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Account Number : I20010000145
Phone : (954)761-3636
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FLORIDA PROFIT/NON PROFIT CORPORATION**Sagamore Cove Homeowners Association, Inc.**

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**ARTICLES OF INCORPORATION
OF
SAGAMORE COVE HOMEOWNERS ASSOCIATION, INC.**

The undersigned hereby associate themselves for the purpose of forming a corporation not-for-profit under Chapter 617, Florida Statutes, and certify as follows:

ARTICLE I

The name of the corporation shall be: SAGAMORE COVE HOMEOWNERS ASSOCIATION, INC., which corporation shall hereinafter be referred to as the "Association."

**ARTICLE II
Purpose**

The purposes and objects of the Association shall be to administer the operation and management of the improvements and common amenities located within or related to the Vacated Right-of-Way as defined in the Declaration and legally described as:

That portion of S.E. 4th Street from S.E. 11th Avenue east to the Himmarshee Canal more particularly described as follows: That dedicated right-of-way lying east of the northerly extension of the west line of Lot 21, Himmarshee Park, as recorded in Plat Book 1, at Page 20, of the Public Records of Broward County, Florida ("Vacated Right-of-Way").

Such operation and management shall be in contemplation of and pursuant to the Declaration of Covenants and Restrictions of Sagamore Cove ("Declaration"), as the same are or will be recorded in the Public Records of Broward County, Florida. The Association shall maintain the common areas and common facilities as set forth in the Declaration and otherwise deal with such property, whether real or personal, as may be necessary or convenient in the administration of the matters set forth in the Declaration.

**ARTICLE III
Powers**

The Association shall have the following powers:

1. The Association shall have all of the powers that are reasonably necessary and convenient to implement the purposes of the Association, as hereinabove set forth including, but not limited to, the following:

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- 1.1. To make, establish and enforce reasonable rules and regulations governing the use of the Vacated Right-of-Way and common amenities pursuant to the Declaration of Covenants and Restrictions.
- 1.2. To make and collect assessments against the members of the Association to defray the costs, expenses and losses incident to the maintenance responsibilities of the Association.
- 1.3. To use the proceeds of assessments in the exercise of its powers and duties.
- 1.4. To undertake the maintenance, repair, replacement and operation of the Vacated Right-of-Way and common amenities for the benefit of its members.
- 1.5. To purchase insurance upon the Property and insurance for the protection of the Association and its members.
- 1.6. To enforce by legal means the provisions of the Declaration of Covenants and Restrictions, these Articles of Incorporation, the By-Laws of the Association and the rules and regulations for the use of the driveways and common amenities.
- 1.7. To contract for the management, maintenance, repair and replacement of any portion of the Vacated Right-of-Way and common amenities in general.
- 1.8. To employ personnel and/or independent contractors necessary to perform the services required for the proper operation of the business of the Association.
- 1.9. To borrow money on behalf of the Association as needed.
110. All powers set forth in Section 617.0302, Florida Statutes (2021) not otherwise set forth herein.
2. All funds and the titles to all properties acquired by the Association and the proceeds thereof shall be held in trust for the members in accordance with the provisions of the Declaration of Covenants and Restrictions.
3. The Association shall make no distribution of income (in the form of dividends) to its members, directors or officers.
4. The powers of the Association shall be subject to and shall be exercised in accordance with the provisions of the Declaration of Covenants and Restrictions and the By-Laws of the Association.

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ARTICLE IV Members

1. The members of the Association shall consist of all of the record owners of the seven (7) lots ("Lots") comprising the Property as described in the Declaration of Covenants and Restrictions.

2. Transfer of membership in the Association shall be established by the recording in the Public Records of Broward County, Florida, of a deed establishing a record title to a Lot and the delivery to the Association of a recorded copy of such instrument; and the owner or owners designated by such instrument shall thereby become a member or members of the Association. The membership in the Association of the prior owner or owners shall thereby be simultaneously terminated.

3. The share of a member in the funds and the assets of the Association cannot be assigned, hypothecated and/or transferred in any manner, except as an appurtenance to his or her Lot.

4. The members of the Association, singularly or collectively, shall be entitled to only one (1) vote for each Lot owned by them, respectively. The exact manner of exercising the voting rights when there are two (2) or more owners of a unit shall be determined by the By-Laws of the Association.

ARTICLE V Directors

1. The affairs of the Association shall be managed by a Board consisting of the number of directors as shall be determined by the By-Laws of the Association, but such number shall not be less than three (3). In the absence of a determination as to the number of members, the Board of Directors shall consist of three (3) directors.

2. The directors of the Association shall be elected at the annual meeting of the members in the manner determined by the By-Laws. Directors may be removed and vacancies on the Board of Directors shall be filled in the manner provided by the By-Laws.

3. The directors herein named shall serve until the first election of the directors by Association members, and any vacancies in their numbers occurring before the first election shall be filled by the remaining directors.

4. The names and addresses of the members of the first Board of Directors who shall hold office until their respective successors are elected and have qualified, or until removed, are as follows:

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<u>Name</u>	<u>Address</u>
John J. Clarke	1100 SE 4 th Street Fort Lauderdale, FL 33301
Deni Jordan	1109 SE 4 th Street Fort Lauderdale, FL 33301
Deborah Perry	1131 SE 4 th Street Fort Lauderdale, FL 33301

ARTICLE VI

Officers

The affairs of the Association shall be administered initially by the officers named in these Articles of Incorporation. The names and addresses of the officers who shall serve until their successors are designated by the Board of Directors elected by the membership of the Association, are as follows:

<u>Name and Address</u>	<u>Office</u>
John J. Clarke 1100 SE 4 th Street Fort Lauderdale, FL 33301	President
Deni Jordan 1109 SE 4 th Street Fort Lauderdale, FL 33301	Secretary and Treasurer
Deborah Perry 1131 SE 4 th Street Fort Lauderdale, FL 33301	Vice President

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ARTICLE VII

Indemnification

Every director and every officer of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonably incurred by or imposed upon him or her in connection with any proceedings to which he or she may be a party, or in which he or she 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 a 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, indemnification shall apply only when the Board of Directors approves such settlement as being for the best interests of the Association. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which such director or officer may be entitled.

ARTICLE VIII

Transactions in Which Directors or Officers are Interested

No contract or transaction between Association and one or more of its directors or officers or between Association and any other corporation, partnership, association, or other organization in which one or more of its officers or directors are officers, directors or employees are otherwise interested shall be invalid, void or voidable solely for this reason, or solely because the officer or director is present at, or participates in, meetings of the Board thereof which authorized the contract or transaction, or solely because said officers' or directors' votes are counted for such purpose. No director or officer of Association shall incur liability by reason of the fact that such director or officer may be interested in any such contract or transaction. Interested directors shall disclose the general nature of their interest and may be counted in determining the presence of a quorum at a meeting of the Board which authorized the contract or transaction.

ARTICLE IX

By-Laws

The first By-Laws of the Association shall be adopted by the Board of Directors named herein, and the same may be altered, amended or rescinded in the following manner:

1. A resolution adopting a proposed amendment may be proposed by either the Board of Directors or by the members of the Association. Directors and members not present in person or by proxy at the meeting considering the amendment may express their approval in writing, providing such approval is delivered to the Secretary at or prior to the meeting. Except as elsewhere provided, such approval must be by either:

1.1 Not less than four (4) of the Lot owners; or

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1.2 By all the directors, until the first election of directors.

ARTICLE X Amendments

Amendments to these Articles of Incorporation shall be proposed and adopted in the following manner:

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

2. A resolution approving a proposed amendment may be proposed by either the Board of Directors or by any one or more members of the Association. Directors and members not present in person or by proxy at the meetings considering the amendment may express their respective approvals in writing, provided such approval is delivered to the Secretary of the Association at or prior to the meeting.

3. Except as elsewhere provided, such approvals must be by not less than four (4) members of the Association.

4. A copy of each amendment to the Articles of Incorporation, as approved, shall be filed with the Office of the Secretary of State and recorded in the Public Records of Broward County, Florida, and the same shall have attached thereto a description of the Property.

ARTICLE XI Term

This Association shall have perpetual existence.

ARTICLE XII Incorporator

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

Name
John J. Clarke

Address
1100 SE 4th Street
Fort Lauderdale, FL 33301

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ARTICLE XIII
Resident Agent

The initial resident agent of the Association shall be Richard G. Coker, Jr., whose address is 1404 South Andrews Avenue, Fort Lauderdale, FL 33316.

ARTICLE XIV
Initial Address

The initial address of the Association shall be 1100 SE 4th Street, Fort Lauderdale, FL 33301.

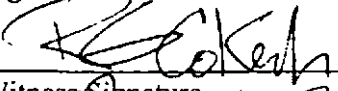
ARTICLE XIV
Dissolution

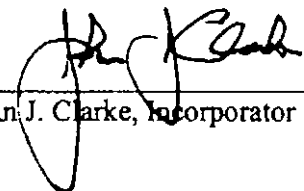
In the event of the dissolution of Association other than incident to a merger or consolidation, any Member may petition the circuit court having jurisdiction of the judicial circuit of the State of Florida for the appointment of a receiver to manage its affairs of the dissolved Association and to manage the common areas, in the place and stead of Association, and to make such provisions as may be necessary for the continued management of the affairs of the dissolved Association and its properties

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal and acknowledgment to the foregoing Articles of Incorporation this 18 day of May, 2022, which Articles shall be filed in the Office of the Secretary of State.

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Signed, sealed and delivered in the presence of:


 Witness Signature
 Richard Coker
 Print Name
 Richard Coker
 Witness Signature
 Kathryn Coker
 Print Name
 Kathryn Coker


 John J. Clarke, Incorporator

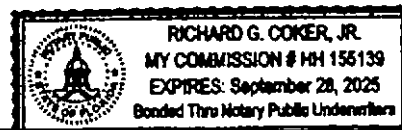
STATE OF FLORIDA :

: SS.

COUNTY OF BROWARD :

The foregoing instrument was acknowledged before me by physical presence this 18
 day of May, 2022 by JOHN J. CLARKE, on behalf of the corporation. He is personally known
 to me and did not take an oath.


 Signature of Notary Public



Print, type or stamp name of Notary Public
 and Commission No.)

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STATE OF FLORIDA
DEPARTMENT OF STATE

Certificate Designating Place of Business or
Domicile for the Service of Process Within This State,
Naming Agent Upon Whom Process May Be Served
and Names and Addresses of the Officers and Directors.

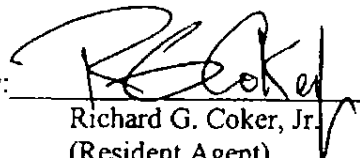
The following is submitted, in compliance with Chapter 48.091, Florida Statutes:

Sagamore Cove Homeowners Association, Inc., a not-for-profit corporation organized (or organizing) under the laws of the State of Florida, with its principal office at 1100 SE 4th Street, Fort Lauderdale, FL 33301 County of Broward, State of Florida, has named Richard G. Coker, Jr. located at 1404 S. Andrews Avenue, Fort Lauderdale, County of Broward, State of Florida, as its agent to accept service of process within this state.

By: 
John J. Clarke, President and Director

ACCEPTANCE:

I agree as Resident Agent to accept Service of Process; to keep office open during the prescribed hours; to post my name (and any other officers of said corporation authorized to accept service of process at the above Florida designated address) in some conspicuous place in office as required by law.

By: 
Richard G. Coker, Jr.
(Resident Agent)