

# N37586

\_\_\_\_\_  
(Requestor's Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City/State/Zip/Phone #)

☐ PICK-UP

☐ WAIT

☐ MAIL

\_\_\_\_\_  
(Business Entity Name)

\_\_\_\_\_  
(Document Number)

Certified Copies \_\_\_\_\_ Certificates of Status \_\_\_\_\_

Special Instructions to Filing Officer:

Office Use Only



800133854168

08/04/08--01013--001 \*\*35.00

FILED  
08 AUG -4 PM 4:00  
TALLAHASSEE, FLORIDA

TS  
Dy-07-58  
Cavett  
8/11/08

**COVER LETTER**

TO: Amendment Section  
Division of Corporations

NAME OF CORPORATION: The 315 Condominium Association, Inc.

DOCUMENT NUMBER: N37586

The enclosed *Articles of Amendment* and fee are submitted for filing.

Please return all correspondence concerning this matter to the following:

Cheyenne R. Young  
(Name of Contact Person)

Wotitzky, Wotitzky, & Ross, P.A.  
(Firm/ Company)

223 Taylor Street  
(Address)

Punta Gorda, Florida 33950  
(City/ State and Zip Code)

For further information concerning this matter, please call:

Cheyenne R. Young at ( 941 ) 639-2171  
(Name of Contact Person) (Area Code & Daytime Telephone Number)

Enclosed is a check for the following amount:

- |   |  |   |  |
|---|--|---|--|
| <input checked="" type="checkbox"/> \$35 Filing Fee | <input type="checkbox"/> \$43.75 Filing Fee &<br>Certificate of Status | <input type="checkbox"/> \$43.75 Filing Fee &<br>Certified Copy<br>(Additional copy is<br>enclosed) | <input type="checkbox"/> \$52.50 Filing Fee<br>Certificate of Status<br>Certified Copy<br>(Additional Copy<br>is enclosed) |
|---|--|---|--|

**Mailing Address**

Amendment Section  
Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32314

**Street Address**

Amendment Section  
Division of Corporations  
Clifton Building  
2661 Executive Center Circle  
Tallahassee, FL 32301

**AMENDED AND RESTATED**  
**ARTICLES OF INCORPORATION OF**  
**THE 315 CONDOMINIUM ASSOCIATION, INC.**

(A NON-PROFIT FLORIDA CORPORATION)

08 AUG -4 PM 4:00  
FILED  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

The undersigned, being the owner of 100% of the units in The 315 Condominium, hereby adopts the following Amended and Restated Articles of Incorporation of The 315 Condominium Association, Inc., a Florida not-for-profit corporation:

**ARTICLE I.**

The name of this corporation is THE 315 CONDOMINIUM ASSOCIATION, INC. The initial principal office of the corporation is: c/o JUAN RIVERA, 315 EAST OLYMPIA AVENUE #111, PUNTA GORDA, FL 33950, and the initial mailing address of the corporation is C/O JUAN RIVERA, 315 EAST OLYMPIA AVENUE #111, PUNTA GORDA, FL 33950.

**ARTICLE II.**

The purpose for which this corporation is organized is to act as the governing association of The 315 Condominium, 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 The 315 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 The 315 Condominium, shall by virtue of such ownership be a member of this corporation.

**ARTICLE V.**

This corporation shall exist perpetually. In the event, however, this Association is dissolved, the control or right of access to the property or common elements of the Condominium containing the surface water management system facilities shall be conveyed or dedicated to an appropriate governmental unit or public utility and that if not accepted, then the surface water management system facilities shall be conveyed to a not-for-profit corporation similar to the Association, unless the condominium is terminated and improvements constituting the condominium are demolished or removed.

## **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 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 surface water management system 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.
- d. Assess members and enforce assessments.
- e. Sue and be sued.
- f. Contract for services to provide for operation and maintenance of the surface water management system facilities if the Association contemplates employing a maintenance company.
- g. Require all lot owners, parcel owners or unit owners to be members.
- 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 Amended and Restated Articles of Incorporation are as follows:

### **NAME**

JUAN RIVERA

### **ADDRESS**

315 EAST OLYMPIA AVENUE #11  
PUNTA GORDA, FL 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 and not more than seven. 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 (2008), and in the Declaration of Condominium of The 315 Condominium.

**ARTICLE IX.**

The names of the officers who are to serve under the Articles of Incorporation are:

*President, Secretary & Treasurer* - JUAN RIVERA

**ARTICLE X.**

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

	<b><u>NAME</u></b>	<b><u>ADDRESS</u></b>
a)	JUAN RIVERA	315 EAST OLYMPIA AVENUE #11 PUNTA GORDA, FL 33950
b)	HELEN E. RIVERA	315 EAST OLYMPIA AVENUE #11 PUNTA GORDA, FL 33950
c)	ANTHONY RIVERA	26545 TRUJILLO DRIVE PUNTA GORDA, FL 33950

**ARTICLE XI.**

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 XII.**

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 the members. Due notice of the meeting must have been given as provided for in the Bylaws.

**ARTICLE XIII.**

Each unit in The 315 Condominium shall have the number of votes or voting interest as set forth in the Declaration of Condominium, which shall be cast by a designated owner as provided for in the Declaration of Condominium or Bylaws.

**ARTICLE XIV.**

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

**ARTICLE XV.**

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.

IN WITNESS WHEREOF, the undersigned constituting 100% of the members of the Association have executed these Articles of Incorporation this 29 day of July, 2008.

THE RIVERA FAMILY LIMITED PARTNERSHIP, a  
Florida limited partnership

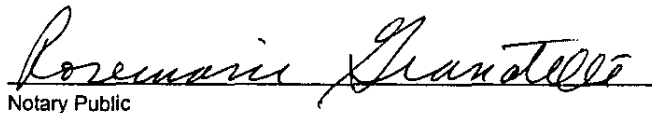
  
\_\_\_\_\_  
Juan I. Rivera, Member

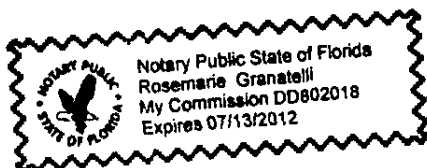
  
\_\_\_\_\_  
Helen E. Rivera, Member

State of Florida  
County of Charlotte

The foregoing instrument was acknowledged before me this 29 day of July, 2008, by Juan I. Rivera and Helen E. Rivera, as Members of THE RIVERA FAMILY LIMITED PARTNERSHIP, a Florida limited partnership, on behalf of the partnership, who are [ ] personally known to me or who [ ] produced \_\_\_\_\_ as identification and who did not take an oath.

My commission expires:

  
\_\_\_\_\_  
Notary Public



**ARTICLES OF AMENDMENT AND RESTATEMENT**  
**OF**  
**ARTICLES OF INCORPORATION OF**  
**THE 315 CONDOMINIUM ASSOCIATION, INC.**

Document Number N37586

Pursuant to the provisions of section 617.1006, Florida Statutes, the Undersigned Florida Not for Profit Corporation adopts the following Articles of Amendment and Restatement to its Articles of Incorporation.

**FIRST:** Restatement adopted: The Amended and Restated Articles of Incorporation of The 315 Condominium Association, Inc. (copy attached hereto)


**SECOND:** The date of adoption of the Amended and Restated Articles of Incorporation was July 28, 2008.

**THIRD:** Adoption of Amended and Restated Articles of Incorporation:

The Amended and Restated Articles of Incorporation were approved by 100% of the members of The 315 Condominium Association, Inc. The number of votes cast for the Amended and Restated Articles of Incorporation was sufficient for approval.

The 315 Condominium Association, Inc.

Corporation Name

  
\_\_\_\_\_  
Signature of President or other officer

JUAN I. RIVERA

Typed or printed name

PRESIDENT

Title

7/28/08  
Date