association shall comply with the Declaration.

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TALLAHASSEE, FLORIDA
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ARTICLE XI

Conflict

In the event of a conflict or ambiguity between any term of these Articles, the Declaration, or the Bylaws, the Declaration will prevail over the Bylaws and Articles, and these Articles will govern and prevail over the Bylaws.

ARTICLE XII

Incorporator

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

Name

Address

Joseph R. Catti

8695 College Parkway, Suite 100, Fort Myers, FL 33919

ARTICLE XIII

Initial Directors and Officers

The initial Directors and Officers of the Association shall be:

Director

Joseph R. Catti
8695 College Parkway, Suite 100
Fort Myers, FL 33919

Director and Treasurer

Brian J. Eagleston
8695 College Parkway, Suite 100
Fort Myers, FL 33919

Director, President and Secretary

Tiffany Williams
8695 College Parkway, Suite 100
Fort Myers, FL 33919

ARTICLE XIV

Registered Agent

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TALLAHASSEE, FL

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The Association hereby appoints Anthony J. Gargano, P.A. as its Registered Agent to accept service of process within this state, with the Registered Office located at 2240 West First Street, Suite 105, Fort Myers, FL 33901.

ARTICLE XV

Principal Office

The address of the principal office and the mailing address of the Association shall be 8695 College Parkway, Suite 100, Fort Myers, FL 33919, or at such other place as may be subsequently designated by the Board. All books and records of the Association shall be kept at its principal office.

IN WITNESS WHEREOF the incorporator has hereto affixed to these Articles of Incorporation the incorporator's signature this 8th day of July, 2021.

By: _____

Joseph R. Catti

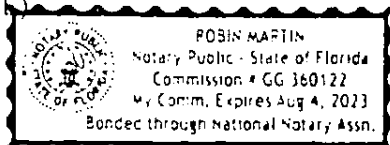
STATE OF FLORIDA)

) SS.

COUNTY OF Lee)

The foregoing instrument was acknowledged before me this 8th day of July, 2021, by means of X physical presence or online notarization, by Joseph R. Catti, who is ☒ personally known to me or ☐ has produced _____ as identification.

(NOTARY SEAL)



(Notary Signature)

(Notary Name Printed)

NOTARY PUBLIC

Commission No. 8-4-23

REGISTERED AGENT CERTIFICATE

In pursuance of the Florida Not-For-Profit Corporation Act, the following is submitted, in compliance with said statute:

That **8695 Business Park Condominium Association, Inc.**, desiring to organize under the laws of the State of Florida, with its registered office, as indicated in the Articles of Incorporation at the City of Fort Myers, County of Lee, State of Florida, has named Anthony J. Gargano, P.A. located at 2240 West First Street, Suite 105, Fort Myers, FL 33901 as its registered agent to accept service of process and perform such other duties as are required in the State.

ACKNOWLEDGMENT:

Having been named to accept service of process and serve as registered agent for the above-stated Corporation, at the place designated in this Certificate, the undersigned, by and through its duly elected officer, hereby accepts to act in this capacity, and agrees to comply with the provision of said statute relative in keeping open said office, and further states that it is familiar with §617.0501, *Florida Statutes*.

ANTHONY J. GARGANO, P.A.

By: Anthony J. Gargano, Pres.
Anthony J. Gargano, President

Dated: 7/7/21

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TALLAHASSEE, FL