

ARTICLES OF INCORPORATION  
OF  
MALABAR CONDOMINIUM ASSOCIATION, INC.

THE UNDERSIGNED Subscribers to these Articles of Incorporation, natural persons competent to contract, hereby subscribe to and form a corporation not for profit, pursuant to Chapter 617, of the laws of the State of Florida.

ARTICLE I

The name of the Corporation shall be:

MALABAR CONDOMINIUM ASSOCIATION, INC.

ARTICLE II

PRINCIPAL OFFICE: The principal office of the Corporation shall be located at 3040 Del Prado Boulevard, Cape Coral, Florida 33904, and the Directors of the Corporation may change the location of the principal office of said Corporation from time to time.

ARTICLE III

PURPOSES: The purposes of this Corporation are to provide, maintain and manage common, social and recreational facilities for members of the Corporation at MALABAR CONDOMINIUM complex hereinafter referred to as the Condominium situate in Lee County, Florida, the furnishing of utility services to the common elements, the furnishing of water and sewer services to each Unit, maintenance of all common elements, trash and garbage collection for all Units and the common elements, the furnishing of fire and extended coverage insurance to the full insurable value of the same relative to the common elements and each Unit, the furnishing of liability insurance relative to the common elements, the furnishing of such other insurance as required by the Declaration of Condominium; to promulgate rules and regulations governing the use of the common elements, recreational and social facilities and grounds of the Condominium, as well as use and occupancy of the Units; to undertake such activities and projects as will unite in companionship its members and insure the continuation of enjoyable living conditions at the Condominium. In order to carry out these purposes, the Corporation shall have the powers provided by Florida Statute 617.021, as amended from time to time, as well as all other express and implied powers of a Corporation Not For Profit, provided or allowed by or through the laws of the State of Florida.

ARTICLE IV

QUALIFICATION OF MEMBERS AND MANNER OF ADMISSION: The members of this Corporation shall consist initially of the undersigned subscribers and, thereafter, such other persons as may, from time to time, be admitted to membership by the Board of Directors of the Corporation, in accordance with the provisions of the By-Laws of the Corporation.

ARTICLE V

TERM OF EXISTENCE: The term for which this Corporation is to exist shall be perpetual, unless sooner dissolved pursuant to provisions of Florida Statute 617, as amended.

ARTICLE VI

NAME AND ADDRESS OF SUBSCRIBERS: The name and street address of the Subscribers to these Articles of Incorporation are as follows:

RONALD L. DAVIS, 3040 Del Prado Boulevard, Cape Coral, FL 33904  
STEVEN A. STOCKMAN, 3040 Del Prado Boulevard, Cape Coral, FL 33904  
RICHARD H. DAVIS, 3040 Del Prado Boulevard, Cape Coral, FL 33904

ARTICLE VII

OFFICERS AND DIRECTORS: The affairs of this Corporation shall be managed by a governing Board called the Board of Directors, who shall be elected at the Annual Meeting of the Corporation. Vacancies on the Board of Directors may be filled until the next Annual Meeting, in such manner as provided by the By-Laws. The officers shall be: A President, Vice-President, Secretary and Treasurer. They shall be elected by the Board of Directors. The officers and members of the Board shall perform such duties, hold office for such terms and take office at such times as shall be provided by the By-Laws of the Corporation.

ARTICLE VIII

NAMES OF OFFICERS: The names of the officers who are to serve until the first appointment or re-election next following the filing of these Articles of Incorporation, pursuant to Florida Statutes, Chapter 617, as amended, are as follows:

RONALD L. DAVIS	President/Treasurer
STEVEN A. STOCKMAN	Secretary
RICHARD H. DAVIS	Vice President

ARTICLE IX

NAMES AND ADDRESSES OF DIRECTORS: The number of Directors shall be three (3). The first Board of Directors who shall serve until the election at the regular annual meeting next following the filing of these Articles of Incorporation, pursuant to Florida Statutes, Chapter 617, as amended, are:

RONALD L. DAVIS  
STEVEN A. STOCKMAN  
RICHARD H. DAVIS


ARTICLE X

BY-LAWS: The By-Laws of this Corporation may be altered, amended, or repealed and new By-Laws may be adopted by a seventy-five percent (75%) vote of the members present and voting at any regular Annual Meeting of the Corporation, or at any Special Meeting called for that purpose, if at least fifteen (15) days written notice is given in advance of any such meeting of intention to alter, amend or repeal or to adopt new By-Laws at such meeting.

ARTICLE XI

AMENDMENT OF ARTICLES OF INCORPORATION: These Articles may be amended by a seventy-five percent (75%) vote of the members present and voting at any regular Annual Meeting of the Corporation, provided, however, that these Articles of Incorporation shall not be amended unless written notice is first given of the proposed Amendment to each and every member of the Corporation, not less than fifteen (15) days prior to the Regular Annual Meeting of the Corporation; such notice shall be sufficient, if it is published no less than fifteen (15) days prior to the Regular Annual Meeting of the Corporation, in such publication as may be designated by the Board of Directors as the official journal of the Corporation.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, acknowledged and file the foregoing Articles of Incorporation under the laws of the State of Florida, this 26 day of August, 1985.

  
RONALD L. DAVIS

  
STEVEN A. STOCKMAN

  
RICHARD H. DAVIS

STATE OF FLORIDA  
COUNTY OF LEE

On this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, RONALD L. DAVIS, STEVEN A. STOCKMAN AND RICHARD H. DAVIS, who are known to me to be the Subscribers in the above Articles of Incorporation, and they have acknowledged before me that

they have read the foregoing, and that the same is true, and that they executed the same for the purposes therein mentioned.

SWORN TO AND SUBSCRIBED before me this 26 day of August 1987.

Lillian Emerson  
Notary Public, State of Florida

My Commission Expires:

Notary Public, State of Florida at Large  
~~My Commission Expires Aug. 29, 1987.~~

NOTARY SEAL \_\_\_\_\_

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

In pursuance of Chapter 48.091, Florida Statutes, the following is submitted, in compliance with said Act.

That MALABAR CONDOMINIUM ASSOCIATION, INC. desiring to organize under the laws of the State of Florida, with its principal office as indicated in the Articles of Incorporation at the City of Cape Coral, County of Lee, State of Florida, has named RONALD L. DAVIS, located at 3040 Del Prado Boulevard, Cape Coral, Florida 33904, as its agent to accept service of process within this State.

ACKNOWLEDGEMENT

Having been named to accept service of process for the above stated Corporation, at place designated in this Certificate, I hereby accept to act in this capacity and agree to comply with the provision of said Act relative to keeping open said office.

BY: Ronald L. Davis  
RONALD L. DAVIS