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Florida Department of State  
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**FLORIDA PROFIT/NON PROFIT CORPORATION**  
**PINE ISLAND-CHIQUITA OWNERS ASSOCIATION, INC.**

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**ARTICLES OF INCORPORATION  
PINE ISLAND-CHIQUITA OWNERS ASSOCIATION, INC.**

**ARTICLE I. NAME AND ADDRESS**

The name of this corporation shall be PINE ISLAND-CHIQUITA OWNERS ASSOCIATION, INC. (hereinafter referred to as the "Association"). The principal office and mailing address of this corporation shall be 1171 N. State Rd. 7, Royal Palm Beach, FL 33411.

**ARTICLE II. PURPOSE**

The Association shall operate, maintain and manage the surface water or stormwater management systems in a manner consistent with Lee County requirements and applicable rules, and shall assist in the enforcement of the Declaration of Covenants and Restrictions for Pine Island-Chiquita Stormwater Management System ("Declaration"), which relates to the surface water or stormwater management system. The Association shall levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the surface water or stormwater management system, where applicable, to the extent permitted by the Declaration.

**ARTICLE III. POWERS AND DUTIES**

In addition to the duties and powers enumerated herein and under the Articles and By-Laws, and without limiting the generality thereof, the Association shall have the right to do the following to the extent permitted by and consistent with the Declaration:

- a) enforce the Declaration, the Articles, and the By-Laws of the Association, including any standards, specifications, guidelines, or the like, adopted pursuant thereto by appropriate means and carry out the duties and authority of the Association hereunder;
- b) maintain, regulate and otherwise manage and operate the Common Property, if any, and stormwater management system, including all retention areas, culverts and related appurtenances;
- c) pay any real and personal property taxes and other charges assessed against the Common Property unless same are separately assessed to the Owners;
- d) contract for and maintain such policy or policies of insurance as may be required hereunder or as the Board deems necessary or desirable to further the purposes of and protect the interests of the Association and its Members; provided further that such policies of insurance shall cover all Common Areas, regardless of the current status of title to the Common Areas, and shall name Declarant (as defined in the Declaration), or its successors and assigns, as an additional named insured on such policies of insurance for so long as Declarant, or its successors and assigns, retains ownership or use of any portions of the Common Areas;
- e) have the power of entry upon any Parcel reasonably necessary in connection with the carrying out of Association responsibilities hereunder;
- f) have the power to acquire, accept, maintain, repair, improve and replace the stormwater management system;
- g) demonstrate that the land on which the stormwater management system is located is controlled by the Association;
- h) have the power to negotiate and contract for such materials and services for the benefit of Owners, with payment for same to be separately billed to the Owners or advanced by the Association and repaid to the Association in a manner consistent with the Declaration;
- i) establish rules and regulations;
- j) sue and be sued;
- k) require all homeowners and lot owners to be members of the Association;
- l) assess members and enforce said assessments; and
- m) own and convey property

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IN AND FOR THE COUNTY OF PALM BEACH, FLORIDA

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**ARTICLE IV. LIMITATIONS ON ACTIVITIES**

No part of the net earnings of the Association shall inure to the benefit of, or be distributable to, any member, director or officer of the Association; provided, however, the Association may pay compensation in a reasonable amount for services rendered.

**ARTICLE V. TERM OF EXISTENCE**

The Association shall have perpetual existence, unless dissolved according to law. The Association shall not be dissolved unless and until the rights and obligations under the Declaration have been transferred to a successor organization in accordance with South Florida Stormwater Management District rules and regulations.

**ARTICLE VI. MEMBERS**

Every person or entity which qualifies as a Member of the Association in accordance with the Bylaws shall be a Member of the Association, and such membership shall carry all rights, restrictions, benefits, interests and limitations granted pursuant to the Declaration, these Articles of Incorporation, the Bylaws of the Association, any Rules and Regulations promulgated by the Association, the Florida Not For Profit Corporation Act and the provisions of the Association Act. Until such time as Declarant no longer a Member of the Association, Declarant shall have three (3) votes- and each Member who is not Declarant shall have one (1) vote per legal parcel. If more than one person or entity owns a record fee simple interest in any parcel, all such persons or entities are members, although there is only one vote for such parcel and no fractional votes are permitted.

**ARTICLE VII. BOARD OF DIRECTORS**

Section 1. The business affairs of the Association shall be managed by the Board of Directors.

Section 2. This Association shall have three (3) directors initially who is to serve as directors until the first election by the members. For so long as Declarant is a member of the Association, Declarant shall have the right to appoint and remove the Board of Directors. The name and address of the initial directors are as follows:

<b>Name</b>	<b>Address</b>
Douglas A. Stewart	c/o Goodwill Industries of Southwest Florida, Inc. 5100 Tice Street Fort Myers, FL 33905
Chris Lloyd	c/o Aldi (Florida) L.L.C. 1171 N. State Rd. 7 Royal Palm Beach, FL 33411
Eric Perriello	c/o Aldi (Florida) L.L.C. 1171 N. State Rd. 7 Royal Palm Beach, FL 33411

Section 3. The number of directors may be changed from time to time as provided by the Bylaws, but their number shall never be less than three (3).

Section 4. The first election of directors shall not be held until Declarant is no longer a member of the Association. Any vacancies on the Board of Directors occurring before the first election may be filled by Declarant.

**ARTICLE VIII. OFFICERS**

Section 1. The officers of the Association may include a President, Past President (when

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available), one or more Vice Presidents (the exact number being determined by the Board), a Secretary and a Treasurer. Such other officers, assistant officers and agents as may be deemed necessary may be elected or appointed from time to time as provided in the Bylaws.

Section 2. The names of the persons who are to serve as officers of the Association until the first annual meeting of the Board of Directors are:

**OFFICE****NAME**

President

Douglas A. Stewart

Section 3. The officers shall be elected at each annual meeting of the Board of Directors or as provided in the Bylaws, and each shall serve until his successor is chosen and qualified, or until his earlier resignation, removal from office or death.

Section 4. The officers shall have such duties, responsibilities, and powers as provided in the Bylaws and the Florida Statutes.

**ARTICLE IX. BYLAWS**

The initial Board of Directors shall adopt Bylaws for the Association at the organizational meeting of the Association after the approval of these Articles of Incorporation by the Secretary of State. The conduct of the affairs of the Association shall be limited by the various provisions of the Bylaws, including but not limited to, provisions creating, dividing, limiting and regulating the powers of the Association, the directors and the members. The power to adopt, amend or repeal Bylaws of the Association shall be vested in the members as provided in the Bylaws.

**ARTICLE X. AMENDMENTS**

These Articles of Incorporation may be changed, amended or modified at any time and from time to time, by the Members as and to the extent provided in, and pursuant to the procedures as set forth in the Declaration.

**ARTICLE XI. INITIAL REGISTERED OFFICE AND AGENT**

The street address of the initial registered office of the Association is 8640 Seminole Boulevard, Seminole, Florida 33772, and the name of the initial registered agent of the Association located at that address is Joseph M. Murphy.

**ARTICLE XII. INCORPORATOR**

The name and address of the incorporator of the Association is: Joseph M. Murphy, 8640 Seminole Boulevard, Seminole, Florida 33772.

IN WITNESS WHEREOF, for the purpose of forming a corporation not for profit under the provisions of Chapter 617 of the Florida Statutes, the undersigned, being the incorporator hereof, has executed these Articles of Incorporation on this 22 day of June 2023.

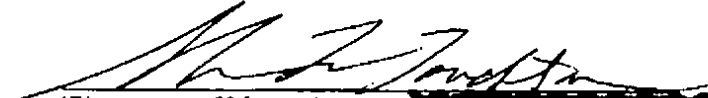


JOSEPH M. MURPHY,  
Incorporator

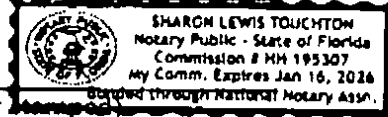
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STATE OF FLORIDA  
COUNTY OF PINELLAS

✓ The foregoing instrument was acknowledged before me, by means of  
physical presence or \_\_\_\_\_ online notarization, this 22 day of June,  
2023, by JOSEPH M. MURPHY, who is personally known to me or who has produced \_\_\_\_\_  
as identification.



(Signature of Notary)



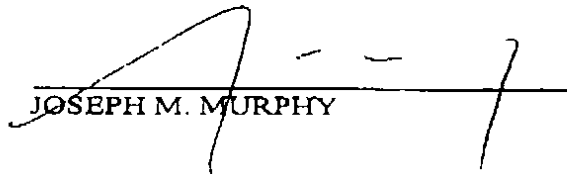
(Name of notary, printed or stamped)

Notary Public

(Serial Number, if any)

**ACCEPTANCE**

I hereby accept the appointment to act as initial Registered Agent for PINE ISLAND-  
CHIQUITA OWNERS ASSOCIATION, INC., as stated in these Articles of Incorporation.

  
JOSEPH M. MURPHY