

P98000089079



Steven P. Kushner, P.A.  
Real Property, Corporate and Development Law

October 16, 1998

Secretary of State  
Division of Corporations  
Corporate Records Bureau  
Post Office Box 6327  
Tallahassee, FL 32314

200002666462--1  
-10/19/98--01028--004  
\*\*\*\*122.50 \*\*\*\*\*78.75

Re: Crystal Bay Condominium Development Corporation, Inc.

Gentlemen:

Enclosed herewith please find an original and one copy of the executed Articles of Incorporation for the above referenced entity together with my check in the amount of \$122.50 representing the filing fee. If you have any questions or require additional information, please feel free to call me.

Very truly yours,

Steven P. Kushner  
Attorney at Law

SPK/cal  
Enclosures

FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
98 OCT 19 AM 8:28

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DIVISION OF CORPORATIONS

98 OCT 19 AM 8:28

ARTICLES OF INCORPORATION  
OF  
CRYSTAL BAY CONDOMINIUM DEVELOPMENT CORPORATION

The undersigned subscribers to these Articles of Incorporation, being a duly incorporated Florida corporation, competent to contract, hereby forms a corporation for profit under the laws of the State of Florida.

ARTICLE I

NAME: The name of this corporation is CRYSTAL BAY CONDOMINIUM DEVELOPMENT CORPORATION and the address of the principal office is c/o Povia Ballantine Corporation, 3434 Cleveland Avenue, Fort Myers, Florida 33901.

ARTICLE II

NATURE OF BUSINESS: The corporation may engage in any activity or business permitted under the laws of the United States and of this State.

ARTICLE III

CAPITAL STOCK: The maximum number of shares of stock that this corporation is authorized to have outstanding at any one time is Three Hundred (300) shares of ONE DOLLAR (\$1.00) par value common stock. The consideration to be paid for each share shall be fixed by the Board of Directors from time to time.

ARTICLE IV

INITIAL CAPITAL: The amount of capital with which the corporation will begin business is Five Hundred Dollars (\$500.00).

ARTICLE V

TERM OF EXISTENCE: This corporation shall have perpetual existence.

ARTICLE VI

INITIAL REGISTERED AGENT AND OFFICE: The street address of the initial principal office of this corporation is c/o Povia Ballantine Corporation, 3434 Cleveland Avenue, Fort Myers, Florida 39901. The name of the initial registered agent of this corporation is Steven P. Kushner, and the initial registered office is 1375 Jackson Street, Suite 202, Fort Myers, Florida 33901.

Having been named to accept service of process for CRYSTAL BAY CONDOMINIUM DEVELOPMENT CORPORATION, I hereby 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.

ACCEPTED BY:

  
Steven P. Kushner

ARTICLE VII

DIRECTORS: The number of Directors shall be three (3) initially. The number of Directors may be increased or diminished from time to time by the By-Laws adopted by the Shareholders.

ARTICLE VIII

INITIAL DIRECTORS: The names and addresses of the initial Officers and Directors, who subject to the By-Laws of the Corporation shall hold office for the first year of existence of this Corporation or until his successor is elected and has qualified are:

NAME AND ADDRESS

Lawrence Povia  
3434 Cleveland Avenue  
Fort Myers, Florida 33901

Director/President

Stephen J. Sloan  
3434 Cleveland Avenue  
Fort Myers, Florida 33901

Director/  
Vice President

Dean Ballantine  
3434 Cleveland Avenue  
Fort Myers, Florida 33901

Director/  
Secretary/Treasurer

SUBSCRIBERS: The names and addresses of the Subscribers to these Articles of  
Incorporation is as follows:

NAME AND ADDRESS

SHARES

Lawrence Povia  
3434 Cleveland Avenue  
Fort Myers, Florida 33901

150 shares

Dean Ballantine  
3434 Cleveland Avenue  
Fort Myers, Florida 33901

150 shares

Stephen J. Sloan

N/A

ARTICLE IX

EFFECTIVE DATE: These Articles of Incorporation shall be effective upon approval by  
the Secretary of State of the State of Florida.

## ARTICLE X

AMENDMENT: These Articles of Incorporation may be amended in the manner provided by law. Every amendment shall be approved by the Board of Directors, proposed by them to the Shareholders and approved at a shareholders' meeting by a majority of the stock entitled to vote thereon, unless all of the Directors and all of the Shareholders sign a written statement manifesting their intention that a certain amendment to the Articles of Incorporation be made.

## ARTICLE XI

INDEMNIFICATION: In the event that an officer or director is sued by any party, other than the Corporation with regard to alleged actions or omissions by said officer or director taken in the course of their duty to the Corporation and their activity on behalf of the Corporation in such official capacity, the Corporation shall, to the extent allowable at law, fully indemnify such officer or director with regard to any damages, judgments or claims, together with any and all court costs and reasonable attorneys fees incurred, at trial or at the appellate level. The foregoing indemnification, however, shall be applicable only where such alleged wrongdoings relate to the advancing of the best interests of the Corporation, and do not evidence any wanton or willful intent, gross negligence or gross recklessness, as determined by the Board of Directors. Upon approval by the Board, the Corporation, to the extent allowable by law, may defray the costs of defending any litigation filed against such officer or director in accordance with, and subject to the limitations set forth immediately above. The Board of Directors shall make such determination in their sole discretion and may elect to defray such costs without any requirement that a judgment be obtained by a plaintiff as a prerequisite to defraying such expense.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, acknowledged and filed the foregoing Articles of Incorporation, under the laws of the State of Florida, this 16<sup>th</sup> day of October, 1998.

Witnesses:

CRYSTAL BAY CONDOMINIUM  
DEVELOPMENT CORPORATION,  
a Florida corporation

[Signature]  
Gail M. Rousselle  
[Signature]  
Gail M. Rousselle  
[Signature]  
Gail M. Rousselle

BY: [Signature] (SEAL)  
Lawrence Povia, President

BY: [Signature] (SEAL)  
Stephen J. Sloan, Vice-President

BY: [Signature] (SEAL)  
Dean Ballantine,  
Secretary/Treasurer

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 16 day of October 1998, by Lawrence Povia, Stephen J. Sloan, and Dean Ballantine who are        personally known to me or        have produced       ,       , and        (type of identification) as identification and who did/did not take an oath.

Nicole E. Santini  
Notary Public  
Name: Nicole E. Santini  
Serial No. CC780244

My Commission Expires:



Nicole E. Santini  
Commission # CC 780244  
Expires DEC. 17, 1999  
BONDED THRU  
ATLANTIC BONDING CO., INC.

FILED  
CLERK OF STATE  
DIVISION OF CORPORATIONS  
98 OCT 19 AM 8:28