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SCENIC VIEW STORAGE III CONDOMINIUM ASSOCIATION, INC

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**Amended and Restated Articles of Incorporation
of
Scenic View Storage III Condominium Association, Inc.**
(A Florida not-for-profit corporation)

The undersigned, hereby subscribes to and adopts the following as the Articles of Incorporation (the "Articles") under the laws of the State of Florida as of December 1, 2023:

ARTICLE I.

The name of this corporation is Scenic View Storage III Condominium Association, Inc., a Florida not for profit corporation (the "Association"). The initial principal office of the corporation is 3501 Taylor Road, Punta Gorda, Florida 33950.

ARTICLE II.

The purpose for which this corporation is organized is to act as the governing association of the proposed Scenic View III, a non-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 Scenic View III, a non-residential Condominium.

ARTICLE IV.

The qualification of members and the manner of their admission shall be as follows: Any record owner of legal title to a condominium unit in Scenic View III, a non-residential Condominium, shall by virtue of such ownership be a member of this corporation.

ARTICLE V.

This corporation shall exist perpetually. In the event of termination, dissolution, or final liquidation of the Corporation, the responsibility for the operation and maintenance of the Stormwater Management System (herein referred to as "SMS") must be transferred to and accepted by an entity which complies with Rule 62-330.310 of the Florida Administrative Code or any amendment thereto, and be approved by the Southwest Florida Water Management District prior to such termination, dissolution or liquidation.

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

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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 SMS and Drainage Facilities, including all inlets, ditches, swales, culverts, water control structures, retention and detention areas, ponds, lakes, floodplain compensation areas, wetlands and any associated buffer areas and wetland mitigation areas.
- c. Establish rules and regulations, governing membership and the use of units and Common Elements.
- d. Assess members for the costs of operating and maintaining the Condominium and Common Elements, including the SMS, and enforce the collection of assessments.
- e. Sue and be sued.
- f. Contract for services to provide for operation and maintenance of the Condominium Property including, but not limited to, the SMS and Drainage Facilities if the Association contemplates employing a maintenance company.
- g. Require all unit owners to be members of this Corporation.
- 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:

<u>NAME</u>	<u>ADDRESS</u>
David L. Anthony	3724 Taylor Road 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 (3) and not more than five (5). 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 (2022), and in the Scenic View Storage III Declaration of 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: John G. Kizer
Vice President: David Anthony
Secretary: Barbara E. Anthony

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ARTICLE XI

The number of persons constituting the first Board of Directors shall be three (3) and their names and addresses are as follows:

<u>NAME</u>	<u>ADDRESS</u>
John G. Kizer	512 E. Marion Ave, Punta Gorda, FL 33950
David Anthony	3724 Taylor Rd, Punta Gorda, FL 33950
Barbara E. Anthony	3724 Taylor Rd, Punta Gorda, FL 33950

ARTICLE XII

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 XIII

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 voting interests. 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 Scenic View III, a non-residential condominium.

ARTICLE XIV

Each unit in Scenic View Storage III, a non-residential condominium, shall have one (1) full vote with respect to all matters to be determined by the members of this corporation. The said voting rights shall be the Voting Interest distributed to members of this corporation, and the Voting Interest Holding shall be the Unit Owners. Voting Interest shall be cast by a designated owner as provided for in the Declaration of Condominium or Bylaws.

ARTICLE XV

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

ARTICLE XVI

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.

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IN WITNESS WHEREOF, the undersigned President affirms that these Amended and Restated Articles of Incorporation were approved by all members effective December 1, 2023.

**SCENIC VIEW STORAGE III
CONDOMINIUM ASSOCIATION, INC.
a Florida not for profit corporation**

By: _____

John G. Kizer, as President

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