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Law Offices of  
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George A. Glenn, Jr.

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September 24, 2024

Division of Corporations

Attn: Summer Chatham

2415 N. Monroe Street, Ste. 810

Tallahassee, FL 32303


**Re: Articles of Incorporation**

Dear Summer,

Thank you for your assistance with the Articles of Incorporation. As such, I've enclosed the original signed Article of Incorporation of Tranquility Homeowner's Association, Inc., a Nonprofit Corporation to be filed with the Division of Corporations. Should you have any questions or concerns do not hesitate to contact our office.

Very truly yours,

LAW OFFICES OF GLENN & GLENN

By:   
George A. Glenn, Jr., Esquire

GGjr:clh

Enc.

**ARTICLES OF INCORPORATION  
OF  
TRANQUILITY HOMEOWNERS' ASSOCIATION, INC. A  
NONPROFIT CORPORATION**

The undersigned natural person of legal age, who is a citizen of the State of Florida, acting as incorporator of a corporation under Chapter 617 of the Florida Statutes, does hereby adopt the following Articles of Incorporation for such corporation:

**ARTICLE I**

The name of the corporation (called the Association) is Tranquility Homeowners Association, Inc.

**ARTICLE II**

The Association is a non-profit corporation.

**ARTICLE III**

The business address and the mailing address of the association is:  
1100 Brook St. NE  
Palm Bay, FL 32905

**ARTICLE IV**

The existence of this Association shall commence with the filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The Association shall exist in perpetuity.

**ARTICLE V**

The general purpose of this non-profit corporation is to be the "Association" (as defined in the Homeowners Act of the State of Florida, F.S. 720, et seq., as amended from time to time) for the operation of Tranquility Homeowners Association, Inc., created pursuant to the provisions of the Homeowners Act; and as such Association, to operate and administer said homeowners Association and carry out the functions and duties of said Homeowners Association as set forth in the Declaration of Covenants established for said Homeowners Association for the below described property.

*(See Exhibit "A" Attached)*

In furtherance of such purposes, the Association shall have the power to:

(a) Perform all of the duties and obligations of the Association as set forth in a certain Declaration of Covenants, Conditions, and Restrictions (the Declaration) applicable to the subdivision and to be recorded in the public records of Indian River County, Florida;

(b) Affix, levy, and collect all charges and assessments pursuant to the terms of the Declaration, and enforce payment thereof by any lawful means, including foreclosure; and pay all expenses in connection therewith, and all office and other expenses incident to the conduct of the

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business of the Association, including all licenses, taxes, or governmental charges imposed on the property of the Association:

(c) Acquire (by gift, purchase, or otherwise), own, hold, improve, build on, operate maintain, convey, sell, lease, transfer, dedicate to public use, or otherwise dispose of real and personal property in connection with the affairs of the Association:

(d) Borrow money and, subject to the consent by vote of written instrument of two-thirds of each class of members, mortgage, pledge, convey by deed of trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred:

(e) Dedicate, sell, or transfer all or any part of the common areas to any municipality, public agency, authority, or utility for such purposes and subject to such conditions as may be agreed upon by the members. No such dedication or transfer shall be effective unless an instrument has been signed by two-thirds of each class of members, agreeing to such dedication, sale, or transfer:

(f) Participate in mergers and consolidations with other nonprofit corporations organized for the same purposes, or annex additional property and common areas, provided that any merger, consolidation, or annexation shall have the consent by vote or written instrument of two-thirds of each class of members;

(g) Have and exercise any and all powers, rights, and privileges that a corporation organized under chapter 617 of the Florida Statutes by law it may now or hereafter have or exercise.

(h) The Association shall operate, maintain and manage the surface water or stormwater management system in a manner consistent with the St. John's Water Management District requirements and that issued permit and applicable District rules, and shall assist in the enforcement of the Declaration provisions which relate to the surface water or stormwater management system(s). 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.

(i) 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.

The Association is organized and shall be operated exclusively for the aforementioned purposes. The activities of the Association shall be financed by assessments on members as provided in the Declaration, and no part of any net earnings shall inure to the benefit of any member.

#### ARTICLE VI

Robert Marks shall be the initial register agent. The street address of the initial registered office of the Association is 1100 Brook St. NE, Palm Bay, FL 32905

## **ARTICLE VII**

### **Membership**

Section 1. All persons who are Owners of Parcels within said Homeowners' Association shall automatically be Members of this Corporation. Such membership shall automatically terminate when such person is no longer the Owner of a Parcel. Membership in this Corporation shall be limited to such Homeowners' Association Parcel Owners.

Subject to the foregoing, admission to and termination of membership shall be governed by the Declaration of Covenants that shall be filed for said Homeowners' Association among the Public Records of Indian River County, Florida.

Section 2. The share of a member in the fund and assets of the Association cannot be assigned, hypothecated or transferred in any manner except as an appurtenance to the Unit for which that share is held.

## **ARTICLE VIII**

The directors shall be elected or appointed as stated in the By-Laws. The number of directors constituting the initial board of directors of the Association is three (3). The By-Laws shall effectuate the provisions of the Declaration of Covenants, Conditions and Restrictions and these Articles of Incorporation. The Articles of Incorporation may be amended by a majority vote of the parcel owners of Tranquility. The By-Laws of the Corporation shall initially be made and adopted by its first Board of Directors, and may be altered, amended or rescinded in the manner provided in the By-Laws and the Declaration.

The initial directors of the Corporation shall be:

1. Robert Marks
2. Marlene Marks
3. David Menzel

## **ARTICLE IX**

In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water or stormwater management system must be transferred to and accepted by an entity which would comply with Section 12 of the ERP Permit Applicant's Handbook Volume I, and be approved by the St. Johns Water Management District prior to such termination, dissolution or liquidation, if necessary.

## **ARTICLE X**

The name and street address of the incorporator is:

Robert Marks

1100 Brook St. NE, Palm Bay, FL 32905

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IN WITNESS WHEREOF, the incorporator hereof has hereunto set his hand and seal this 18 day of September, 2024.

Robert Marks  
Robert Marks

STATE OF FLORIDA  
COUNTY OF Indian River

The foregoing instrument was acknowledged before me, in person, this 18<sup>th</sup> day of September, 2024 by Robert Marks who is personally known to me or who produced FL DL as identification.



CHRISTINE L. HOULE  
Notary Public  
State of Florida  
Comm# HH415388  
Expires 8/27/2027

Signature of Notary Public

Christine L. Houle

Print, Type/Stamp Name of Notary

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

Pursuant to Section 48.091, Florida Statutes, the following is submitted:

**TRANQUILITY HOMEOWNERS' ASSOCIATION, INC.,**

desiring to organize under the laws of the State of Florida with its principal office as designated in the Articles of Incorporation, 1100 Brook St. NE, Palm Bay, FL 32905, has named Robert Marks as its 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 agree to comply with the provisions of said Act relative to keeping open said office.

Robert Marks

Robert Marks  
Registered Agent

EXHIBIT "A" TO ARTICLES OF  
INCORPORATION

**DESCRIPTION:**

LEGAL DESCRIPTION:

THE PART LYING EAST OF THE OLD DIXIE HIGHWAY OF THE SOUTH 150.69 FEET OF LOT 2 AND THE NORTH 49.31 FEET OF LOT 3, J. A. HUDSON'S SUBDIVISION, ACCORDING TO PLAT OF SURVEY MADE BY R. B. BURCHFIELD, NOW OF RECORD IN BREVARD COUNTY, FLORIDA, IN DEED BOOK EE, PAGE 600, SAID LAND NOW LYING IN AND BEING A PART OF INDIAN RIVER COUNTY, FLORIDA.

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