

ARTICLES OF INCORPORATION  
OF  
THE CAPE PARKWAY CONDOMINIUM ASSOCIATION, INC.

FILED  
JUN 27 PM 3:31  
CLERK OF DISTRICT COURT  
TALLAHASSEE, FLORIDA  
OFF. REC. 1731 PG 4082

WE, the undersigned natural persons competent to contract, acting as incorporators of a corporation not-for-profit under Chapter 617 of the Florida Statutes, and subscribers hereof, hereby propound the following Articles of Incorporation:

ARTICLE I - NAME

The name of the corporation is THE CAPE PARKWAY CONDOMINIUM ASSOCIATION, INC.

ARTICLE II - DURATION

This corporation shall exist perpetually, unless the condominium is terminated, in which event the corporate existence shall also be terminated.

ARTICLE III - PURPOSES

The purpose of the corporation are such as are authorized under Chapters 617 and 718 of the Florida Statutes and include providing for the maintenance, preservation, administration and management of The Cape Parkway Condominium, a condominium established under the Florida Condominium Act by a Declaration of Condominium recorded in the office of the Clerk of the Circuit Court of Lee County, Florida.

ARTICLE IV - MEMBERS

Each condominium unit shall have appurtenant thereto a membership in the corporation. The membership shall be held by the person or entity, or in common by the persons or entities, owning such units; however, no person or entity holding title to a unit as security for performance of an obligation shall acquire the membership appurtenant to such unit by virtue of such title ownership. No membership may be severed from the unit to which it is appurtenant.

Each membership in the corporation shall entitle the holder or holders thereof to exercise the proportion of the total voting power of the corporation corresponding to the proportionate undivided interest in the common elements appurtenant to the unit to which such membership corresponds, as established in the Declaration of Condominium. REC-1731 PG 4083

#### ARTICLE V - DIRECTORS

The affairs of the corporation shall be managed, governed and administered by a Board of Directors. The number of persons constituting the first Board of Directors is three ( 3 ). The names and addresses of the Directors who are to serve until the first election thereof are as follows:

<u>NAME</u>	<u>ADDRESS</u>
BARRIE L. ROSS	6237 Presidential Court, S.W. Suite 126 Fort Myers, Florida 33907
BIAGIO RIINA	1536 S.E. 14th Street Cape Coral, Florida 33904
CHARLES IDELSON	6237 Presidential Court, S.W. Suite 126 Fort Myers, Florida 33907

Provision for the election, removal, disqualification and resignation of Directors and for the filling of vacancies shall be established by the By-laws of the corporation.

#### ARTICLE VI - OFFICERS

The officers of the corporation shall be a President and such other officers as may be provided in the Bylaws.

The names of the persons who are to serve as officers of the Corporation who shall hold office for the first year of the Corporation, or until their successors are elected or appointed are:

BARRIE L. ROSS	President
----------------	-----------

ARTICLE VII - BY-LAWS

The By-laws of the corporation shall be adopted by its first Board of Directors. The By-laws shall be amended by the members of the corporation in the manner set forth in the By-laws.

ARTICLE VIII - AMENDMENTS TO ARTICLES

OFF REC. 1731 PG 4084

Amendments to these Articles of Incorporation may be proposed by any member of the corporation. Amendments shall be adopted by the affirmative vote of those members exercising not less than seventy-five per cent (75%) of the total voting power of the corporation. Said amendment or amendments shall be effective when a copy thereof, together with an attached certificate of its approval by the membership, sealed with the corporate seal, signed by the Secretary, and executed and acknowledged by the President, has been filed with the Secretary of State, and recorded in the Public Records of Lee County, Florida. No amendment shall be made that is in conflict with the Condominium Act or the Declaration of Condominium.

ARTICLE IX - POWERS OF CORPORATION

This corporation shall have all the powers set forth in Chapter 617, Florida Statutes, all of the powers set forth in the Condominium Act of the State of Florida and all powers granted to it by the Declaration of Condominium and exhibits annexed thereto.

ARTICLE X - MISCELLANEOUS PROVISIONS

The corporation shall issue no shares of stock. No dividends shall be paid to any of the members of the corporation nor shall any part of the income of the corporation be distributed to the Board of Directors or officers of the corporation.

The corporation is organized and operated solely for administrative and managerial purposes. It is not intended that the corporation show any net earnings, but if



any net earnings do occur, they shall not inure to the benefit of any private member, individually.

ARTICLE XI - SUBSCRIBERS

The names and addresses of the subscribers to these Articles of Incorporation are as follows:

Mary E. Darlin, Christine Swagler & Sharon L. Hanson  
4223 Del Prado Boulevard  
Cape Coral, Florida 33904

REC. 1731 PG 4085

ARTICLE XII - REGISTERED OFFICE AND AGENT

The street address of the initial registered office of this corporation is 6237 Presidential Court, S.W., Fort Myers Florida 33907, and the name of the initial registered agent of this corporation at that address is BARRIE L. ROSS.

IN WITNESS WHEREOF, the subscribers hereto have hereunto set their hands and seals this 23rd day of January, 1984.

Signed, sealed and delivered in the presence of:

Kimberly Bryant  
Robert E. Shipp Jr.  
Mary E. Darlin L.S.  
Subscriber  
Christine Swagler L.S.  
Subscriber  
Sharon L. Hanson L.S.  
Subscriber

STATE OF FLORIDA )  
: SS.:  
COUNTY OF LEE )

BEFORE ME, the undersigned authority, personally appeared Mary E. Darlin, Christine Swagler & Sharon L. Hanson who after being by me first duly sworn, acknowledged that they executed the foregoing Articles of Incorporation of The Cape Parkway Condominium Association, Inc., a Florida Corporation Not-for-Profit, for the purposes therein expressed.

WITNESS my hand and official seal at the state and county aforesaid, this 23rd day of January, 1984.

My Commission expires:

October 5, 1984

Robert E. Shipp Jr.  
Notary Public

ACKNOWLEDGMENT OF REGISTERED AGENT

I, the undersigned, having been appointed to accept service of process within the State of Florida for the The Cape Parkway Condominium Association at 6237 Presidential Court Inc. S.W., Fort Myers, Florida 339 07, pursuant to Chapter 49.091, Florida Statutes, accept to act in this capacity, and agree to comply with the provisions of said Act relative to keeping open said office.

DATED this 23rd day of January, 1984.

  
BARRIE L. ROSS

Registered Agent

FILED  
JAN 27 PM 3 31  
TALLAHASSEE  
SECRETARY OF STATE