

N 29921

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP ☐ WAIT ☐ MAIL

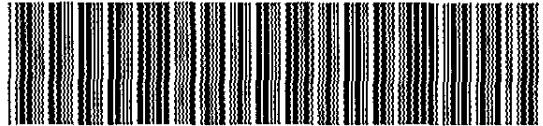
(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

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*Law Office of
Jamie B. Greusel, Esquire
1104 North Collier Boulevard
Marco Island, FL 34145
239-394-8111*

Jamie B. Greusel
Licensed in FL and NJ

July 30, 2004

Florida Department of State
Division of Corporations
P.O. Box 6327
Tallahassee, Florida 32314

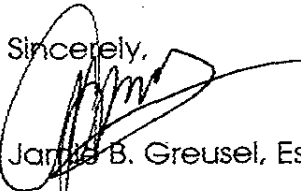
RE: Sussex on the Bay Condominium
Ref. No. N29921

Dear Division of Corporations:

Per your letter, a copy is attached, enclosed please find the corrected documents for the above reference number.

If you have any questions, please do not hesitate to contact our office.

Sincerely,



Jamie B. Greusel, Esq.

JBG:rs
Enclosures



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State

July 26, 2004

LAW OFFICE OF JAMIE B. GREUSEL, ESQ.
1104 NORTH COLLIER BLVD.
MARCO ISLAND, FL 34145

SUBJECT: SUSSEX ON THE BAY CONDOMINIUM ASSOCIATION, INC.
Ref. Number: N29921

We have received your document for SUSSEX ON THE BAY CONDOMINIUM ASSOCIATION, INC. and check(s) totaling \$78.75. However, the enclosed document has not been filed and is being returned to you for the following reason(s):

The document must contain written acceptance by the registered agent, (i.e. "I hereby am familiar with and accept the duties and responsibilities as registered agent for said corporation/limited liability company"); and the registered agent's signature.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6908.

Anna Chesnut
Document Specialist

Letter Number: 904A00046898

Division of Corporations - P.O. BOX 6327 - Tallahassee, Florida 32314

*Law Office of
Jamie B. Greusel, Esquire
1104 North Collier Boulevard
Marco Island, FL 34145
239-394-8111*

Jamie B. Greusel
Licensed in FL and NJ

July 14, 2004

State of Florida
Department of State
Corporate Division
P.O. Box 6327
Tallahassee, FL 32314

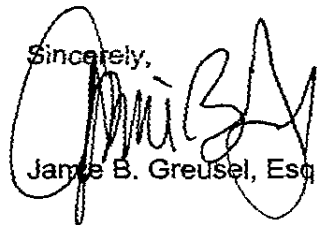
Re: SUSSEX ON THE BAY CONDOMINIUM
ASSOCIATION, INC.

Gentlemen/Ladies:

Enclosed please find two original Amended and Restated Articles of Incorporation for the corporation referenced above, along with a check in the amount of \$78.75 made payable to the Department of State, representing \$35.00 filing fee, \$35.00 for designation of registered agent and \$8.75 for certified copy.

Kindly file the original in your office and return a certified copy to our office.

Sincerely,



Jamie B. Greusel, Esq.

Enclosures

AMENDED AND RESTATED ARTICLES OF INCORPORATION
OF
SUSSEX ON THE BAY CONDOMINIUM ASSOCIATION, INC.
A FLORIDA CORPORATION NOT FOR PROFIT

In compliance with the requirements of Chapter 617, Florida Statutes, the undersigned, all of whom are of full age, have this day voluntarily associated themselves together for the purpose of forming a corporation not-for-profit and to hereby certify:

ARTICLE I. NAME

The name of this corporation is SUSSEX ON THE BAY CONDOMINIUM ASSOCIATION, INC. For convenience, the corporation shall be referred to in this instrument as the "association", these amended and restated articles of incorporation as the "articles" and the amended and restated bylaws of the association as the "bylaws".

ARTICLE II. TERM OF EXISTENCE

The association shall have perpetual existence.

ARTICLE III. PURPOSE

This association is organized for the purpose of providing an entity under the Florida Condominium Act (the Act) for the operation of a condominium located in Collier County, Florida, and known as SUSSEX ON THE BAY, a condominium (the condominium), created pursuant to the declaration of condominium (the declaration).

The Association shall have all the powers and duties reasonably necessary to operate the condominium pursuant to the Amended and Restated Declaration, and as it may hereafter be amended, including, but not limited to, the following:

- A. to make and collect assessment against the members of the Association in order to defray the costs, expenses and losses of the Association and to use the proceeds of said assessments in the exercise of its powers and duties;
- B. To protect, maintain, repair, replace and operate the Condominium property and the Association property;
- C. To purchase insurance on the Condominium property and Association property for the protection of the Association, its members and their mortgagees;
- D. To make, amend and enforce reasonable rules and regulations governing the use of the common elements, and the operation of the Association.

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TALLAHASSEE FLORIDA
SECRETARY OF STATE

- E. To approve or disapprove the transfer, mortgage, ownership and occupancy of units, as provided by the Amended and Restated Declaration of Condominium and the Amended and Restated Bylaws;
- F. To reconstruct improvements after casualty and to make further improvements of the property;
- G. To enforce the provisions of the Condominium Act, the Amended and Restated Declaration of Condominium, these Amended and Restated Articles, the Amended and Restated Bylaws, and any Rules and Regulations of the Association as amended;
- H. To contract for the management and maintenance of the Condominium and the Condominium property, and to delegate any powers and duties of the Association in connection therewith except such as are specifically required by the Amended and Restated Declaration of Condominium to be exercised by the Board of Directors or the membership of the Condominium Association.
- I. To employ accountants, attorneys, architects, and other professional personnel to perform the services required for the proper operation of the Condominium.
- J. To acquire real and personal property in the name of the Association;
- K. To borrow money, if necessary to perform its other functions hereunder.

ARTICLE IV MEMBERS

The qualification of members and the manner of their admission shall be as regulated by the amended and restated bylaws.

ARTICLE V. REGISTERED OFFICE AND REGISTERED AGENT

The street address of the registered office of this corporation is 1104 North Collier Boulevard, Marco Island, Florida 34145 and the name of the registered agent of this corporation at that address is Jamie B. Greusel.

ARTICLE VI. BOARD OF DIRECTORS AND OFFICERS

The affairs of the Association shall be administered by a Board of Directors consisting of the number of Directors determined by the Amended and Restated By-laws, but in any event no less than three (3) Directors. All Directors shall be elected by the members in the manner detailed in the Amended and Restated By-Laws. Directors may be removed and vacancies on the Board of Directors shall be filled in the manner provided in the Amended

and Restated By-Laws. The officers shall conduct the business of the Association, and shall be elected by the Board of Directors at its first meeting following the annual meeting of the members of the Condominium Association and shall serve at the pleasure of the Board.

ARTICLE VII INDEMNIFICATION. The Association shall indemnify every Director and every officer of the Association against all expenses and liabilities including attorney's fees incurred by or imposed on them in connection with any legal proceeding to which he may become a party as a result of this position as an officer or directors of the Association, provided, however, said indemnification shall not apply in the event of gross negligence or willful misconduct of the Director or officer, or in any criminal action, unless the Director or officer acted in good faith and in a manner he reasonably believed was in the best interest of the Condominium Association.

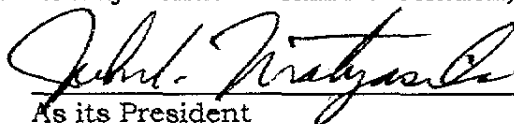
ARTICLE VIII. AMENDMENTS. Except as otherwise provided under Florida law, these Amended and Restated Articles of Incorporation may be amended if the proposed amendments is approved by at least a majority of the voting interests who are present in person or by proxy, at any duly called membership meeting, or by approval in writing of the owners of a majority of the units without a meeting, provided that notice any proposed amendment has been given to the members of the Condominium Association and that the notice contains a copy of the proposed Amendment. Any amendment shall become effective upon filing with the Secretary of State and recording a copy in the Public Records of Collier County, Florida.

CERTIFICATE

The undersigned being the duly elected President and Secretary of Sussex On the Bay Condominium Association, Inc., hereby certify that the foregoing were duly proposed by the Board of Directors and that the foregoing were approved by an affirmative vote of twenty-six (26) unit owners entitled to vote thereon at a duly called meeting, at which a quorum was present, held on May 17, 2004 which was a sufficient number for approval, after due notice, in accordance with the requirements under Florida law for amendment of the Articles of Incorporation for their amendment. The foregoing both amend and restate the Articles of Incorporation in their entirety.

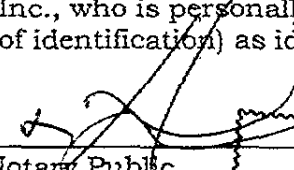
Executed this 28TH day of JUNE, 2004.

Sussex on the Bay Condominium Association, Inc.


As its President

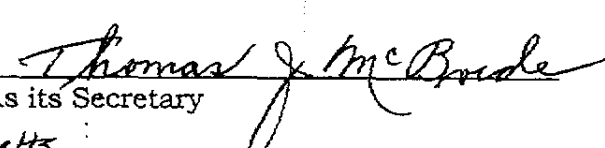
STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me on this 28TH day of JUNE, 2004, by JOHN A. MATYASIK as President of Sussex on the Bay Condominium Association, Inc., who is personally known to me or who provided DRIVERS LICENSE (type of identification) as identification.


Notary Public
My commission expires

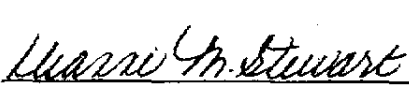


Sussex on the Bay Condominium Association, Inc.


As its Secretary

STATE OF FLORIDA Massachusetts
COUNTY OF COLLIER Norfolk

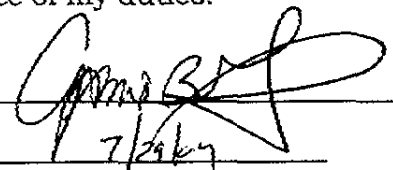
The foregoing instrument was acknowledged before me on this 8TH day of July, 2004, by Thomas J. McBride, as Secretary of Sussex on the Bay Condominium Association, Inc., who is personally known to me or who provided DRIVERS LICENSE (type of identification) as identification.


Notary Public
My commission expires:

Dianne M. Stewart
NOTARY PUBLIC
My commission expires Sept. 3, 2004

ACCEPTANCE OF REGISTERED AGENT

Having been named as registered agent to accept service of process on SUSSEX ON THE BAY CONDOMINIUM ASSOCIATION, INC. at the place designated in these articles, I agree to act in this capacity and I further agree to comply with provisions of all statutes relative to the proper and complete performance of my duties.

Signature: 

Date: 7/28/04