

**ORIGINAL  
FILE COPY**

**PASTER, RAY & COHEN**  
A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS  
ATTORNEYS AT LAW  
6108 26TH STREET WEST, SUITE 2  
BRADENTON, FLORIDA 34207

SAUL PASTER, P.A.  
RICHARD BARTON RAY, P.A.  
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MADELEINE S. HIRSCHORN, of Counsel

TELEPHONE  
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FAX  
(941) 756-6254

May 30, 1996

Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

951235-WS

RE: Application of Fair Lane Acres, Inc.

Dear Sir/Madam:

Please find the original Application for Nonprofit Association Exemption along with four copies, filed in behalf of Fair Lane Acres, Inc., together with the following enclosures:

- 1) Four copies of the Articles of Incorporation.
- 2) Four copies of the Bylaws.
- 3) Four copies of the Warranty Deed.

Please advise if you have any questions relative to the enclosures.

Thanking you in advance for your continued cooperation.

Yours truly,



Saul Paster

SP/imp  
Janis Koch

96 JUN -3 11 5 22

DOCUMENT NUMBER-DATE  
06054 JUN-3 96  
FPSC-RECORDS/REPORTING

**APPLICATION FOR NONPROFIT ASSOCIATION EXEMPTION  
SECTION 367.022(7), FLORIDA STATUTES  
RULE 25-30.060(3)(g), FLORIDA ADMINISTRATIVE CODE**

**NAME OF SYSTEM:** FAIR LANE ACRES, INC.

**PHYSICAL ADDRESS OF SYSTEM:** 819 49th AVENUE TERRACE WEST  
BRADENTON, FLORIDA 34207

**MAILING ADDRESS (IF DIFFERENT):** \_\_\_\_\_

**COUNTY:** MANATEE

**PRIMARY CONTACT PERSON:**

**NAME:** JANIS KOCH

**ADDRESS:** 806 50th AVENUE WEST  
BRADENTON, FLORIDA 34207

**PHONE #:** (941) 751-4746

**NAMES OF OWNER(S):** FAIR LANE ACRES, INC.

**NATURE OF APPLICANT'S BUSINESS ORGANIZATION:** (CORPORATION, PARTNERSHIP, SOLE PROPRIETOR, ETC.) CORPORATION

I believe this system to be exempt from the regulation of the Florida Public Service Commission pursuant to Section 367.022(7), Florida Statutes, for the following reasons:

1. The corporation, association, or cooperative is nonprofit.
2. Service will be provided solely to members who own and control it.
3. The utility services provided are:  
Water YES (Yes or No) Wastewater YES (Yes or No)

For utility service not provided, state how handled:

4. The billing services will be provided by: FAIR LANE ACRES, INC.

DOCUMENT NUMBER-DATE

06054 JUN 38

**APPLICATION FOR NONPROFIT ASSOCIATION EXEMPTION**

5. The service territory is located at: BRADENTON, FLORIDA  
MANATEE COUNTY

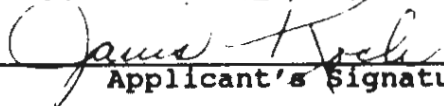
6. Attached are the articles of incorporation as filed with the Secretary of State and bylaws which clearly show the requirements for membership, that the members' voting rights are one vote per unit of ownership and the circumstances under which control of the corporation passes to the non-developer members.

Control of the corporation must pass: 1) at 51 percent ownership by the non-developer members or 2) at some greater percentage delimited by a time period not to exceed 5 years from the date of incorporation.

7. Attached is proof of ownership of the utility facilities and the land upon which the facilities will be located or other proof of the applicant's right to continued use of the land, such as a 99-year lease. The Commission may consider a written easement or other cost effective alternative.

I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in Section 775.082, S. 775.083, or S. 775.084.

5/28/96  
(Date)

FAIR LANE ACRES, INC.  
  
Applicant's Signature

JANIS KOCH  
Applicant's Name (Typed or Printed)

PRESIDENT  
Applicant's Title

When you finish filling out the application, the original and four copies of the application, Articles of Incorporation, Bylaws and proof of ownership should be mailed to:

Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850



**FLORIDA DEPARTMENT OF STATE**  
**Sandra B. Mortham**  
**Secretary of State**

May 8, 1996

SAUL PASTER ESQUIRE  
6108 26 STREET WEST  
SUITE 2  
BRADENTON, FL 34207

The Articles of Incorporation for FAIR LANE ACRES, INC. were filed on May 3, 1996 and assigned document number N96000002442. Please refer to this number whenever corresponding with this office regarding the above corporation. The certification you requested is enclosed.

**PLEASE NOTE: COMPLIANCE WITH THE FOLLOWING PROCEDURES IS ESSENTIAL TO MAINTAINING YOUR CORPORATE STATUS. FAILURE TO DO SO MAY RESULT IN DISSOLUTION OF YOUR CORPORATION.**

**A CORPORATION ANNUAL REPORT MUST BE FILED WITH THIS OFFICE BETWEEN JANUARY 1 AND MAY 1 OF EACH YEAR BEGINNING WITH THE CALENDAR YEAR FOLLOWING THE YEAR OF THE FILING DATE NOTED ABOVE AND EACH YEAR THEREAFTER. FAILURE TO FILE THE ANNUAL REPORT ON TIME MAY RESULT IN ADMINISTRATIVE DISSOLUTION OF YOUR CORPORATION.**

**A FEDERAL EMPLOYER IDENTIFICATION (FEI) NUMBER MUST BE SHOWN ON THE ANNUAL REPORT FORM PRIOR TO ITS FILING WITH THIS OFFICE. CONTACT THE INTERNAL REVENUE SERVICE TO RECEIVE THE FEI NUMBER IN TIME TO FILE THE ANNUAL REPORT AT 1-800-829-3676 AND REQUEST FORM SS-4.**

**SHOULD YOUR CORPORATE MAILING ADDRESS CHANGE, YOU MUST NOTIFY THIS OFFICE IN WRITING, TO INSURE IMPORTANT MAILINGS SUCH AS THE ANNUAL REPORT NOTICES REACH YOU.**

Should you have any questions regarding corporations, please contact this office at the address given below.

Freida Chesser, Corporate Specialist  
New Filings Section

Letter Number: 896A00022415

# State of Florida



## Department of State

I certify the attached is a true and correct copy of the Articles of Incorporation of FAIR LANE ACRES, INC., a Florida corporation, filed on May 3, 1996, as shown by the records of this office.

The document number of this corporation is N96000002442.

Given under my hand and the  
Great Seal of the State of Florida,  
at Tallahassee, the Capital, this the  
Eighth day of May, 1996



*Sandra B. Northam*

Sandra B. Northam  
Secretary of State

FILED  
6 MAY -3 AM 7:55  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**ARTICLES OF INCORPORATION  
OF**

**FAIR LANE ACRES, INC.**

**A Florida Corporation Not For Profit**

We, the undersigned subscribers to these Articles of Incorporation, do hereby form a corporation for non profit under Chapter 617 of the laws of the State of Florida, as follows:

**ARTICLE I: NAME**

The name of the corporation shall be FAIR LANE ACRES, INC. The address of the principal office of this corporation shall be 819 49th Avenue Terrace West, Bradenton, Florida 34207 and the mailing address shall be the same.

**ARTICLE II: DURATION**

This corporation shall exist in perpetuity.

**ARTICLE III: PURPOSES**

The specific purposes for which the corporation is organized are:

- A. To own, operate and maintain an association exclusively for the pleasure, entertainment and recreation of its members.
- B. To do anything necessary and proper for the accomplishment of any purposes set forth in the statement of principles adopted by the founders of the corporation.
- C. This not for profit corporation also has the power, among others, to make contracts and incur liabilities, borrow money, issue its notes, bonds, and

other obligations, and secure any of its obligations by mortgage and pledge of all or any of its property, franchises, or income.

D. This corporation, in conjunction with its other activities may, own and operate a utilities company to provide water and sewer services to the members of the corporation.

E. This corporation shall not exist or be operated for pecuniary profit, and not part of the net earnings of the association or the net assets upon liquidation shall enur  to the benefit of any member. The association may, however reimburse its members for actual expenses incurred for or in behalf of the association, and may pay compensation in a reasonable amount to its members for actual services rendered to the association, as permitted by law.

#### **ARTICLE IV: POWERS**

A. In furtherence of the objectives described above but not in limitation thereof, the association shall have the power, in so far as such power is conferred or is not limited, by law, to make and perform contracts for any lawful purpose, to engage in various funding and fund raising activities and to acquire, own, hold, and maintain such property as to effectuate its purposes.

B. The corporation may fix, levy, collect and enforce by any lawful means, all charges and assessments pursuant to the lawful purposes for which the corporation is organized; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the corporation, including all licenses, taxes or governmental charges, levied or imposed against the property of the corporation.

C. The corporation may make and enforce reasonable rules and regulations governing the use of any and all property owned by the corporation.

#### **ARTICLE V: MEMBERSHIP**

A. The association shall have one class of members only. All voting rights and other rights, interest and privileges of each member shall be equal.

B. The rights and privileges of members, their liability for dues and assessments and the termination and transfer of membership shall be stated in the By-Laws.

C. **Qualification for Membership:** The record title holder of all lots in the following described subdivisions shall be members:

- i. Fair Lane Acres as per plat thereof recorded in Plat Book 9 at Page 47; and
- ii. Fair Lane Acres First Addition recorded in Plat Book 10 at Page 53; and
- iii. Fair Lane Acres Second Addition recorded in Plat Book 11 at Page 62; and
- iv. Fair Lane Acres Third Addition recorded in Plat Book 12 at Page 71;

All recorded in the Public Records of Manatee County, Florida.

#### **ARTICLE VI: GOVERNING BODY**

The powers of the corporation shall be exercised in its property controlled by a Board of Directors comprised of no less than seven members. The qualifications, the time and manner of election, and the terms and duties of office and the manner of filling vacancies shall be set forth in the By-Laws.



## **ARTICLE VII: OFFICERS**

**A. Elective Officers.** Elective Officers of this association shall be a President, Vice President, Secretary and Treasurer. Other offices and officers may be established or appointed by members of the association at the regular annual meeting. The qualifications of, the time and manner of electing, the duties of, the terms of office, and the manner of removing officers shall be set forth in the By-Laws.

**B. Standing Committees.** This association may have Standing Committees as specified in the By-Laws from time to time.

## **ARTICLE VIII: AMENDMENTS TO ARTICLES**

The Articles may be amended or repealed, in whole or in part, only by a majority vote of this corporation's members at an organized meeting of the corporation.

## **ARTICLE IX: BY-LAWS**

By-Laws will be hereafter adopted. Such By-Laws may be amended or repealed, in whole or in part, in the manner provided in the By-Laws, and the amendments to the By-Laws shall be binding on all members, including those who may have voted against them.

## **ARTICLE X: REGISTERED AGENT**

The initial registered office of the corporation is to be at 819 49th Avenue Terrace West, Bradenton, Florida 34207, and the initial registered agent at that address is JANIS KOCH.

**ARTICLE XI: REGISTERED AGENT DESIGNATION**

The undersigned, JANIS KOCH, is familiar with and accepts the duties and responsibilities as registered agent for FAIR LANE ACRES, INC.

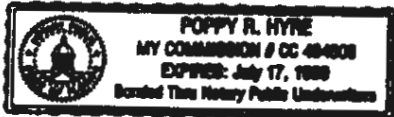
WHEREFORE, the undersigned, as the designated registered agent, hereby accepts the designation as registered agent, on the 26th day of April, 1996.

*Janis Koch*  
\_\_\_\_\_  
JANIS KOCH

STATE OF FLORIDA

COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 26th day of April, 1996, by JANIS KOCH who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.



NOTARY PUBLIC:  
sign: *Poppy R. Hyre*  
print: POPPY R. HYRE  
State of Florida at Large  
(Seal)  
My Commission Expires:

**ARTICLE XII: INCORPORATORS**

The names and street addresses of the incorporators for these Articles of Incorporation are:

JANIS KOCH, 806 50th Avenue West, Bradenton, FL 34207

WALTER HELLMAN, 617 49th Avenue West, Bradenton, FL 34207

ANTHONY J. McENTEE, 608 51st Ave. Terr. W., Bradenton, FL 34207

The undersigned Incorporators have executed these Articles of Incorporation this 26th day of April, 1996.

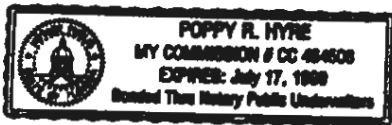
Janis Koch  
JANIS KOCH

Walter Hellman  
WALTER HELLMAN

Anthony J. McEntee  
ANTHONY J. McENTEE

STATE OF FLORIDA  
COUNTY OF MANATEE

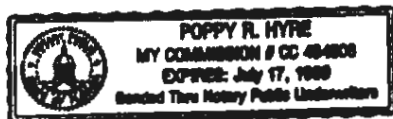
The foregoing instrument was acknowledged before me this 26th day of April, 1996, by JANIS KOCH who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.



NOTARY PUBLIC:  
sign: Poppy R Hyre  
print: Poppy R Hyre  
State of Florida at Large  
(Seal)  
My Commission Expires:

STATE OF FLORIDA  
COUNTY OF MANATEE

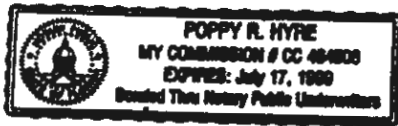
The foregoing instrument was acknowledged before me this 26th day of April, 1996, by WALTER HELLMAN who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.



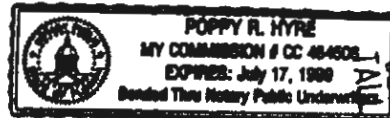
NOTARY PUBLIC:  
sign: Poppy R Hyre  
print: Poppy R Hyre  
State of Florida at Large  
(Seal)  
My Commission Expires:

STATE OF FLORIDA  
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 26th day of April, 1996, by ANTHONY J. McENTEE who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.



NOTARY PUBLIC:  
sign: *Poppy R. Hyre*  
print: POPPY R HYRE  
State of Florida at Large  
(Seal)  
My Commission Expires:



FILED  
96 MAY -3 AM 7:55  
MANATEE COUNTY OF FLORIDA

**BYLAWS**  
**OF**  
**FAIR LANE ACRES, INC.**  
**A Florida Not for Profit Corporation**

**ARTICLE ONE. OFFICES**

**Section One. Principal Office.** The principal office of this corporation in the State of Florida shall be located at 819 49th Avenue Terrace West, Bradenton, Florida, 34207, County of Manatee.

**Section Two. Other Offices.** The corporation may have such other offices, either within or without the County of Manatee, State of Florida, as the board of directors may from time to time determine.

**ARTICLE TWO. MEMBERSHIP**

**Section One. Classes of Membership.** The corporation shall have one class of members. All owners of properties that are serviced by Fair Lane Acres, Inc. are members of this Corporation. Membership will survive only during the time of legal ownership of one of the properties. Each of the properties will be entitled to one (1) vote.

**Section Two. Qualification for Membership:** The record title holder of all lots in the following described subdivisions shall be members:

- i. Fair Lane Acres as per plat thereof recorded in Plat Book 9 at Page 47; and
- ii. Fair Lane Acres First Addition recorded in Plat Book 10 at Page 53; and

- iii. **Fair Lane Acres Second Addition recorded in Plat Book 11 at Page 62; and**
- iv. **Fair Lane Acres Third Addition recorded in Plat Book 12 at Page 71;**

**All recorded in the Public Records of Manatee County, Florida.**

**Section Three. Property Rights.** No member shall have any right, title, or interest in any of the property or assets, including any earnings or investment income of this corporation, nor shall any of such property or assets be distributed to any member on its dissolution or winding up.

### **ARTICLE THREE. MAINTENANCE CHARGE**

**Section One. Maintenance Fee and Utility Charge.** The board of directors may determine from time to time the amount of maintenance fee, any utility charges and/or assessments.

**Section Two. Default in Maintenance or Utility Fee.** When any member shall be in default in the payment of maintenance fees or utilities charges the board of directors may take appropriate action.

### **ARTICLE FOUR. MEETINGS OF MEMBERS**

**Section One. Annual Meeting.** An annual meeting of members shall be held at 10:00 A.M., on the second Friday in January in each year, beginning with the year 1997, at 819 49th Avenue West, Bradenton, Florida 34207, or at such other place or places as the board of directors may designate from time to time by resolution. Appropriate for consideration at such meetings shall be the election of directors, and such other corporate business as may come before the meeting. If the day fixed for

the annual meeting shall be a legal holiday in the State of Florida, such meeting shall be held on the next succeeding business day. If the election of directors shall not be held on the day designated for an annual meeting, or at any adjournment of such a meeting, the board of directors shall cause the election to be held at a special meeting of members conducted as soon as may be convenient.

**Section Two. Special Meetings.** Special meetings of members may be called by the president, the board of directors, or not less than one-twentieth of such members as may be qualified to vote.

**Section Three. Place of Meeting.** The board of directors may designate any place, either within or without the State of Florida, as the place of meeting for any annual or special meeting of members. If no designation is made, the place of meeting shall be 819 49th Avenue Terrace West, Bradenton, Florida 34207. However, if all members shall meet at any time and place and consent to the holding of a meeting, such meeting shall be valid without call or notice, and at such meeting any corporate action may be taken.

**Section Four. Notice of Meetings.** Written or printed notice stating the place, day, and hour of any meeting of members shall be delivered personally or by mail, to each member entitled to vote at such meeting, not less than ten (10) days nor more than sixty (60) days before the date of such meeting, by or at the direction of the president, secretary, or such officers or persons as are calling the meeting. In the case of special meetings, or when required by these bylaws or by law, the purpose or purposes for which the meeting is called shall be stated in the notice. If sent by

mail, a notice of meeting shall be deemed delivered when deposited in the United States mail, postage prepaid, addressed to the member at the member's address as it appears on the records of the corporation at the time of mailing and must be mailed at least 30 days before the date of the meeting.

**Section Five. Informal Action by Members.** Any action required or permitted to be taken at any meeting of members, may be taken without such meeting if a consent in writing, setting forth the action to be taken, shall be signed by all members entitled to vote with respect thereto.

**Section Six. Quorum.** A minimum of fifty (50) members shall constitute a Quorum and shall be necessary to conduct the business of the corporation.

**Section Seven. Proxies.** At any meeting of members, a member entitled to vote may vote by proxy executed in writing by the member or by the member's duly authorized attorney in fact. No proxy shall be valid after eleven (11) months from its date of execution.

**Section Eight. Voting by Mail.** Where directors or officers are to be elected by members, such election may be conducted by mail in such manner as the board of directors shall determine.

**Section Nine. Voting Rights.** Each member shall be entitled to one vote.

The candidates for director receiving the highest number of votes up to the number of directors to be elected, will be deemed to be elected.

## **ARTICLE FIVE. DIRECTORS**

**Section One. Number.** The authorized number of directors of this corporation



shall be seven (7).

**Section Two. Qualifications of Directors.** Directors must be members of the corporation.

**Section Three. Term of Office.** The incorporators named in the articles of incorporation shall serve as the first board of directors and shall hold office until the 2nd Friday of January, 1997, when an election of directors shall be held.

**Section Four. Powers.** (a) Except as otherwise provided in the articles of incorporation, or by law, the powers of this corporation shall be exercised, its properties controlled, and its affairs conducted by the board of directors, which may, however, delegate the performance of any duties or the exercise of any powers to such officers and agents as the board may from time to time, by resolution, designate.

(b) Management of income property. As described in Article Eight, the board of directors may determine, by resolution from time to time duly adopted, to delegate in whole or in part, the management, investment, and disposition of the property of the corporation for the purpose of earning an income from that property, as distinguished from the matter of applying property and funds to charitable purposes, to a finance committee consisting of not less than three members of the board who shall be elected by majority vote thereof, or to one or more trust companies or banks duly authorized to conduct a trust or banking business under the laws of Florida.

(c) Common trust funds. The board of directors may, by resolution from time to time duly adopted, establish one or more common trust funds for the purpose of investing the corporation's funds.

**Section Five. Replacement of Directors.** (a) Whenever a vacancy exists on the board of directors, whether by death, resignation, or otherwise, the vacancy shall be filled thirty (30) days after the president receives notice of the vacancy, by appointment by a majority of the remaining directors at a regular or special meeting of the board. Any person appointed or elected to fill the vacancy of a director shall have the same qualifications as were required of the director whose office was vacated.

(b) Any person elected to fill a vacancy in the board of directors shall hold office for the unexpired term of his or her predecessor in office, subject to the power of removal stated in the Articles of Incorporation of the corporation or at law.

**Section Six. Meetings.** (a) Meetings shall be held at such place or places as the board of directors may from time to time by resolution designate; or, in the absence of such designation, at the principal office of the corporation.

(b) The president may, as the president deems necessary, and the secretary shall, if so requested by three (3) members of the board of directors, call a special meeting of the board. In such event, three (3) days written notice to each director shall be deemed sufficient.

(c) A majority of the board of directors shall constitute a quorum for the transaction of business at any meeting of the board. However, if less than a majority of the directors are present at any meeting, a majority of the directors present may adjourn the meeting from time to time without further notice.

(d) Except as may otherwise be provided in these bylaws, or in the articles of

incorporation of this corporation, or by law, the act of a majority of directors present at any meeting at which a quorum is present shall be the act of the board of directors.

(e) All meetings of the board of directors shall be governed by Robert's Rules of Order, newly revised, including such revisions of those rules as may from time to time be published, and except as those rules are inconsistent with these bylaws, with the articles of incorporation of this corporation, or with applicable law.

**Section Seven. Action Without Meeting.** No meeting need be held by the board to take any action required or permitted to be taken by law, provided all members of the board shall individually or collectively consent in writing to such action, and such written consent or consents is filed with the minutes of the proceedings of the board. Action by written consent shall have the same force and effect as action by unanimous vote of the directors. Any certificate or other document filed under any provision of law which relates to action so taken shall state that the action was taken by unanimous written consent of the board of directors without a meeting, and that the bylaws authorize the directors to so act. Such a statement shall be prima facie evidence of such authority.

**Section Eight. Liability of Directors.** The directors of this corporation shall not be personally liable for its debts, liabilities, or other obligations.

## **ARTICLE SIX. OFFICERS**

**Section One. Designation of Officers.** The officers of the corporation shall be a president, one or more vice presidents (as shall be determined by the board of directors), a secretary, a treasurer and such other officers as may be elected in

accordance with the provisions of this article. The board of directors may elect or appoint such other officers, including one or more assistant secretaries, and one or more assistant treasurers, as it shall deem desirable, such officers to have the authority and perform the duties prescribed, from time to time, by the board of directors. Any two or more offices may be held by the same person, except the offices of president and secretary.

**Section Two. Election and Term of Office.** The officers of this corporation shall be elected annually by the board of directors at a regular meeting of the board of directors. If the election of officers shall not be held at such meeting, such election shall be held as soon as may be convenient. New offices may be created and filled at any meeting of the board. Each officer shall hold office until his successor shall have been duly elected and shall have been qualified.

**Section Three. Removal.** Any officer elected or appointed by the board of directors may be removed by the board of directors whenever in its judgment the interests of the corporation would be best served. Any such removal shall be without prejudice to the contract rights, if any, of the officer so removed.

**Section Four. Vacancies.** A vacancy in any office, whether due to death, resignation, removal, disqualification, or otherwise, may be filled by the board of directors for the unexpired portion of the term.

**Section Five. President.** The president shall be the chief executive officer of the corporation, and shall exercise general supervision and control over all activities of the corporation. The president: (a) Shall preside at all meetings of members and

of directors;

(b) May sign, with the secretary or other officer duly authorized by the board of directors, any deeds, mortgages, bonds, contracts, or other instruments the execution of which has been authorized by the board of directors, except in cases where the signing and execution of such instruments has been expressly delegated by the board of directors by these bylaws, or to some other officer or agent of the corporation by law; and

(c) Shall perform all other duties generally incident to the office of president and such other duties as may be prescribed by the board of directors.

**Section Six. Vice President.** In the absence of the President or in the event of the President's inability or refusal to act, the Vice President shall perform the duties of the President, and when so acting, shall have all the powers of, and be subject to all the restrictions upon, the President. Any Vice President shall perform such additional duties as may from time to time be assigned to a person by the President or by the board of directors.

**Section Seven. Treasurer.** If so required by the board of directors, the treasurer shall:

(a) Give a bond for the faithful discharge of the treasurer's duties in such sum and with such surety or sureties as the board of directors may deem appropriate;

(b) Have charge and custody of, and be responsible for, all funds and securities of the corporation;

(c) Receive and give receipts for moneys due and payable to the corporation

from any source and deposit all such moneys in the name of the corporation in such banks, trust companies, or other depositories as shall be selected by the board of directors; and

(d) Perform all duties generally incidental to the office of treasurer and such other duties as may from time to time be assigned to the treasurer by the president or by the board of directors.

**Section Eight. Secretary.** The secretary shall:

(a) Keep the minutes of meetings of members and of the board of directors, in one or more books provided for that purpose;

(b) See that all notices are duly given in accordance with these bylaws or as required by law;

(c) Be custodian of the corporate records and of the seal of the corporation;

(d) Keep a membership book containing the names and addresses of all members and directors of the corporation, and with respect to any membership which has been terminated, record that fact together with the date of termination; and

(e) Exhibit to any director of the corporation, or to a director's agent, or to any person or agency authorized by law to inspect them, at all reasonable times and on demand, these bylaws, the articles of incorporation, the membership book, the minutes of any meeting, and the other records of the corporation.

**Section Nine. Assistant Treasurers and Assistant Secretaries.** The assistant treasurers and assistant secretaries, in general, shall perform such duties as may be assigned to them by the board of directors, the president, the treasurer, or the

secretary of the corporation. If so required by the board of directors, the assistant treasurers shall give bonds for the faithful discharge of their duties in such sums and with such sureties as the board of directors may deem appropriate.

## **ARTICLE SEVEN. COMMITTEES**

**Section One. Executive Committees.** By majority vote of the directors in office, the board of directors may, by resolution duly adopted, establish one or more committees, each of which shall consist of two or more directors, which committees, to the extent provided by such resolution, shall have and exercise the authority of the board of directors in the management of the corporation; provided, however, that the designation of and delegation of authority to such committees shall not relieve the board of directors, or any director individually, of any responsibility imposed on the board of directors or any individual director by these bylaws, or by law.

**Section Two. Finance Committee.** The matter of controlling, managing, investing, and disposing of the property of this corporation for the purpose of earning an income as distinguished from applying property and funds for the benefit of the members, shall be exclusively vested in a finance committee which shall consist of three (3) directors, who shall be elected by majority vote of the board of directors.

**Section Three. Other Committees.** Other committees not having and exercising the managerial authority of the board of directors, may be established by resolution duly adopted by majority vote of the board of directors. Except as may be provided by resolution, members of committees shall be members of the corporation, and shall be appointed by the president. Any member may be removed by the president,

whenever in the judgment of the president the interests of the corporation would be best served by such removal.

**Section Four. Terms of Office.** Each member of a committee shall continue as such until the next annual meeting of members of the corporation and until his or her successor is appointed, unless such committee shall be sooner abolished, or unless such member be removed or cease to qualify as a member of the committee.

**Section Five. Chairperson.** One member of each committee shall be appointed chairperson by the person or persons authorized to appoint the members of the committee.

**Section Six. Vacancies.** Vacancies in the membership of any committee shall be filled by appointments made in the same manner as provided in the case of original appointments, and any member so elected shall be elected for the unexpired term of his predecessor.

**Section Seven. Quorum.** Unless otherwise provided in a committee's establishing resolution, a majority of the whole committee shall constitute a quorum, and the act of a majority of members present at a meeting at which a quorum is present shall be an act of the committee.

**Section Eight. Rules.** Each committee may adopt such rules and regulations for its meetings and the conduct of its activities as it may deem appropriate; provided, however that such rules and regulations shall be consistent with these bylaws, and provided further that regular minutes of all proceedings shall be kept.



## **ARTICLE EIGHT. CONTRACTS, CHECKS, DEPOSITS, AND FUNDS**

**Section One. Contracts.** The board of directors may, by resolution duly adopted, authorize any officer or officers, agent or agents of the corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or to execute and deliver any instrument in the name of and on behalf of the corporation. Such authority may be general, or confined to specific instances.

**Section Two. Gifts and Contributions.** The board of directors or an executive committee may:

(a) Accept on behalf of the corporation any contribution, gift, bequest, or devise of any type of property ("donations"), for the general and special charitable purposes of the corporation, on such terms as the board or committee shall approve;

(b) Hold such funds or property in the name of the corporation or of such nominee or nominees as the board or committee may appoint;

(c) Collect and receive the income from such funds or property;

(d) Devote the principal or income from such donations to such benevolent and charitable purposes as the board or committee may determine; and

(e) Enter into an agreement with any donor to continue to devote the principal or income from the donation to such particular purpose as the donor may designate and after approval of such agreement by the board or committee devote the principal or income from that donation according to the agreement.

**Section Three. Deposits.** All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks, trust companies, or other

depositories as the board of directors may select.

**Section Four. Checks, Drafts, Orders for Payment.** All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the corporation shall be signed by such officer or officers, agent or agents of the corporation and in such manner as the board of directors shall from time to time by resolution determine. In the absence of such determination, such instruments shall be signed by the treasurer or an assistant treasurer, and countersigned by the president or a vice president of the corporation.

#### **ARTICLE NINE. MISCELLANEOUS**

**Section One. Books and Records.** The corporation shall prepare and maintain correct and complete books and records of account and shall also keep minutes of the meetings of its members, board of directors, and committees, and shall keep at the registered or principal office a membership book giving the names and addresses of members entitled to vote. All books and records of the corporation may be inspected by any director, or member, or the agent or attorney of either, or any proper person, at any reasonable time.

**Section Two. Fiscal Year.** The fiscal year of the corporation shall begin on the first day of January and end on the last day of December in each year.

**Section Three. Corporate Seal.** The board of directors shall provide a corporate seal described as follows: Fair Lane Acres, Inc., A Florida Corporation Not For Profit.

**Section Four. Waiver of Notice.** Whenever any notice is required to be given under the provisions of the Florida Not For Profit Corporation Act or under the

provisions of the articles of incorporation or the bylaws of this corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

#### **ARTICLE TEN. AMENDMENTS**

**Section One. Power of Members to Amend Bylaws.** The bylaws of this corporation may be amended, repealed, or added to, or new bylaws may be adopted by the vote or written assent of fifty percent (50%) of the members entitled to vote or by the vote of fifty percent (50%) of a quorum at a meeting duly called for the purpose according to the articles or bylaws.

**Section Two. Power of Directors to Amend Bylaws.** Subject to the limitations of the articles of incorporation, these bylaws, and the Florida Not For Profit Corporation Act, concerning corporate action that must be authorized or approved by the members of the corporation, the bylaws of this corporation may be amended, repealed, or added to, or new bylaws may be adopted, by a resolution of the board of directors.

PREPARED BY & RETURN TO:  
DAVID E. PLATTE, ESQ.  
603 Indian Rocks Road  
Belleair, Florida 34616

**WARRANTY DEED**

THIS INDENTURE, made this 7th day of May, 1996, between FAIR LANE UTILITIES, INC., a Florida corporation, as to all parcels and FAIR LANE WATER COMPANY, a Florida corporation, as to Parcel A, parties of the first part, and FAIR LANE ACRES, INC., a Florida corporation not for profit, whose mailing address is 819 49th Avenue Terrace West, Bradenton, Florida 34207, party of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of TEN (\$10.00) DOLLARS, lawful money of the United States, to them in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey and confirm unto the said party of the second part, its heirs, successors and assigns forever, all that certain parcel of land lying and being in the County of Manatee and State of Florida, more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

FOLIO NUMBERS: 55022.0000/8, 54817.0000/2, 54385.0000/0,  
55046.0035/3, 55175.0000/4, 54999.000/8, and  
54108.0000/6

Subject to taxes for the year 1996 (which are not yet due and payable) and subsequent years.

Subject to easements, restrictions, covenants and conditions of record.

TOGETHER with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, reversion, remainder and easement thereto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the same in fee simple forever.

And the said party of the first part doth covenant with the said party of the second part that it is lawfully seized of the said premises; that it is free of all encumbrances, and that it has good right and lawful authority to sell the same; and the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be properly executed this 17 day of May, 1996.

Signed, Sealed and Delivered  
in the presence of

FAIR LANE UTILITIES, INC.  
a Florida corporation

[Signature]  
1st Witness: Maide E. Hatto  
PRINT NAME: Maide E. Hatto

BY: [Signature]  
Robert Barris, President  
14295 Chamberlain Avenue  
Largo, Florida 34644

FAIR LANE WATER COMPANY  
BY: [Signature]  
Robert Barris, President  
14295 Chamberlain Avenue  
Largo, Florida 34644

[Signature]  
2nd Witness:  
PRINT NAME: Cheryl Galeo


STATE OF FLORIDA:  
COUNTY OF Maricopa:

The foregoing instrument was acknowledged before me this 8 day of May, 1996, by ROBERT BARRIS, as President of FAIR LANE UTILITIES, INC., a Florida corporation, and FAIR LANE WATER COMPANY, a Florida corporation, on behalf of the corporations and ( ) who is personally known to me, or, (X) who produce Florida Driver License as identification and who took an oath.

[Signature]  
Notary Public  
My Commission Expires:  
My Commission Number:

(SEAL)

mjc\fairlane.ded

 JERRY A. CELUSO  
My Comm Exp. 2-1-98  
Bonded By Service Inc  
No. CC350556  
|| Notary Public || State of Florida

## LEGAL DESCRIPTION

### Parcel A:

Lots 92 and 94, Fair Lane Acres, according to the map or plat thereof, as recorded in Plat Book 9, page 47, of the Public Records of Manatee County, Florida.

### Parcel B:

Tract marked "Reserved", together with abutting vacated Gardenia Drive, shown on the plat of Fair Lane Acres, First Addition, according to the map or plat thereof as recorded in Plat Book 10, page 53, of the Public Records of Manatee County, Florida, being more particularly described in Deed recorded in Official Records book 64, page 774, of the Public Records of Manatee County, Florida, as follows:

Begin at the NE corner of the intersection of Hibiscus Lane and Jacaranda Drive, as shown on the plat of Fair Lane Acres, First Addition, as per plat thereof recorded in Plat Book 10, page 53 of the Public Records of Manatee County, Florida, and run thence North and along the East line of Hibiscus Lane, a distance of 119 feet to the SE corner of the intersection of Hibiscus Lane and Poinciana Drive; run thence East and along the South line of Poinciana Drive a distance of 160 feet to a point; run thence South and parallel with the East line of Hibiscus Lane, a distance of 119 feet, more or less, to the North line of Jacaranda Drive; run thence West a distance of 160 feet to the Point of Beginning.

### Parcel C:

West 5 feet of the East 29 feet of Lot 3, Fair Lane Acres, according to the map or plat thereof as recorded in Plat Book 9, page 47; and that parcel of land located in Block F of Fair Lane Acres, third Addition, according to the map or plat thereof as recorded in Plat Book 12, page 71, of the Public Records of Manatee County, Florida, marked "Lake, not included"; and East 1 foot of Lot 16 and all of Lots 17, 18 and 19, Block F, Fair Lane Acres, Third Addition, according to the map or plat thereof as recorded in Plat Book 12, page 71, of the Public Records of Manatee County, Florida;

LESS AND EXCEPT those lands, if any, abutting, Lots 1 through 15, inclusive and West 30 feet of Lot 16, Block F, Fair Lane Acres, third Addition, according to the map or plat thereof as recorded in Plat Book 12, page 71, of the Public Records of Manatee County, Florida, lying between said lots and the Waters of the lake shown as "not included" in Block F on the Plat of said Subdivision.

### Parcel D:

East 30 feet of Lot 50, Block C, Fair Lane Acres, Second Addition, according to the map or plat thereof as recorded in Plat Book 11, page 62, of the Public Records of Manatee County, Florida.

**Parcel E:**

**Parcel of Land lying between Lots 40 and 41 marked "not included", Block K, Fair Lane Acres, Third Addition, according to the map or plat thereof, as recorded in Plat Book 12, page 71, of the Public Records of Manatee County, Florida.**

**Parcel F:**

**The West 7 feet of Lot 6, Fair Lane Acres 3rd Addition, a Replat of a Portion of the Third Addition, according to the plat or map thereof as recorded in Plat Book 18, page 1, of the Public Records of Manatee County, Florida.**

**Parcel G:**

**Lot 1, less East 60 feet, Block M, Fair Lane Acres Third Addition, according to the map or plat thereof as recorded in Plat Book 12, page 71, of the Public Records of Manatee County, Florida.**

**TOGETHER WITH the reservation of rights to lay and maintain utilities, water and sewer lines beneath the surface of the roads as shown on the plats of Fair Lane Acres, according to the Plat thereof as recorded in Plat Book 9, page 47 and First Addition to Fair Lane Acres, according to the plat thereof as recorded in Plat Book 10, page 53, of the Public Records of Manatee County, Florida.**

**ALSO TOGETHER WITH the non-exclusive right to use the utility easements as shown on the replats of Fair Lane Acres Second Addition, recorded in Plat Book 11, page 62, and Fair Lane Acres Third Addition, recorded in Plat Book 12, page 71, of the Public Records of Manatee County, Florida.**