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LAW OFFICE OF KEVIN F. JURSKI, P.A.

KEVIN F. JURSKI  
FLORIDA BOARD CERTIFIED REAL ESTATE ATTORNEY  
BUSINESS, ENTERTAINMENT AND SPORTS LAW

ROBERT T. MATHER  
LICENSED IN FLORIDA  
AND NEW JERSEY

JACK P. PANKOW, P.A.  
"OF COUNSEL"

SUITE 402, BARNETT CENTRE  
2000 MAIN STREET  
FT. MYERS, FLORIDA 33901-3086  
TELEPHONE (813) 337-1147  
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January 9, 1995

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01/18/95 01007-000  
\*\*\*\*122.50 \*\*\*\*122.50

Secretary of State  
P. O. Box 6327  
Tallahassee, FL 32314

Re: Pine Hammock Circle Property Owners' Association, Inc.

Dear Gentlemen:

Enclosed please find Articles of Incorporation to be filed for the above corporation. Enclosed is our check for \$122.50.

Should you have any questions, please do not hesitate to contact my office.

Respectfully,

  
KEVIN F. JURSKI

KFJ:tr

Client.Ltr/Secstat.pin

cc: Ed Bonkowski

W95-13410

DMC  
2/7/95

Mr. Jursinski gave auth  
by phone to add the principal  
office of the corporation.

FILED  
95 JAN 18 PM 1:03  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA



RECEIVED JAN 26 1995

FLORIDA DEPARTMENT OF STATE  
Sandra B. Morthum  
Secretary of State

January 19, 1995

KEVIN F. JURSKINSKI  
2000 MAIN STREET SUITE 402  
BARNETT CENTER  
FT. MYERS, FL 33901-3086

SUBJECT: PINE HAMMOCK CIRCLE PROPERTY OWNERS' ASSOCIATION,  
INC.  
Ref. Number: W95000001340

We have received your document for PINE HAMMOCK CIRCLE PROPERTY OWNERS' ASSOCIATION, INC. and your check(s) totaling \$122.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

The registered agent must sign accepting the designation.

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 (904) 487-6928.

Agnes Bundick  
Corporate Specialist

Letter Number: 795A00002305

ARTICLES OF INCORPORATION  
OF

THE PINE HAMMOCK CIRCLE PROPERTY OWNERS ASSOCIATION, INC.

FILED

95 JAN 18 PM 4:03

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

WE, the undersigned, acting as incorporators of a non-profit corporation under Chapter 617 of the Florida Statutes, do hereby adopt the following Articles of Incorporation for such corporation:

ARTICLE ONE

The name of this corporation (hereinafter called the Association) is THE PINE HAMMOCK CIRCLE PROPERTY OWNERS ASSOCIATION, INC.

ARTICLE TWO

The specific primary purposes for which the Association is formed are to provide for maintenance, preservation, and architectural control of the residential units and common elements within a certain tracts of real property described on the attached Exhibit A, and to promote the health, safety and welfare of the residents within the above-described development and such additions thereto as may hereafter be brought within the jurisdiction of the Association for such purpose.

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 and Deed of Restrictions (the Declaration) applicable to the development and to be recorded in the Public Records of Lee County, Florida;

(b) Affix, levy, and collect, and enforce payment by any lawful means all charges, assessments and fines pursuant to the terms of the Declaration; and pay all expenses in connection therewith, and all office and other expenses incidental to the conduct of the business of the Association, including all taxes or governmental charges levied on or imposed against the property of the Association;

(c) Acquire (by gift, purchase, or otherwise), own, hold, and improve, build upon, 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 covenant by vote or written instrument of two-thirds (2/3) of the 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 (2/3) of the 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 residential property or common elements, provided that any merger or consolidation shall have the assent by vote or written instrument of two-thirds (2/3) of the members;

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

The Association is organized and shall be operated exclusively for the purpose set forth above. The activities of the Association will be financed by assessments against members as provided in the Declaration, and no part of any net earnings of the Association will inure to the benefit of any member.

### ARTICLE THREE

Every person or entity who is a record owner of a fee or undivided fee interest in any unit which is subject by covenants of record to assessment by the Association, including contract sellers, but excluding persons or entities holding title merely as security for performance of an obligation, shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of a unit which is subject to assessment by the Association.

(a) Change of membership in the Association shall be established by recording in the Public Records of Lee County, Florida, a deed or other instrument establishing a record title to a lot in the property and the delivery to the Association of a certified copy of said instrument. The owner designated by the Grantee of the lot thus becomes a member of the Association and the prior member is thereby terminated.

(b) Change of membership shall require a notice of transfer to the Secretary of the Association and an administrative fee payable to the Association to cover recording costs and documents to be issued to new member. The cost of this fee shall be determined by the Board of Directors on an annual basis.

#### ARTICLE FOUR

The period of duration of the Association shall be perpetual.

#### ARTICLE FIVE

The names and mailing addresses of each subscriber are:

Millie Lane	2161 N.E. 190th Terrace N. Miami Beach, FL 33179
Stanley Lane	2151 N.E. 190th Terrace N. Miami Beach, FL 33179
Alan Shapiro	17842 N.W. 81st Court Miami, Florida 33015

#### ARTICLE SIX

The affairs of the Association shall be managed by a Board of Directors, a President and Vice President, who shall at all times be members of the Board of Directors, and a Secretary and Treasurer. Such officers shall be elected at the first meeting of the Board of Directors following each annual meeting of the members. The names of the officers who are to serve until the first election are:

<u>NAME</u>	<u>OFFICE</u>
Millie Lane	President
Stanley Lane	Vice President
Alan Shapiro	Secretary/Treasurer

#### ARTICLE SEVEN

The number of persons constituting the first Board of Directors of the Association shall be three (3), and thereafter, the membership shall consist of not more than five (5), and the names

and addresses of the persons who serve as Directors until the first election are:

Name	Address
Millie Lane	2161 N.E. 190th Terrace N. Miami Beach, FL 33179
Stanley Lane	2151 N.E. 190th Terrace N. Miami Beach, FL 33179
Alan Shapiro	17842 N.W. 81st Court Miami, Florida 33015

#### ARTICLE EIGHT

The By-Laws of the Association may be made, altered, or rescinded at any annual meeting of the Association, or at any special meeting duly called for such purpose, on the affirmative vote of two-thirds (2/3) of the members existing at the time of and present in person or by proxy at such meeting, except that the initial By-Laws of the Association shall be made and adopted by the Board of Directors.

#### ARTICLE NINE

Amendments to these Articles of Incorporation may be proposed by any member of the Association. These Articles may be amended at any annual meeting of the Association, or at any special meeting duly called and held for such purpose, on the affirmative vote in person or by proxy of a majority of voting members existing at the time of such meeting.

#### ARTICLE TEN

REGISTERED AGENT AND REGISTERED ADDRESS: The initial registered agent of the corporation shall be: The Law Office of Kevin F. Jursinski, P.A., and the initial registered address of the corporation shall be 2222 Second Street, Fort Myers, Florida 33901. The principal office shall be the same as the registered office address.

#### ARTICLE ELEVEN

EFFECTIVE DATE: The effective date of this corporation shall be upon filing with the Office of the Secretary of State of the State of Florida.

## ARTICLE TWELVE

Each Director and Officer of this Association shall be indemnified by the Association against all costs and expenses reasonably incurred or imposed upon him in connection with or arising out of any action, suit or proceedings in which he may be involved or to which he may be made a party by reason of his having been a Director or Officer of this Association, such expense to include the cost of reasonable settlements (other than amounts paid to the Association itself).

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

In pursuance of Chapter 48.091 Florida Statutes, the following is submitted in compliance with said Act:

First -- That THE PINE HAMMOCK CIRCLE PROPERTY OWNERS ASSOCIATION, INC., desiring to organize under the laws of the State of Florida, with its principal office as indicated in the Articles of Incorporation at City of Fort Myers, County of Lee, State of Florida, has named The Law Office of Kevin F. Jursinski, P.A., located at 2222 Second Street, Fort Myers, Florida 33901, 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 provision of said Act relative to keeping open said office.

THE LAW OFFICE OF KEVIN F. JURSKINSKI, P.A.

By: Kevin F. Jursinski  
Kevin F. Jursinski

IN WITNESS WHEREOF, the undersigned subscribers have executed these Articles of  
Incorporation on this 14<sup>th</sup> day of December, 1994.

Norma Shapiro

Norma Shapiro

Norma Shapiro

Millie Lane  
Millie Lane

Stanley Lane  
Stanley Lane

Alan Shapiro  
Alan Shapiro

STATE OF FLORIDA  
SS:  
COUNTY OF LEE

BEFORE ME personally appeared Millie Lane, Stanley Lane and Alan Shapiro, well known  
to me to be the persons described in and who executed the foregoing instrument, and  
acknowledged to and before me that they executed said instrument for the purpose therein  
expressed.

WITNESS my hand and official seal this 14 day of December, 1994.

Maria L. Lorenzo  
NOTARY PUBLIC

My Commission Expires:

7/27/98

Comm # CC394110

