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ANTHONY J. GARGANO  
JEFFREY W. LEASURE  
RICHARD M. MARCHEWKA\*\*  
\*ALSO ADMITTED IN LOUISIANA  
† FLORIDA CERTIFIED MEDIATOR

REPLY TO:  
FAX OFFICE BOX 61100  
FORT MYERS, FL 33906-1100

November 6, 1996

Secretary of State  
Division of Corporations  
Post Office Box 6237  
Tallahassee, Florida 32314

600002003336--5  
-11/13/96--01157--001  
\*\*\*\*122.50 \*\*\*\*122.50

RE: ARTICLES OF INCORPORATION FOR  
FORT MYERS HEAT WAVE, INC.

Dear Madam:

I have enclosed one (1) original and one (1) copy of the Articles of Incorporation of FORT MYERS HEAT WAVE, INC. I have also enclosed a check made payable to the Secretary of State in payment of your required fees as follows:

|                              |       |
|------------------------------|-------|
| Filing Fee:                  | 35.00 |
| Registered Agent Filing Fee: | 35.00 |
| Certified Copy Fee:          | 52.50 |

TOTAL: \$122.50

FILED  
NOV 12 AM 9:37  
TALLAHASSEE, FLORIDA  
DIVISION OF STATE

After the Articles have been filed, please furnish me with a certified copy. Thank you for your cooperation and assistance.

Sincerely,

LEASURE, GARGANO & MARCHEWKA, P.A.

*Anthony J. Gargano*

Anthony J. Gargano

AJG:rds  
Enclosures: as stated  
cc: client

NOV 15 1996  
F. O. 88-8428

**ARTICLES OF INCORPORATION OF**  
**FORT MYERS HEAT WAVE, INC.**  
**(A NON-PROFIT FLORIDA CORPORATION)**

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95 NOV 12 AM 9:37  
TALLAHASSEE, FLORIDA

**ARTICLE I - NAME**

The name of this Corporation is FORT MYERS HEAT WAVE, INC.

**ARTICLE II - PURPOSE**

This corporation is organized to act as the governing association of an athletic association located in Fort Myers, Florida.

**ARTICLE III - MEMBERSHIP**

This corporation is organized on a non-stock basis and shall not issue shares of stock. Membership shall be evidenced by a Certificate of Membership. The qualification of members and the manner of their admission shall be as follows: The nomination and approval by the Board of Administration.

**ARTICLE IV - EXISTENCE**

This corporation shall exist perpetually.

**ARTICLE V - SUBSCRIBER(S)**

The name and residence of the subscriber to these Articles of Incorporation is as follows:

John Iamurri  
1862 Collier Avenue  
Fort Myers, Florida 33901

**ARTICLE VI - MANAGEMENT**

The affairs of the corporation are to be managed initially by a Board of Administration with three (3) members.

**ARTICLE VII - INITIAL BOARD OF ADMINISTRATION**

The number of persons constituting the first Board of Administration shall be three (3) and their names and addresses are as follows:

John Iamurri  
1862 Collier Avenue  
Fort Myers, Florida 33901

Richard Dunmire  
506 Santa Barbara Street  
North Fort Myers, Florida 33903

Kathy Genton  
14814 Randolph Court  
Fort Myers, Florida 33901

#### **ARTICLE VIII - INITIAL OFFICERS**

The names of the officers who are to serve until the first election or appointment under the Articles of Incorporation are:

|                      |                 |
|----------------------|-----------------|
| President:           | John Iamurri    |
| Secretary/Treasurer: | Kathy Genton    |
| Vice President:      | Richard Dunmire |

#### **ARTICLE IX - BYLAWS**

The Bylaws of the Corporation are to be made, altered or rescinded by the members of the Corporation as provided in the Bylaws. The number of the Board of Administrators may be increased or decreased from time to time in accordance with the Bylaws, but shall never be less than one.

#### **ARTICLE X - AMENDMENTS**

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 XI - POWERS**

This Corporation shall have all powers and authority granted to it by the Florida Not for Profit Corporation Act, Chapter 617, Florida Statutes, including, but not limited to:

1. This Corporation may own and convey property.

2. This corporation shall establish Bylaws as well as Rules and Regulations.
3. This Corporation shall assess members of the Corporation and enforce those assessments according to the Bylaws.
4. This Corporation may sue and be sued.
5. This Corporation may contract for services necessary to its operation.

#### **ARTICLE XII - INITIAL REGISTERED OFFICE AND REGISTERED AGENT**

The street address of the initial registered office of this Corporation is 1862 Collier Avenue, Fort Myers, Florida 33901. The name of the initial registered agent of this Corporation is: John Iamurri.

#### **ARTICLE XIII - INDEMNIFICATION**

The Association shall indemnify every member of the Board of Administration and every officer, his/her heirs, personal representatives and assigns against all loss, cost and expenses reasonably incurred by him/her in connection with any action, suit or proceeding which he/she may be a party by reason of his/her being or having been a Board of Administration member or officer of the Association, including reasonable attorneys' fees, except as to matters wherein he/she shall be finally adjudged in such action, suit or proceeding to be liable for, or guilty of, gross negligence or willful misconduct. The foregoing rights shall be in addition to, and not exclusive of, all other rights to which such Board Member or officer may be entitled. The Board may, as and when available, obtain officers' and Board of Administration members' liability insurance and the cost shall be a common expense.

IN WITNESS WHEREOF, the undersigned subscriber has executed these Articles of Incorporation this 6<sup>th</sup> day of November, 1996.

Melissa W. Mason  
Witness  
Rebecca D. Stokes  
Witness

By: John Iamurri  
John Iamurri

#### **ACCEPTANCE OF REGISTERED AGENT**

Having been named as Registered Agent to accept service of process for Fort Myers Heat Wave, Inc. at the place designated in these Articles, I agree to act in this capacity and I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties.

By: John Iamurri  
John Iamurri

STATE OF FLORIDA     )  
                                  )ss  
COUNTY OF LEE        )

BEFORE ME, the undersigned authority authorized to take acknowledgments in the State and County aforesaid, personally appeared John Iamurri, personally known to me or who provided Driver license as identification and who did not take an oath.  
1560761214060

WITNESS my hand and seal on this 6th day of <sup>November</sup> ~~October~~, 1996.

Rebecca D. Stokes  
NOTARY PUBLIC

My Commission Expires:

Rebecca D. Stokes  
Print or Type Name of Notary



REBECCA D. STOKES  
MY COMMISSION # CC468783 EXPIRES  
June 1, 1998  
BONDED THRU TROY FAIR INSURANCE, INC.

FILED  
96 NOV 12 AM 9:37  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA