

N96000005881

Ellie Bunting-21681 Indian Bayou Dr--Ft. Myers Beach, Fl 33931

Secretary of State
Division of Corporations
PO Box 6327
Tallahassee, Florida 32314

Dear Sir/Madame:

Enclosed is an articles of incorporation for a nonprofit corporation,

The Fort Myers Beach Build A Pool Foundation, Inc. for your review

and approval.

Sincerely,

Ellie Bunting

Ellie Bunting

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

**ARTICLES OF INCORPORATION
OF
THE FORT MYERS BEACH BUILD A POOL FOUNDATION, INC**

The undersigned, for the purpose of forming a nonprofit corporation under Florida Statutes Chapter 617, do hereby make and adopt the following Articles of Incorporation:

ARTICLE I. NAME AND ADDRESS OF CORPORATION

The name of the Corporation is:

The Fort Myers Beach Build A Pool Foundation, Inc.

The address of the Corporation is:

**%Fort Myers Beach Town Hall
2523 Estero Blvd
Fort Myers Beach, Fl 33931**

ARTICLE II. NOT FOR PROFIT

The Corporation is a nonprofit corporation under the laws of the State of Florida. The Corporation is not formed for pecuniary profit. No part of the income or assets of the Corporation is distributable to or for the benefit of its Members, Trustees, or Officers, except to the extent permissible.

ARTICLE III. DURATION

The duration (term) of the Corporation is perpetual.

ARTICLE IV. PURPOSES

The Corporation is organized, and shall be operated exclusively for the following purposes:

A. To raise monies for the maintenance and operation of the Fort Myers Beach Community Swimming Pool.

B. To assist city and county officials in the planning and design of the Fort

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Myers Beach Community Swimming Pool.

C. To work with the City of Fort Myers Beach and Lee County Parks and Recreation in planning aquatic programs to be offered at the Community Swimming Pool.

D. To work with the City of Fort Myers Beach in planning the daily operation of the Community Swimming Pool.

E. To exercise all rights and powers conferred by the laws of the State of Florida upon nonprofit corporations, including without limiting the generality of the foregoing, to acquire by bequest, devise, gift, purchase, lease or otherwise any property of any sort or nature without limitation as to its amount of value, and to hold, invest, manage, use, apply, employ, sell, expend, disburse, lease, mortgage, convey, option, donate, or otherwise dispose of such property and the income, principal, and proceeds of such property, for any of the purposes set forth herein.

F. To do such other things as are incidental to the purposes of the Corporation or necessary or desirable in order to accomplish them.

ARTICLE V. LIMITATIONS

No part of the net earnings of the Corporation shall inure to the benefit of or distributable to its Members, Trustees, or Officers, but the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article IV (Purposes)hereof.

ARTICLE VI. DIRECTORS

The Corporation shall have a Board of Directors whose method of election will be stated in the by-laws.

ARTICLE VII. INITIAL REGISTERED OFFICE AND AGENT

The Registered Agent and the street address of the Initial Registered Office of the Corporation in the State of Florida shall be:

Ellie Bunting
21681 Indian Bayou Drive
Fort Myers Beach, Fl 33931

ARTICLE VIII. OFFICERS

The Officers of the Corporation shall consist of a President, Secretary, Treasurer, and such other officers as may be provided in the By-Laws. Each officer shall be elected by the Board of Trustees (and may be removed by the Board of Trustees) at such time and in such manner as may be prescribed in the By-Laws. The name and address of each initial Officer of the Corporation is as follows:

PRESIDENT

ELLIE BUNTING
21681 Indian Bayou Drive
Fort Myers Beach, Fl

VICE PRESIDENT

CURT MCINTYRE

908 North Street
Fort Myers Beach, Fl

SECRETARY

LEE CONGER
421 Connecticut
Fort Myers Beach, Fl

TREASURER

DEBRA MCINTYRE
908 North Street
Fort Myers Beach, Fl

ARTICLE IX. INCORPORATORS

The name and address of each Incorporator is as follows:

ELLIE BUNTING
21681 Indian Bayou Dr.
Fort Myers Beach, Fl

X. BY-LAWS

The by-laws of the corporation are to be made and adopted by the Board of Directors, and may be altered, amended, or rescinded by the Board of Directors.

ARTICLE XI. AMENDMENT

The corporation reserves the right to amend or repeal any provisions contained in these articles of incorporation or any amendment to them, and all rights and privileges conferred upon the Members, Trustees, and Officers are subject to this reservation. The Articles of Incorporation may be amended in accordance with the provisions of the laws of the State of Florida, as amended from time to time, unless more specific provisions for amendments are adopted by the Corporation pursuant to law.

ARTICLE XII. INDEMNIFICATION

In accordance with the laws of the State of Florida, the date when incorporated existence shall commence is the date of subscription and acknowledgment of these Articles of Incorporation.

ARTICLE XIII. NONSTOCK BASIS

This corporation is organized on a nonstock basis. This Corporation shall not issue shares of stock.

IN WITNESS WHEREOF, the undersigned have signed these Articles of Incorporation

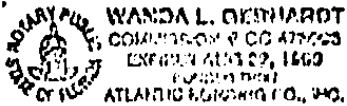
on this 5th day of Nov, 1996.

Ellie Bunting
ELLIE BUNTING, Incorporator

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this 5th day of November, 1996, by ELLIE BUNTING who is personally known to be or ~~was~~ who has produced _____ as identification and who did take an oath.



Wanda L. Oenhardt
NOTARY PUBLIC-STATE OF FLORIDA

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

In compliance with Section 48.091, Florida Statutes, the following is submitted:

That THE FORT MYERS BEACH BUILD A POOL FOUNDATION, INC. desiring to organize under the laws of the State of Florida, with its principal office, as indicated in the Articles of Incorporation, at Lee County, State of Florida, has named ELLIE BUNTING as its agent to accept service of process within this state.

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ACKNOWLEDGMENT

Having been named to accept service of process for the above named Corporation, at the place designated in this certificate, the undersigned agrees to act in this capacity and agrees to comply with the provisions of Florida law relative to keeping the designated office open.

Ellie Bunting
Ellie Bunting Registered Agent