

OFFICE  
RECS 1574 PAGE 239

## STATE OF FLORIDA

DEPARTMENT OF STATE



I, BRUCE A. SMATHERS, Secretary of State of the State of Florida, do hereby

certify that the following is a true and correct copy of

Certificate of Amendment to Certificate of Incorporation  
of ISLAND VILLAGE CONDOMINIUM ASSOCIATION, INC., a  
corporation organized under the laws of the State of Florida,  
amending ARTICLES OF INCORPORATION, filed on the 13th day  
of November, 1975, as shown by the records of this office.

025763

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GIVEN under my hand and the Great  
Seal of the State of Florida, at  
Tallahassee, the Capital, this the  
13th day of November,

A.D. 19 75.

SECRETARY OF STATE

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1175

REVISED ARTICLES OF INCORPORATION

OF

ISLAND VILLAGE CONDOMINIUM ASSOCIATION, INC.

( A Corporation Not For Profit)

In order to form a Corporation under and in accordance with the provisions of the laws of the State of Florida for the formation of Corporations Not for Profit, we, the undersigned, hereby associate ourselves into a Corporation for the purpose and with the powers hereinafter mentioned; and to that end we do, by these Articles of Incorporation, set forth: (no change from original document)

I.

The name of the proposed Corporation shall be:

"ISLAND VILLAGE CONDOMINIUM ASSOCIATION, INC." (no change from original document)

II.

The purposes and objects of the Corporation shall be to administer the operation and management of the ISLAND VILLAGE CONDOMINIUM COMPLEX, the same being a multi-staged apartment project and condominium regime established in accordance with the laws of the State of Florida upon property situate, lying and being in Merritt Island, Brevard County, Florida, and to undertake the performance of the acts and duties incident to the administration of the operation and management of said CONDOMINIUM in accordance with the terms, provisions, conditions and authorizations contained in these Articles of Incorporation, which are recorded in the Public Records of Brevard County, Florida, and to own, operate, lease, sell, trade and otherwise deal with such property, whether real or personal, as may be necessary or convenient in the administration of said CONDOMINIUM. The Corporation shall be conducted as a non-profit organization for the benefit of its members.

III.

The Corporation shall have the following powers:

A. The Corporation shall have all of the powers and privileges granted to corporations not for profit under the law pursuant to which this corporation is chartered, and all of the powers and

privileges which may be granted unto said corporation or exercised by it under any other applicable laws of the State of Florida, including the Condominium Act, Chapter 711, of the Florida Statutes.

B. The Corporation shall have all of the powers reasonably necessary to implement and effectuate the purposes of the corporation, including but not limited to the following:

1. To make and establish reasonable rules and regulations governing the use of apartment units and the common elements in the condominium as said terms may be defined in the Declaration of Condominium.

2. To levy and collect assessments against members of the corporation to defray the common expenses of the condominium as may be provided in said Declaration of Condominium and in the By-Laws of this corporation which may be hereafter adopted, including the right to levy and collect assessments for the purposes of acquiring, operating, leasing, managing and otherwise trading and dealing with such property, whether real or personal, including the apartment units in the condominium, which may be necessary for the operation and management of the condominium and in accomplishing the purposes set forth in a Declaration of Condominium.

3. To maintain, repair, replace, operate and manage the condominium and the property comprising same, including the right to reconstruct improvements after casualty and to make further improvement of the condominium property.

4. To contract for the management of the condominium and to delegate to such contractor all of the powers and duties of the Association except those which may be required by the Declaration of Condominium to have approval of the Executive Board or membership of the Association.

5. To enforce the provisions of said Declaration of Condominium, these Articles of Incorporation, the By-Laws of the Association which may be hereafter adopted, and the rules and regulations governing the use of the condominium as same may be established.

6. To now or hereafter acquire and enter into leases and agreements of every nature, whereby the corporation acquires leaseholds, memberships and other possessory or use interests in land or facilities, including recreational and communal facilities, whether or not contiguous to lands of the condominium, to provide enjoyment, recreation, or other use or benefit to the owners of the apartment units, all as may be deemed by the Association to be in the best interests of the corporation.

7. To exercise, undertake and accomplish all of the rights, duties and obligations which may be granted to or imposed upon the corporation pursuant to said Declaration of Condominium.

#### IV.

The qualification of the members, the manner of their admission to membership and termination of such membership, and voting by members shall be as follows:

A. The owners of all Private Dwellings in the Condominiums shall be members of the Corporation, and no other persons or entities shall be entitled to membership.

B. Membership shall be established by the acquisition of fee title to a Private Dwelling in the Condominiums or by acquisition of a fee ownership interest therein, whether by conveyance, devise, judicial decree or otherwise, and the membership of any party shall be automatically terminated upon his being divested of all title to, or his entire fee ownership interest in any Private Dwelling, except that nothing herein contained shall be construed as terminating the membership of any party who may own two or more Private Dwellings, or who may own a fee ownership interest in two or more Private Dwellings, so long as such party shall retain title to or a fee ownership interest in any Private Dwelling.

C. The interest of a member in the funds and assets of the Corporation cannot be assigned, hypothecated or transferred in any manner, except as a appurtenance to his Private Dwelling. The funds and assets of the Corporation shall belong solely to the Corporation subject to the limitation that the same be expended,

held or used for the benefit of the Membership and for the purposes authorized herein, in the Declaration of Condominium, and in the By-Laws which may be hereafter adopted or amended.

D. On all matters on which the Membership shall be entitled to vote, there shall be only one vote for each Private Dwelling in the Condominiums, which vote may be exercised or cast by the owner or owners of each Private Dwelling in such manner as may be provided in the By-Laws hereafter adopted by the Corporation. Should any member own more than one Private Dwelling, such member shall be entitled to exercise or cast as many votes as he owns Private Dwellings, in the manner provided by said By-Laws.

V.

The Corporation shall have perpetual existence.

VI.

The principal office of the Corporation shall be located at 2135 North Courtenay Parkway, Merritt Island, Florida.

VII.

The affairs of the Corporation shall be administered by the President of the Corporation assisted by the First Vice-President, Second Vice-President, Secretary and Treasurer and, if any, the Assistant Secretaries and Assistant Treasurers. The Executive Board, or the President, with the approval of the Executive Board, may employ a managing agent and/or such other managerial and supervisory personnel or entities to administer or assist in the administration of the operation and management of the Condominium Complex, and the affairs of the Corporation, and any such person or entity may be so employed without regard to whether such person or entity is a member of the Corporation or a Director or Officer of the Corporation, as the case may be.

VIII.

The affairs of the Corporation shall be managed by an Executive Board who shall be members of the Corporation. The Executive Board

shall consist of fifteen (15) Officers and Directors, and any vacancies occurring in the said Executive Board shall be filled by the remaining members of the Executive Board. At the regular election of the Executive Board each building operated by the Corporation shall elect two (2) members to the Executive Board, who shall be members of the Corporation.

IX.

The Executive Board shall at the time of each Annual Meeting, and after their prior election, convene and elect a First and Second Vice-President from amongst their number. The President, Secretary and Treasurer shall be elected at the Annual Membership Meeting by the General Assembly of the Association and shall not be Directors.

X.

The By-Laws of the Corporation shall be adopted by a majority vote of the members of the Corporation present at a meeting of Members at which a majority of the Membership is present and thereafter, such By-Laws may be altered or rescinded only in such manner as said By-Laws may provide.

XI.

Every Director and every Officer of the Corporation shall be indemnified by the Corporation against all expenses and liabilities including Counsel fees, reasonably incurred by or imposed upon him in connection with any proceeding to which he may be a party, or in which he may become involved, by reason of his being or having been a Director or Officer of the Corporation, whether or not he is a Director or Officer at the time such expenses are incurred, except in such cases wherein the Director or Officer is adjudged guilty of wilful misfeasance or malfeasance in the performance of his duties; provided that, in the event of any claim for reimbursement or indemnification hereunder based upon a settlement by the Director or Officer seeking such reimbursement or indemnification, the indemnification herein shall only apply if the Executive Board approves such settlement and reimbursement as being in the best interests of the Corporation. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which such Director or Officer may be entitled.

XII.

A. An Amendment or Amendments to these Articles of Incorporation may be proposed by the Executive Board of the Corporation, or by the members of the Association, whether meeting as members or by instrument in writing signed by them. Upon any Amendment or Amendments to these Articles of Incorporation being proposed by said Executive Board or Members, such ~~proposed Amendments~~ Amendments shall be transmitted to the President of the Corporation or other Officer of the Corporation in the absence of the President, who shall thereupon call a Special Meeting of the Members of the Corporation for a date not sooner than twenty (20) days nor later than sixty (60) days from the receipt by him of the proposed Amendment or Amendments, and it shall be the duty of the Secretary to give to each Member written or printed notice of such meeting, stating the time and place of the meeting and reciting the proposed Amendment or Amendments in reasonably detailed form, which notice shall be mailed or presented personally to each Member not less than ten (10) nor more than thirty (30) days before the date set for such meeting. If mailed, such notice shall be deemed to be properly given when deposited in the United States Mail, addressed to the Member at his post office address as it appears on the records of the Corporation, the postage prepaid thereon. Any member may, by written waiver of notice signed by such Member, waive such notices, and such waiver when filed in the records of the Corporation, whether before or after the holding of the meeting, shall be deemed equivalent to the giving of such notice to such Member. At such meeting the Amendment or Amendments proposed must be approved by an affirmative vote of seventy-five percent (75%) of the Members voting in person or by proxy in order for such Amendment or Amendments to become effective. Thereupon, such Amendment or Amendments of these Articles of Incorporation shall be transcribed and certified in such form as may be necessary to register the same in the Office of the Secretary of State of the State of Florida, and upon the registration of such Amendment or Amendments with said Secretary of State, a certified copy thereof shall be recorded in the Public Records of Brevard County, Florida,

within ten (10) days from the date on which the same are so registered. At any meeting held to consider such Amendment or Amendments of these Articles of Incorporation, the written vote of any Member of the Corporation shall be recognized, if such Member is not in attendance at such meeting or represented thereat by proxy, provided such written vote is delivered to the Secretary of the Corporation at or prior to such meeting.

B. Provided, however, that no Amendment shall make any changes in the qualifications for membership nor the voting rights of the Members. No Amendment shall be made that is in conflict with the Condominium Act, as the same may be amended from time to time, or the Declaration of Condominium.

XIII.

The Corporation being formed hereby has named William E. Weller, Esq., with offices at 101 North Atlantic Avenue, Cocoa Beach, Florida, as its agent to accept service of process within the State of Florida.

IN WITNESS WHEREOF, the Subscribers have hereunto set their hands and seals this 18<sup>th</sup> day of September 1975.

Charles L. Babb (SEAL)  
Chairman of the Board  
Deloris S. Hummel (SEAL)  
Secretary  
Charles R. Broker (SEAL)  
Treasurer

STATE OF FLORIDA  
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared CHARLES R. BABB, DELORIS S. HUMMEL and CHARLES L. BROKER who, being by me first duly sworn, acknowledge that they executed the foregoing Articles of Incorporation for the purposes therein expressed, this 18 day of September 1975.

L. C. Lichstein, Jr.  
Notary Public, State of Florida at Large

My Commission Expires:

ACKNOWLEDGMENT OF RESIDENT AGENT

Having been named to accept service of process for the above named Corporation at the place designated in the Certificate, I hereby agree to act in this capacity, and to comply with the provisions of Chapter 48, Florida Statutes, relative to keeping open said office.

William E. Weller  
William E. Weller, Resident Agent

REVISION COMMITTEE

*Charles L. Babb*  
Charles L. Babb, Chairman

*Deloris S. Hummel*  
Deloris S. Hummel

*Holland Dresser*  
Holland Dresser

*Wesley C. Lallier*  
Wesley C. Lallier

This revision was approved and adopted by the General Membership of the Island Village Condominium Association, Inc. at a meeting held on October 20, 1975.

*Deloris S. Hummel*  
Secretary

OFFICERS AND DIRECTORS OF ASSO. - All same Address--

Charles L. Babb	V.P. & Chairman of the Board	2135 N. Courtney Hwy. H.I. Fla. 32952 APT. 138 D 186-1 244-F 101-K 208-A 211-B 111-B 222-C 123-C 231-D 142-F 138-E 238-E
Deloris S. Hummel	Secretary	
Charles R. Broker	Treasurer	
Bernadette Fagley	V.P. & Director	
Harry Dong	Director	
J.W. Dutcher	Director	
Herbert Lindholm, Jr.	Director	
Grace Podkova	Director	
Marion Williams	Director	
George Roberts	Director	
Hubert Frazier	Director	
Louise Wilkinson	Director	
Wesley Lallier	Director	

Total number of Officers and Directors is thirteen (13).

Island Village Condominium Association, Inc.  
 2135 N. Courtney Hwy.  
 Miami Beach, Fla. 33292

The following amendments pertain to Island Village Condominium Association, Inc., Declaration of Condominium, Revised the 27th day of September, 1975.

Amend Article II Ownership in Private Units and Appurtenant Interest in Common Property to read:

Each Private Unit shall be conveyed and treated as an individual property capable of independent use and fee simple ownership, and the owner or owners of each apartment unit shall own, as an appurtenant to said ownership, an undivided interest in the common property as set forth in the respective Exhibit "C" which has been filed in the Public Records for each condominium.

Amend Article V Section B, Paragraph 2 on page 1 to read:

All assessments levied against Unit Owners of their Private Dwelling shall be uniform and unless specifically otherwise provided for in the Declaration of Condominium, as revised, the assessments made by the Association shall be in the same ratio as set forth in the respective Exhibit "C" which has been filed in the Public Records for each condominium building. This ratio may however, be legally changed for individual projects with the written consent of all 93 owners of their Private Dwelling first had and obtained.

Amend Article V Section B, Paragraph 3 on page 4 by deleting this paragraph completely. This paragraph did read:—

"If an assessment is for additions or alterations, etc.

Amend Article VIII Section A to read:

Whenever in the judgement of the Executive Board, the Condominium Property shall require alterations or improvements to the Common Property, which do not prejudice the rights of the owner or owners of any apartment unit in the use and enjoyment of his apartment, and the making of such additions or alterations or improvements have been approved by a majority of the apartment owners, the Executive Board will proceed with such additions, alterations, or improvements and the cost of such shall be assessed as common expenses and collected from all of the owners of apartment units, according to the provisions of Article V Paragraph B.

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Amend Article XV Section A, Agreement, to read:

Upon written agreement(s) fully recorded of all Unit Owners and all first mortgages of record, and other lienholders as may be required by law, consenting to such termination.

Amend Article XV Section C, Effect of Termination, to read:

Upon termination, the Association shall, at the earliest practicable date, sell all of its then real estate properties for cash. The net proceeds therefrom, plus any benefits due from insurance policies carried by the Association, less any liabilities of the Association, shall be distributed to the Association members, and/or their mortgagees, if any, in proportion to the ratio as set forth in the respective Exhibit "C" which has been filed in the Public Record for each condominium. The then Common Surplus of the Association shall be distributed to the Association members, and/or their mortgagees, if any, in proportion to their respective ownership of the Common Surplus as stipulated in Article XIV.

Amend Article XVI, Amendments, Section D by deleting the last ten words -

"voting either by their presence or by their signed proxy."

Amend Article XVI, Amendments, by adding a Section D to read:

No alteration in the percentage of ownership in Common Property appurtenant to each Private Unit, or alteration for sharing Common Expenses and other apportionment of assessments which may be levied by the Association, or alteration of ownership of Common Surplus, or alteration of voting rights shall be made without written consent of all of the owners of all Private Units and their respective mortgagees, if any, being first had and obtained.

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The aforesaid amendments were presented to each unit owner of Island Village Condominium Association, Inc., voted upon and approved by a 6 2/3 vote on April 15, 1977.

In witness thereof, the Executive Board of the Island Village Condominium Association, Inc., have caused these presents to be signed and sealed the 31 day of May, 1977.

Signed, sealed and delivered  
in the presence of

H. H. Lindholm Jr.  
Notary Public for the  
County of Brevard, Florida

Deloris H. Hummel  
President of  
The Executive Board

Revision Committee

Charles L. Babb  
Charles L. Babb, Chairman

Louise R. Wilkinson  
Secretary

Louise R. Wilkinson  
Louise R. Wilkinson

W. V. Dutcher  
W. V. Dutcher

Herman Pagley  
Herman Pagley

Association Officers for 1977:

Pres. - Deloris Hummel  
Sec. - Louise R. Wilkinson  
Treas. - Ellen Lindholm

Directors: Bernadette Metzler A-128  
Herman Pagley A-101  
Willard Smith B-212  
Betty Dauterbert B-211  
Anna Rooney C-124  
Cliff Reeves C-223

Tom Bagley B-131  
Phyllis Dreeser B-226  
Sue Snow E-240  
Hamilton Sager E-135  
Mildred Sealey F-143  
Jacqueline Holland F-248

Seal



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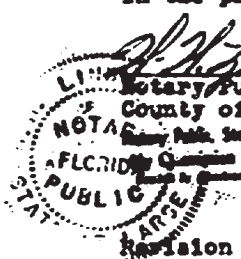
2135 North Courtenay Pkwy.  
Merritt Island, Florida 32952  
July 22, 1977

Clerk of Circuit and County Court  
Brevard County  
400 South Street  
Titusville, Florida 32780

Dear Sir:

Attached is a copy of the original amendments to Island Village Condominium Association, Inc., Declaration of Condominium, Revised the 27th day of September, 1975, verified by the following signatures of the persons signing the original document, and submitted to you for recording. Check in the amount of \$10.00 enclosed.

Signed, sealed and delivered  
in the presence of

 W. H. Lindley, Jr.  
Notary Public for the  
County of Brevard, Florida  
State of Florida  
Commission Expires May 4, 1979  
By: [Signature] & County Clerk

Deloris S. Hammett  
President of  
The Executive Board  
Louise R. Wilkinson  
Secretary  
I.V.C. Assoc., Inc.

Revision Committee

Charles L. Babb  
Charles L. Babb, Chairman

Louise R. Wilkinson  
Louise R. Wilkinson

J. G. Dutcher  
J. G. Dutcher

Herman Pagley  
Herman Pagley

Seal



**THIS FINANCING STATEMENT is presented to a filing officer for filing pursuant to the Uniform Commercial Code, Article 9, and the Security date of any.**

<b>1. Debtor(s) (Last Name First) and address(es):</b> <b>Castner, Jessie</b> <b>1625 Vega Avenue</b> <b>Merritt Island, Fla.</b> <b>32952</b>	<b>2. Secured Party(ies) and address(es):</b> <b>Frey's Marine, Inc.</b> <b>1432 10th Street</b> <b>Lakepark, Fla. 33403</b>	<b>3. Collateral Description (Last Name, First Name, and Filing Date):</b> <b>152020</b> <b>1771 MSE 86</b>
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**4. This financing statement covers the following types (or items) of property:**  
**1976 Cape Dory 24' 10" Beam 7' 3" Hull #CPDE0389M76**  
**with single 1976 Volvo Engine 9 HP Serial #13131493**  
**Extras: Cradle, 112V Battery, bow pulpit, stern**  
**pulpit, fabric cushions, 150 Genoa, Genoa gear,**  
**porta-potti stove, bottom paint, coast guard package.**

**5. Assignment(s) of Secured Party and Address(es):**  
**GENERAL ELEC. CREDIT CORP.**  
**8405 N.W. 53rd Street**  
**Suite B-107**  
**Miami, Florida 33155**

**6. The secured party(ies) whose signature(s) appears below, certifies that the goods required by Chapter 724, Part 1, to be shown if any, have been placed on the previously submitted secured party, and will be placed on any additional and similar document that may be so secured.**

**This statement is filed without the debtor's signature to perfect a security interest in collateral. (Check ☒ if so)**  
☐ Already subject to a security interest in another jurisdiction when it was brought into this state  
☐ which is proceeds of the original collateral described above (which a security interest was perfected)

**Check ☒ if covered ☒ Records of Collateral are also covered ☐ Products of Collateral are also covered No additional sheets presented**

**Filed with: Brevard County**

<b>Jessie Castner</b> <i>Jessie Castner</i> Signature of Debtor(s)	<b>Frey's Marine, Inc.</b> <i>William R. Smith</i> Signature of Secured Party (ies)
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**STANDARD FORM - FORM UCC-1**  
**(1) FILING OFFICER COPY—ALPHABETICAL**  
 Approved by Secretary of State, State of Florida