

FILED

NOV 13 5 04 PM 1977

ARTICLES OF INCORPORATION OF THE STATE  
TALLAHASSEE, FLORIDA

We, the undersigned, jointly and severally agree with each other to associate ourselves and our successors together as a corporation not for profit under the Laws of the State of Florida, and do hereby subscribe, acknowledge and file in the Office of the Secretary of State, of the State of Florida, the following Articles of Incorporation:

I.

The name of this Corporation shall be:  
ISLAND POINT, INC., NO. 1, A Condominium,

II.

The purposes for which this Corporation is organized shall be to buy, sell, lease or sub-lease, or to acquire, maintain, or operate as fee owner or as owner of a leasehold interest, or solely to maintain, or operate without any interest in real property, a certain multi-unit residential building and the land upon which said building shall be situated, in Pinellas County, State of Florida, a condominium, which multi-unit residential building shall be known as:

ISLAND POINT NO. 1

and the land on which said building shall be located being more particularly described in the Declaration of Condominium thereto; and to erect such additional buildings and structures on said real estate as the corporation may deem best, and to

*Law Offices*

*Parker, Battaglia and Piss*

3835 Central Avenue  
Post Office Box 12078  
St. Petersburg, Florida 33788

202 150<sup>th</sup> Avenue  
Post Office Box 8067  
Maitland, Florida 32751

transact all business necessary and proper in connection with the operation of said property for the mutual benefit of its members; to operate said property for the sole use and benefit of its members, without attempting to make any profit or other gains for the corporation; and to perform any other act for the well being of member residents, without partiality or undue inconvenience as between member residents; and to perform any other act in maintaining an atmosphere of congeniality and high standard of occupancy by and for its member residents; and to maintain a high standard of the physical appearance of the building; to formulate By-Laws, rules and regulations, and to provide for the enforcement thereof. The corporation shall also have such other power and authority to do and perform every act and thing necessary and proper in the conduct of its business for the accomplishment of its purposes as set forth herein and as permitted by Chapter 617, Florida Statutes, entitled "Corporations Not For Profit".

### III.

FIELD CONSTRUCTION ASSOCIATES, INC., a Florida corporation, hereinafter referred to as the "Developer", shall make and shall declare a certain Declaration of Condominium submitting the property described within the Declaration of Condominium to condominium ownership under the restrictions, reservations, covenants, conditions and easements as contained therein,

*Law Offices*  
*Parker, Battaglia and Ross*

3835 Central Avenue  
 Post Office Box 12078  
 St. Petersburg, Florida 33733

202 150<sup>th</sup> Avenue  
 Post Office Box 8007  
 Madison Beach, Florida 33778

which shall be applicable to said property and all interests therein, to-wit:

(a) Legal description as more fully set forth in the Declaration of Condominium.

(b) All improvements erected or installed on said land, including one (1) building, containing fifty-six (56) condominium units and related facilities.

Initially, such three (3) persons as the Developer may name shall be the members of the corporation who shall be the sole voting members of the corporation until such time as the Developer has conveyed Fifty-one (51) condominium units to the individual grantees, as said condominium units are defined in the Declaration of Condominium, or for a period of five (5) years after date of completion of improvements upon the property described in the Declaration of Condominium, whichever event shall occur first. Thereafter, such three (3) named persons shall cease to be members of the corporation, unless they are either the Developer or a grantee of the Developer, and the individuals to whom the condominium units have been conveyed shall be the voting members of the corporation. The By-Laws of this corporation may not change or alter this Article.

#### IV.

The term for which this corporation shall exist shall be perpetual.

*Law Offices*  
*Parker, Rutledge and Bass*

*3895 Central Avenue*  
*Dal. Office, Box 12075*  
*N. Raleigh, North Carolina 27609*

*202 150th Street*  
*Dal. Office*  
*Atlanta, Georgia 30309*

V.

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

CARL G. PARKER	3835 Central Avenue St. Petersburg, Florida
ANTHONY S. BATTAGLIA	3835 Central Avenue St. Petersburg, Florida
HOWARD P. ROSS	3835 Central Avenue St. Petersburg, Florida

VI.

The affairs of the Corporation shall be managed by a President, Vice President, Secretary, and Treasurer. The Officers of the Corporation shall be elected annually by the Board of Directors of the Corporation in accordance with the provisions provided therefor in the By-Laws of the Corporation.

VII.

The business of the Corporation shall be conducted by a Board of Directors which shall consist of not less than five (5) members, as the same shall be provided for by the By-Laws of the Corporation. The members of the Board of Directors shall be elected annually by a majority vote of the members of the Corporation. The names and addresses of the first Board of Directors and Officers who shall serve as Directors and Officers, until the first election of Directors and Officers, are as follows:

CARL G. PARKER	3835 Central Avenue St. Petersburg, Fla.	President and Director
----------------	---	---------------------------

*Law Offices  
Parker, Battaglia and Ross*

*3835 Central Avenue  
Dist Office Room 12078  
St. Petersburg, Florida 33738*

*202 177th Avenue  
Dist Office Room 3007  
Meklenburg Beach, Florida 33728*

ANTHONY S. BATTAGLIA	3835 Central Avenue St. Petersburg, Fla.	Vice President and Director
HOWARD P. ROSS	3835 Central Avenue St. Petersburg, Fla.	Secretary and Director
LOUIS E. STOLBA	3835 Central Avenue St. Petersburg, Fla.	Treasurer and Director
JOHN L. WALLER	3835 Central Avenue St. Petersburg, Fla.	Director

The name and address of the Resident Agent for said Corporation is as follows:

Carl G. Parker of PARKER, BATTAGLIA & ROSS,  
3835 Central Avenue, St. Petersburg, Florida.

#### VIII.

The By-Laws of the Corporation are to be made, altered or rescinded by a three-fourths (3/4s) vote of the members of this Corporation.

#### IX.

Amendments to the Articles of Incorporation may be proposed by the Board of Directors or by a majority vote of the members of the Corporation, provided, however, that no such amendments to the Articles of Incorporation shall be effective unless adopted pursuant to Article XI hereinafter.

#### X.

Section 1. No Officer, Director or member shall be personally liable for any debt or other obligation of the Corporation, except as provided in the Declaration of Condominium.

*Law Offices*  
*Parker, Battaglia and Ross*

3835 Central Avenue  
Dist. Office No. 12078  
St. Petersburg, Florida 33713

202 150<sup>th</sup> Avenue  
Dist. Office No. 8067  
Maitland, Florida 32751

Section 2. Each member shall be restricted to one (1) vote, except in all elections for Directors, each member shall have the right of cumulative voting; that is to say, each member shall have the right to vote, in person or by proxy, for as many persons as there are Directors to be elected, or to distribute them on the same principle among as many candidates as he shall see fit.

Section 3. A membership may be owned by more than one owner provided that membership shall be held in the same manner as title to the unit. In the event ownership is in more than one person, all of the owners of such membership shall be entitled collectively to only one (1) vote or ballot in the management of the affairs of the Corporation in accordance with the Declaration of Condominium, and the vote may not be divided between plural owners of a single condominium.

Section 4. The members of this Corporation shall be subject to assessment for the costs and expenses of the Corporation in operating the multi-unit building, in accordance with the Declaration of Condominium, these Articles of Incorporation, and the By-Laws of the Corporation. The By-Laws of the Corporation may not change or alter this Section 4, Article X.

Section 5. The Corporation shall not be operated for profit, no dividends shall be paid, and no part of the income of the Corporation shall be distributed to its members, Directors, or Officers.

Section 6. The members of the Corporation, individually, are responsible for all maintenance and repair within and about

*Law Offices  
Parke, Bettyline and Ross*

*3875 Central Avenue  
Dist. Office, Box 12078  
St. Petersburg, Florida 33729  
813-527-7517*

*202 150<sup>th</sup> Avenue  
Dist. Office, Box 8047  
Mulliken Park, Florida 33738  
813-527-7517*

their condominium units.

Section 7. Any matter of controversy or dispute between members or between a member and the Corporation shall be settled by arbitration in accordance with the rules provided therefor by the American Arbitration Association and the Statutes of the State of Florida.

Section 8. The members of this Corporation shall be subject to all of the terms, conditions, covenants and restrictions contained in the Declaration of Condominium, these Articles of Incorporation and the By-Laws of the Corporation.

#### XI.

The Articles of Incorporation may not be amended, altered, modified, changed or rescinded by a vote of less than three-fourths (3/4s) of the then present members of the Corporation, which may be accomplished at any regular or special meeting of the Corporation, provided that written notice of the proposed change shall have been mailed to each member of the Corporation ten (10) days prior to said meeting of the Corporation, provided, however, that no such alteration, amendments, modifications, change or rescision of Article II hereinabove, and of Section 4, 5, 6 and 8 of Article X, may be made without the unanimous approval of the then members of the Corporation together with the written unanimous approval of all mortgagees holding a valid, enforceable first mortgage lien against any condominium unit, provided such mortgagees are institutional mortgagees, such as a bank, savings and loan association or insurance company, authorized to transact business in the State of Florida.

*Law Offices*

*Parker, Rutledge and Ross*

3835 Central Avenue  
 Post Office Box 12078  
 St. Petersburg, Florida 33783  
 (813) 562-1144

202 150<sup>th</sup> Avenue  
 Post Office Box 8817  
 Madeira Beach, Florida 33708

XII.

This Corporation shall provide and may contract for recreational facilities to be used by the condominium unit owners for recreational and social purposes.

XIII.

In the event this Corporation shall become dormant, inactive and fail to perform its duties and carry out its contractual covenants and conditions as set forth herein, together with those matters required to be performed of this Corporation in accordance with the Declaration of Condominium, and all matters in connection therewith, including, but not limited to, the provisions of the Service and Maintenance Agreement as it may pertain to this Corporation, then the said Corporation shall revert back to the original incorporators or their designated attorney-in-fact for purposes of reactivating said Corporation by electing new officers and Directors of this condominium as provided for in the Articles of Incorporation and By-Laws of this Corporation.

XIV.

The principal place of business of this Corporation shall be 644 Island Way, Clearwater Beach, Pinellas County, Florida, Pinellas County, Florida, or at such other place or places as may be designated from time to time.

*Law Offices  
Parker, Puttuglia and Ross*

*3835 Central Avenue  
Post Office Box 12478  
St. Petersburg, Florida 33733*

*202 150<sup>th</sup> Avenue  
Post Office Box 8007  
Marina Beach, Florida 33738*



IN WITNESS WHEREOF, the subscribing incorporators have hereunto set their hands and seals and caused these Articles of Incorporation to be executed this 6th day of November, A. D., 1972.

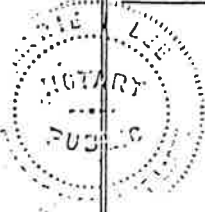
Carl G. Parker  
Carl G. Parker  
Anthony S. Battaglia  
Anthony S. Battaglia  
Howard P. Ross  
Howard P. Ross

STATE OF FLORIDA     )  
                                  ) SS:  
COUNTY OF PINELLAS )

Before me, the undersigned authority, personally appeared CARL G. PARKER, ANTHONY S. BATTAGLIA AND HOWARD P. ROSS

to me well known and known to me to be the persons who executed the foregoing Articles of Incorporation of ISLAND POINT, INC., NO. 1, a condominium, and have severally acknowledged before me that they executed the same for the purposes therein mentioned.

WITNESS my hand and official seal at St. Petersburg, in the County of Pinellas, and State of Florida, this 6th day of November, A. D., 1972.



Marie Lee  
Notary Public  
My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES JULY 23, 1974  
BONDED THROUGH FRED W. DIESTELHORST

*Law Offices*  
*Parker, Battaglia and Ross*

3895 Central Avenue  
Post Office Box 12078  
St. Petersburg, Florida 33733

202 150th Avenue  
Post Office Box 2007  
Hudson Beach, Florida 33735

A F F I D A V I T

STATE OF FLORIDA                    )  
  ) ss.  
COUNTY OF PINELLAS                )

Before me, the undersigned authority, this day personally appeared LAURENCE S. KRAVET, who, after being duly sworn as required by law, deposes and says:

1. That he is the Executive Vice President of FIELD CONSTRUCTION ASSOCIATES, INC., a Florida corporation.

2. That as Executive Vice President of said FIELD CONSTRUCTION ASSOCIATES, INC., a Florida corporation, he has no objection to said corporation being named in the Articles of Incorporation filed with the Secretary of State, State of Florida, Tallahassee, Florida, known as ISLAND POINT, INC., NO. 1, a Condominium, and hereby consents to the use of the said corporate name in the aforesaid condominium corporation.

3. That this consent shall be attached to and made a part of the charter of ISLAND POINT, INC., NO. 1, a Condominium, as though set forth in full therein.

Further Affiant saith not.

*Laurence S. Kravet*

Laurence S. Kravet, Executive Vice President

Attest: *Thomas T. Winkler*

Thomas T. Winkler, Asst. Secy.

Sworn to and subscribed before me  
this 7<sup>th</sup> day of November, 1972.

*[Faint Notary Signature]*  
Notary Public  
*[Faint Notary Name]*  
*[Faint Notary Address]*