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# CAPITAL CONNECTION, INC.

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THE BEVERLY HOMEOWNERS  
ASSOCIATION, INC.

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- Merger File \_\_\_\_\_
- Art. of Amend. File \_\_\_\_\_
- RA Resignation \_\_\_\_\_
- Dissolution / Withdrawal \_\_\_\_\_
- Annual Report / Reinstatement \_\_\_\_\_
- Cert. Copy \_\_\_\_\_
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- Certificate of Good Standing \_\_\_\_\_
- Certificate of Status \_\_\_\_\_
- Certificate of Fictitious Name \_\_\_\_\_
- Corp Record Search \_\_\_\_\_
- Officer Search \_\_\_\_\_
- Fictitious Search \_\_\_\_\_
- Fictitious Owner Search \_\_\_\_\_
- Vehicle Search \_\_\_\_\_
- Driving Record \_\_\_\_\_
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**ARTICLES OF INCORPORATION  
OF  
THE BEVERLY  
HOMEOWNERS ASSOCIATION, INC.  
A Florida not-for-profit Corporation**

SECRETARY OF STATE  
TALLAHASSEE, FL

The undersigned subscriber to these Articles of Incorporation hereby forms a not-for-profit corporation under the laws of the State of Florida.

**ARTICLE I. NAME**

The name of the corporation is **THE BEVERLY HOMEOWNERS ASSOCIATION, INC.**, a Florida not-for-profit corporation, hereinafter referred to as the "Corporation" or "Association," created under Florida Statutes, Chapter 617.

**ARTICLE II. ADDRESS**

The principal place of business and the mailing address of this Corporation is 3921 SW 47 Avenue, Suite 1013, Fort Lauderdale, Florida 33314.

**ARTICLE III. EXISTENCE**

The Association shall have perpetual existence unless dissolved in accordance with the terms of these Articles of Incorporation.

**ARTICLE IV. PURPOSES**

A. The Association does not contemplate pecuniary gain or profit to its members. The specific purposes for which it is formed are to provide for the enforcement of the Declaration of Covenants and Restrictions for BEVERLY LAS OLAS a private residential community in City of Ft. Lauderdale Broward County, Florida (the "Declaration") and any amendments thereto which subject additional property to the Declaration, and to provide for the maintenance and preservation of the Common Areas as that term is defined in the Declaration, and to operate and maintain the Surface Water or Storm Water Management System. The Association shall levy and collect adequate assessments from members of the Association for the cost of maintenance and operation of the Common Areas and the Surface Water or Storm water Management System which shall include, but not be limited to, the retention areas, drainage structures, and drainage easements.

B. In addition to the powers set forth under Florida Statutes, Chapter 617, the Association shall have the following powers:

1. to own and convey property;
2. to operate and maintain common property, including the surface water management system, and underground irrigations systems;
3. to establish rules and regulations;
3. to assess members and enforce assessments;
4. to sue and be sued; and
5. to contract for services.

C. Association shall also be governed by Florida Statutes, Chapter 720.

#### **ARTICLE V. MEMBERSHIP**

Every person or entity who is a record owner of a fee simple interest in any Lot, as that term is defined in the Declaration, which is subject to assessment by the Association, shall automatically be a member of the Association upon the recordation in the Public Records of Broward County, Florida, of the deed or other instrument establishing the acquisition. The foregoing is not intended to include persons or entities who hold an interest merely as security or collateral for the performance of obligation. Membership shall be appurtenant to and may not be separated from ownership of any Lot. Such membership shall automatically terminate when such person or entity is no longer the record Owner of a Lot.

#### **ARTICLE VI. REGISTERED OFFICE AND AGENT**

The street address of the initial registered office of the corporation shall be 10081 Pines Boulevard, Suite C, Pembroke Pines, Florida 33024. The name of the registered agent of the corporation is: Arnold M. Straus, Jr.

#### **ARTICLE VII. INCORPORATOR**

The name and address of the Incorporator to these Articles of Incorporation is:

<b>NAME</b>	<b>ADDRESS</b>
Arnold M. Straus, Jr.	10081 Pines Boulevard, Suite C Pembroke Pines, Florida 33024

## ARTICLE VIII. BOARD OF DIRECTORS

There shall always be three Directors. The names and addresses of the persons who constitute the Board of Directors, until the selection and qualifications of their successors, are:

DAVID SPEAR  
3921 SW 47 Avenue  
Suite 1013  
Ft. Lauderdale, Florida 33314

DANIEL SPEAR  
3921 SW 47 Avenue  
Suite 1013  
Ft. Lauderdale, Florida 33314

FELIPE VERGARA  
3921 SW 47 Avenue  
Suite 1013  
Ft. Lauderdale, Florida 33314

## ARTICLE IX - OFFICERS

The initial Officers of Association, until their replacements are elected under the By-Laws, shall be:

President: FELIPE VERGARA  
3921 SW 47 Avenue  
Suite 1013  
Ft. Lauderdale, Florida 33314

Vice President: DAVID SPEAR  
3921 SW 47 Avenue  
Suite 1013  
Ft. Lauderdale, Florida 33314

Vice President: JEFFREY SPEAR  
3921 SW 47 Avenue  
Suite 1013  
Ft. Lauderdale, Florida 33314

Vice President:

DANIEL SPEAR  
3921 SW 47 Avenue  
Suite 1013  
Ft. Lauderdale, Florida 33314

Secretary/Treasurer::

DAVID SPEAR  
3921 SW 47 Avenue  
Suite 1013  
Ft. Lauderdale, Florida 33314

#### ARTICLE X. DISSOLUTION

The Association may not be dissolved without the assent given in writing and signed by not less than unanimous vote of the members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be granted, conveyed and assigned to any corporation not-for-profit, association, trust, public agency or other organization provided that it is to be used for purposes similar to those for which this Association was created, and the Association shall be dissolved in accordance with law.

#### ARTICLE XI. AMENDMENTS

Amendments to these Articles of Incorporation shall require the approval of a minimum two-thirds(2/3) of the entire membership and shall be effective when a copy thereof has been filed with the Secretary of State of Florida and all filing fees have been paid, except that **BEVERLY HEIGHTS TH, LLC** may amend this Declaration without approval from any other Members, so long as **BEVERLY HEIGHTS TH, LLC** is a Member of the Association, provided that such amendment does not materially or adversely affect the right of any other Member to enjoy and use his or her Lot. These Articles may not be amended in any manner which shall amend, modify or affect any terms and conditions, rights or obligations set forth in the Declaration, as set forth in Florida Statutes, Chapter 720, including, but not limited to, voting rights, or percentage of ownership allocated to a Member.

Amendments to the Articles of Incorporation shall be made in the following manner:

A. The Board of Directors shall adopt a resolution setting forth the proposed amendment, and, if members have been admitted to the Association, direct that it be submitted to a vote at a meeting of members, which may be either the annual or a special meeting. If no members have been admitted, the amendment shall be adopted by a vote of the majority of the Board of Directors and the provisions for adoption by members shall not apply.

B. Written notice setting forth the proposed amendment or a summary of the changes to be effected thereby shall be given to each member of record entitled to vote thereon. If the meeting is an annual meeting, the proposed amendment or such summary may be included in the notice of such annual meeting.

C. At such meeting, a vote of the members entitled to vote thereon shall be taken on the proposed amendment. The proposed amendment shall be adopted upon an affirmative vote of two-thirds (2/3) of all members entitled to vote thereon.

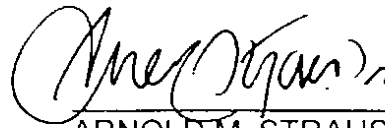
D. The Articles of Amendment shall be executed by the corporation by its President and Vice President and by its Secretary or an Assistant Secretary and acknowledged by one of the officers signing such amendment.

**SUBSCRIBER'S STATEMENT**

For the purposes of forming this corporation under the Laws of the State of Florida, I, the undersigned, constituting the subscriber and incorporator of this Association, have executed these Articles of Incorporation for

**THE BEVERLY HOMEOWNERS ASSOCIATION, INC.**

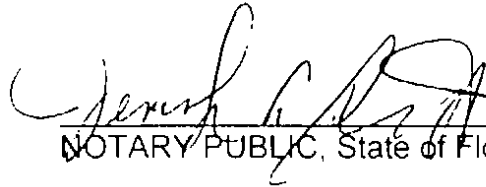
on this 22 day of December, 2021.



ARNOLD M. STRAUS, JR., ESQ.

STATE OF FLORIDA        )  
  ss:  
COUNTY OF BROWARD    )

The foregoing instrument was acknowledged before me this 22 day of December, 2021, by Arnold M. Straus, Jr., Subscriber, by [xx] physical presence, who is personally known to me.

  
NOTARY PUBLIC, State of Florida

My Commission Expires:



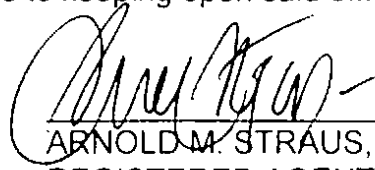
**CERTIFICATE DESIGNATING PLACE OF BUSINESS OR DOMICILE  
FOR THE SERVICE OF PROCESS WITHIN THIS STATE,  
NAMING AGENT UPON WHOM PROCESS MAY BE SERVED**

In pursuance of Chapter 48.091 Florida Statutes, the following is submitted, in compliance with said Act:

That **THE BEVERLY HOMEOWNERS ASSOCIATION** desiring to organize or qualify under the laws of the State of Florida with its principal office, as indicated in the Articles of Incorporation at 3921 SW 47 Avenue, Suite 1013, Ft. Lauderdale, Florida 33314, has named Arnold M. Straus, Jr., Esq., located at 10081 Pines Boulevard, Suite C, Pembroke Pines, Florida 33024, County of Broward, State of Florida, as its registered agent to accept service of process within this State.

**ACKNOWLEDGMENT**

Having been named to accept service of process for the above stated corporation at place designated in this certificate, I hereby accept to act in this capacity, and I further agree to comply with the provision of said Act relative to keeping open said office.



\_\_\_\_\_  
ARNOLD M. STRAUS, JR.  
REGISTERED AGENT

2021 DEC 27 AM 10:11  
SECRETARY OF STATE  
TALLAHASSEE, FL

**FILED**