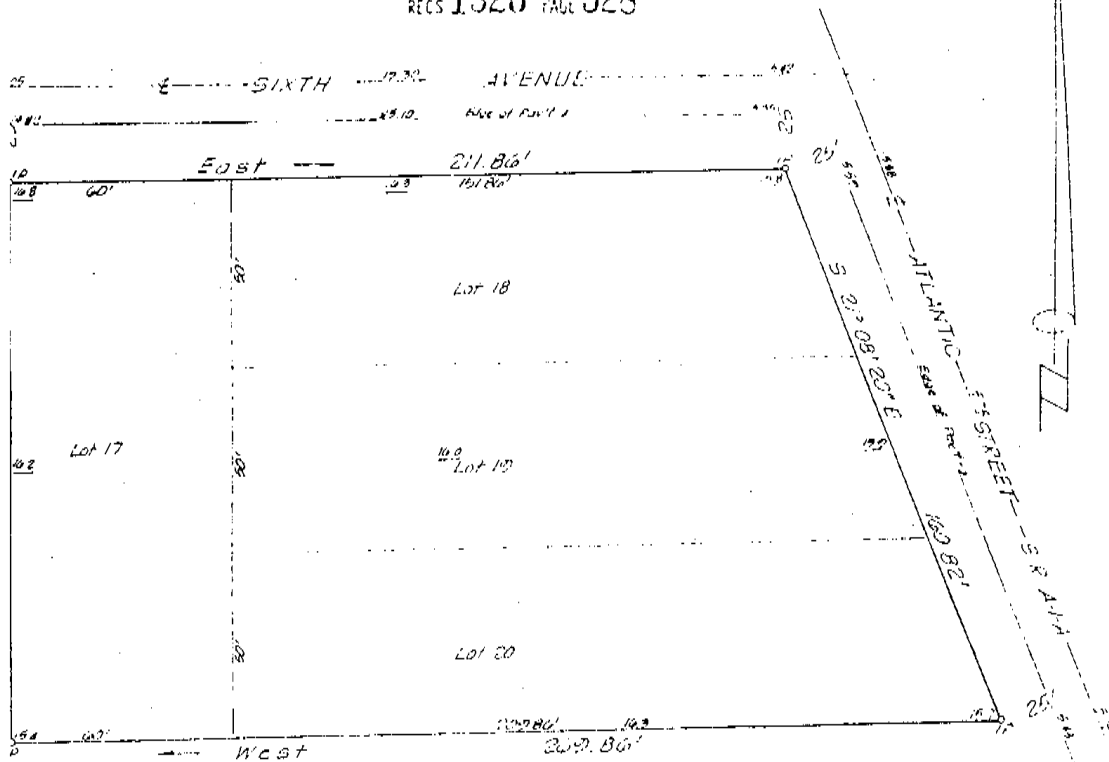


EXHIBIT 'A'

RECS 1926 PAGE 528



Note Elevations based on National Geodetic Vertical Datum

## PLAT OF SURVEY FOR B. & B. CONST.

DESCRIPTION: Lots 17, 18, 19 & 20, Block 34, WILCOX PLAT OF MELBOURNE BEACH, as recorded in Plat Book 1, Page 58, Public Records of Brevard County, Florida

Date: March 14, 1978

Scale: 1"=30'

Job No 78-234

Certified correct to the best of my knowledge and belief:  
BUCKNER, REALTY AND SURVEYING, INC.  
By: C. A. Buckner Reg. Land Surveyor No. 1083  
C. A. Buckner Pres.

BUCKNER REALTY AND SURVEYING, INC.  
EAU GALLIE, FLORIDA

SURVEYOR'S NOTE:  
THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE  
OF THE CLIENT FOR WHOM IT IS VALID ONLY WHEN  
EMBOSSED WITH THE SURVEYOR'S SEAL.

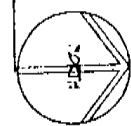
OFFICE RECS 1926 PAGE 529

DRAWING INDEX  
 A1 SITE PLAN  
 A2 FOUNDATION PLAN  
 A3 FLOOR PLANS

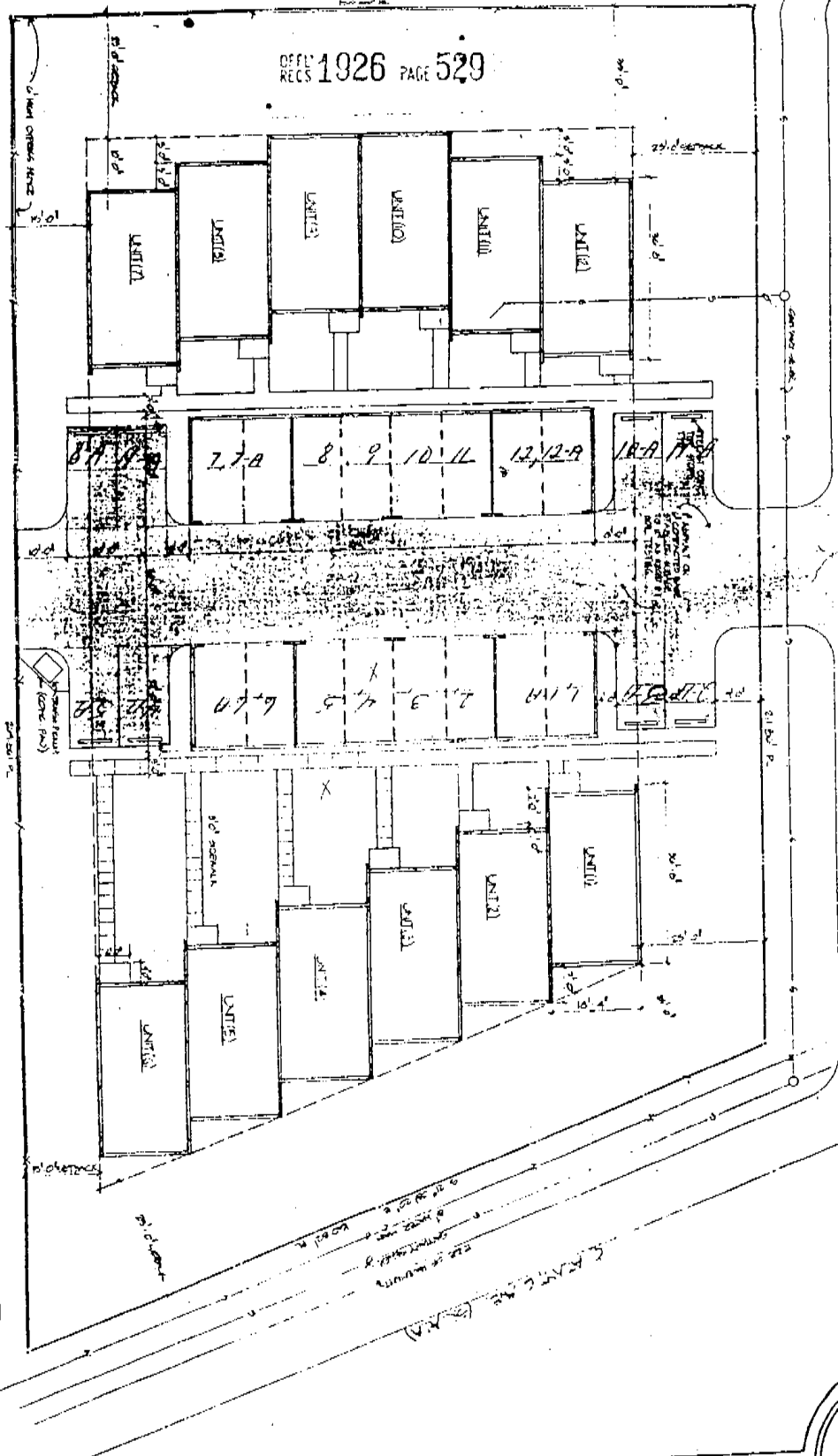
A5 ELEVATIONS, BLDG. SECT. & SCHEDULES  
 A6 H.W. ELECTRICAL PLUMBING  
 A7 SANIT. & PLUMBING ELEVATIONS, WALL SECTIONS  
 A8 DOWNCAST ELEVATION

5/2/27

1.010



SET 13



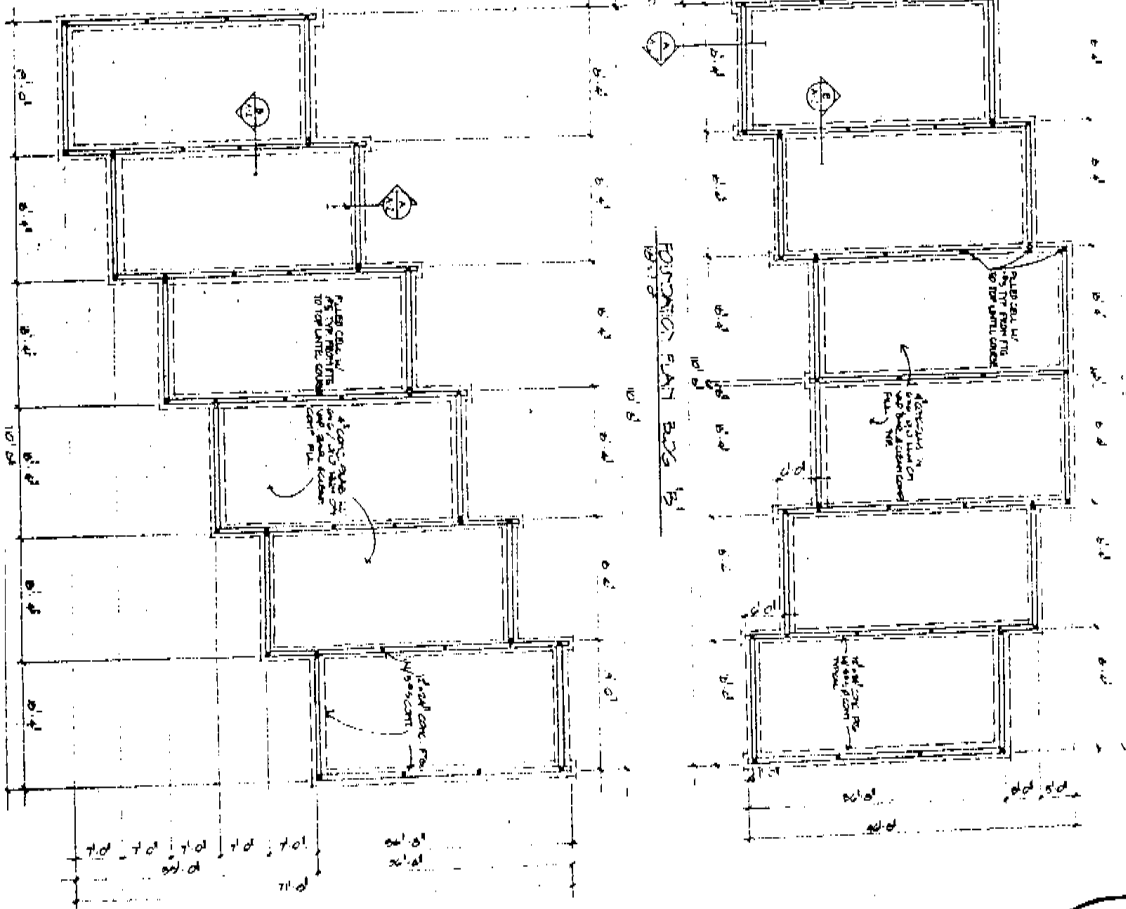
A1	PEPPERTREE EAST TOWNHOMES A CONDOMINIUM FOR D&D CONSTRUCTION CO MELBOURNE BEACH	ATLANTIC ARCHITECTS GROUP, INC. JOHN A. HENNING 1001 11TH AVENUE FLORIDA 33408 000 726 0411	
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EXHIBIT "D"

DEED 1926 PAGE 530

WALL SECTION (A)

WALL SECTION (A)



PEPPERTREE EAST TOWNHOMES  
A CONDOMINIUM FOR DBB CONSTRUCTION CO  
MIAMI BEACH, FLORIDA

ATLANTIC ARCHITECTS GROUP, INC.  
JAMES A. MARBLE, ROBERT J. DONOHUE, ROBERT J. DONOHUE  
907 15TH AVENUE, MIAMI BEACH, FLORIDA 33139 (305) 756-0841

EXHIBIT "D"

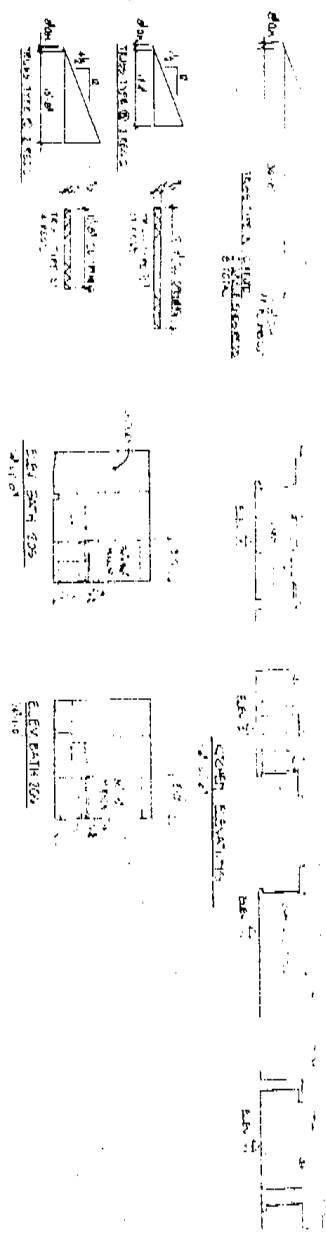
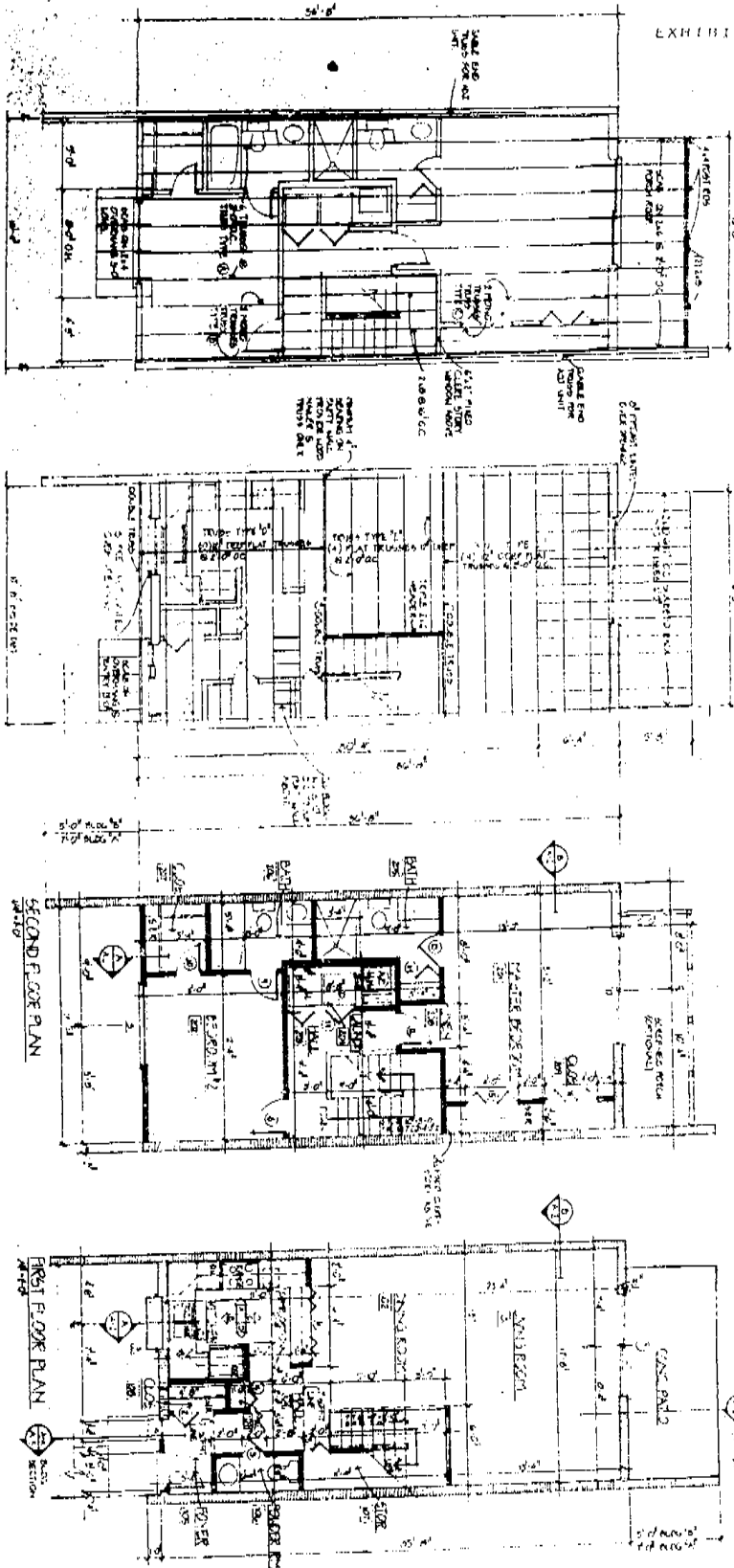
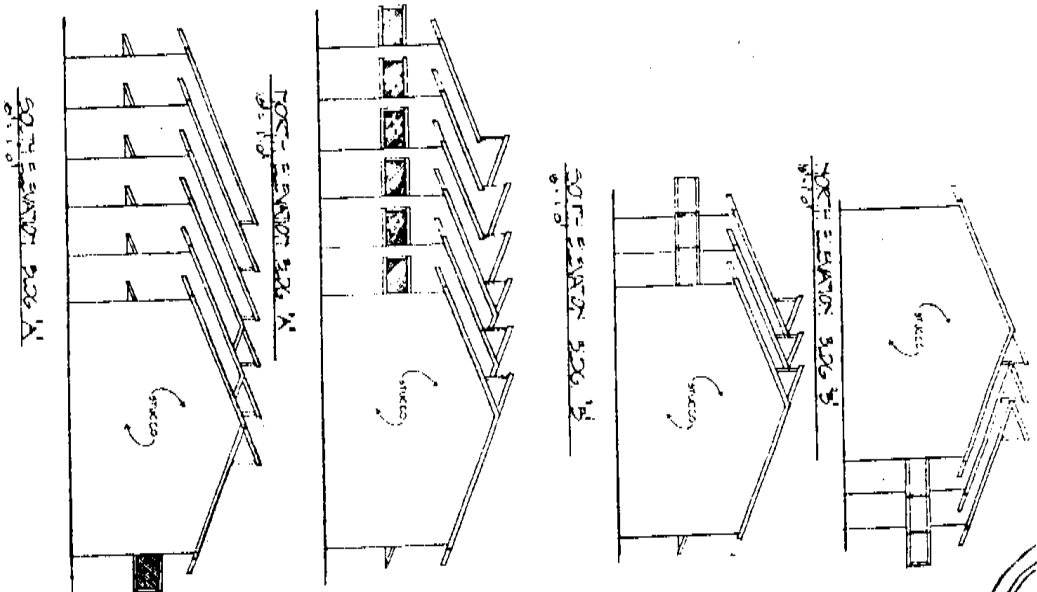
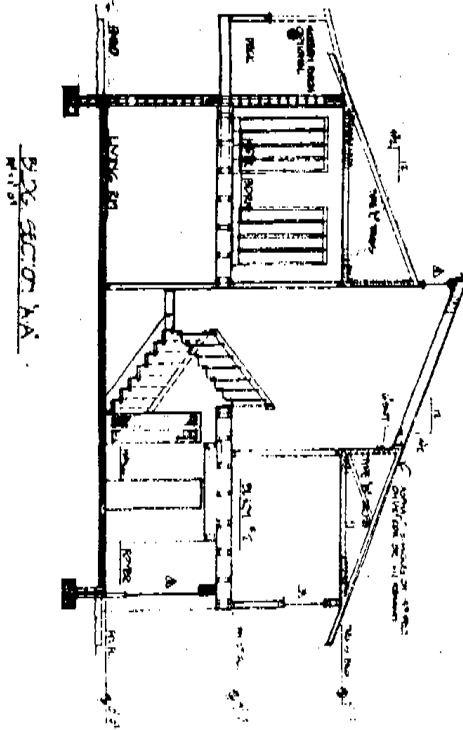


EXHIBIT "D"

DEPT. RECS 1926 PAGE 532



DRIVEN 7/19/26

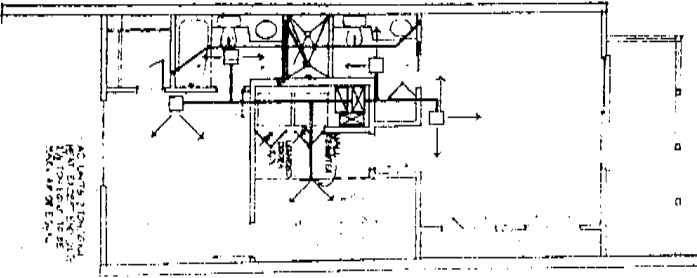
A5

ATLANTIC ARCHITECTS GROUP, INC.

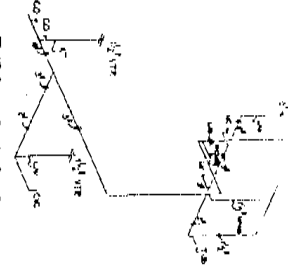
JOHN E. MATHIE ROY A. SIMON ROBERT J. DORLAND

240 18th AVENUE NEWARK, N.J. 07102

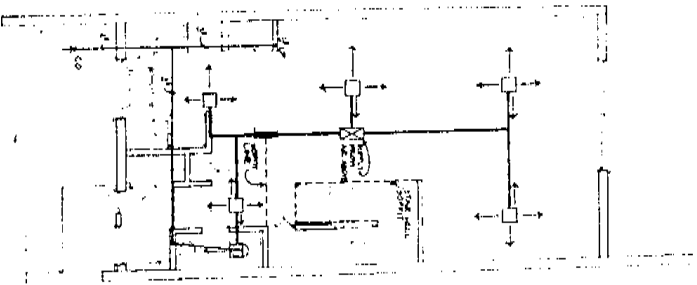
1<sup>ST</sup> FLOOR PLAN



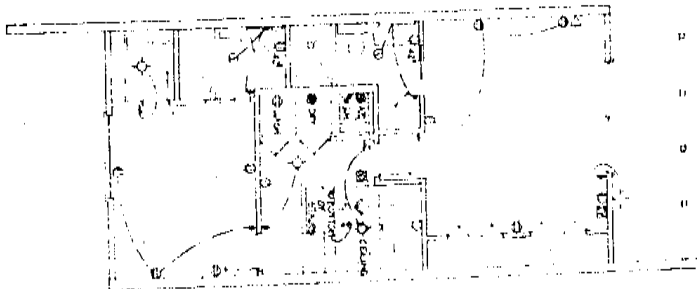
TYPICAL RUMBING  
RISER DIAGRAM



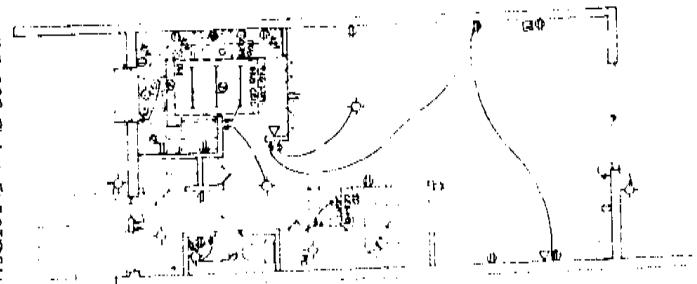
1<sup>ST</sup> FLOOR PLAN



2<sup>ND</sup> FLOOR PLAN, ELECTRICAL



1<sup>ST</sup> FLOOR PLAN, ELECTRICAL



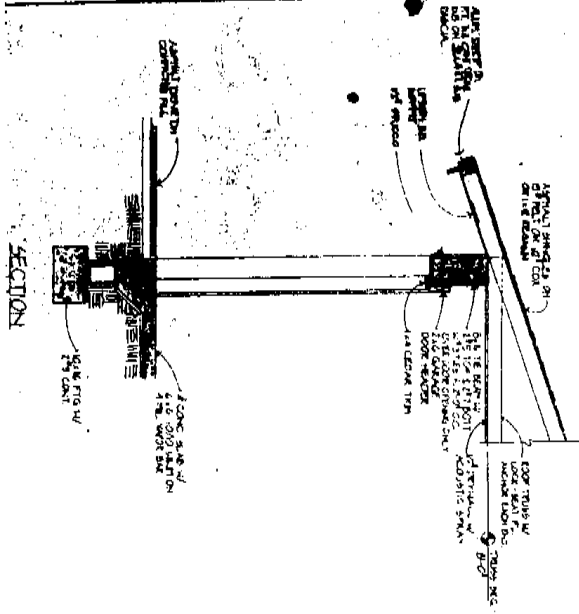
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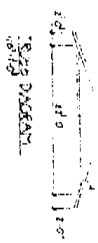
FRONT ELEVATION



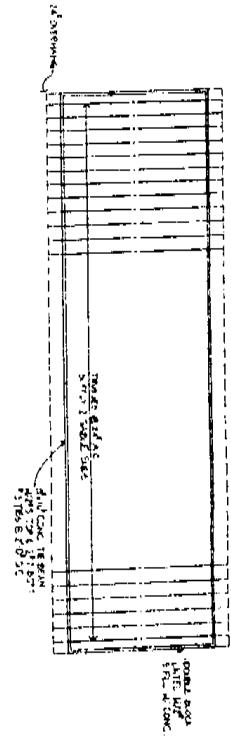
SIDE ELEVATION



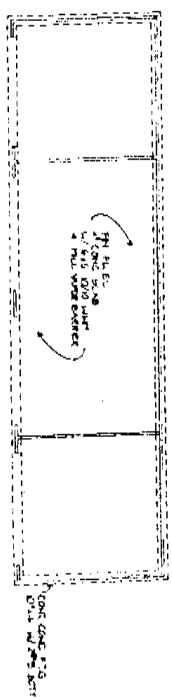
SECTION



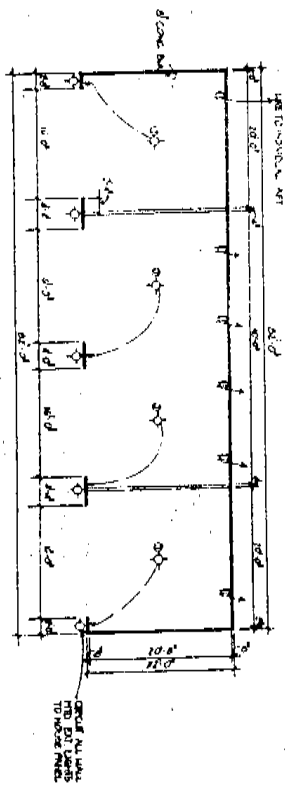
ROOF DETAIL



GARAGE ROOF FRAMING PLAN



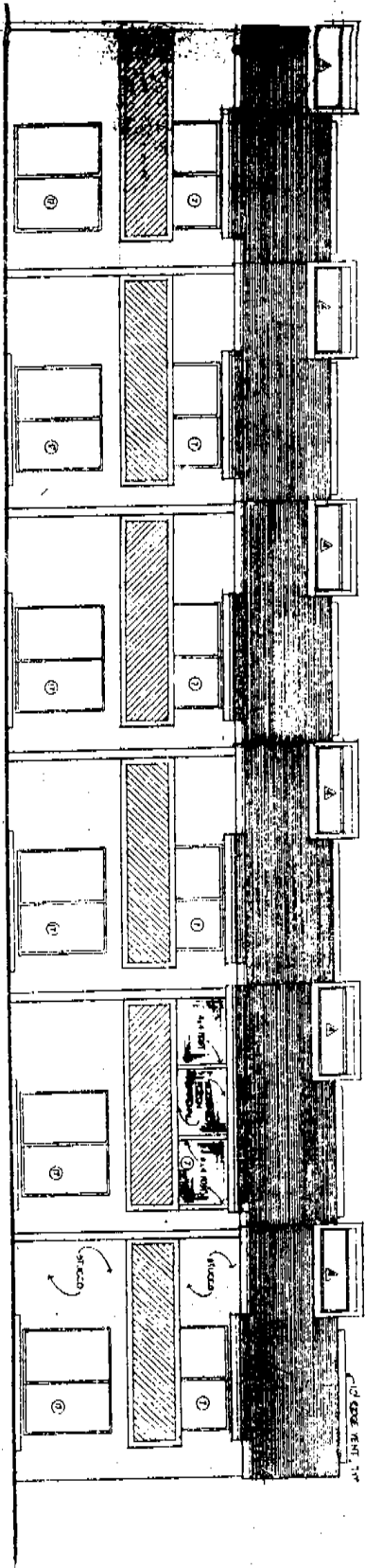
GARAGE FOUNDATION PLAN



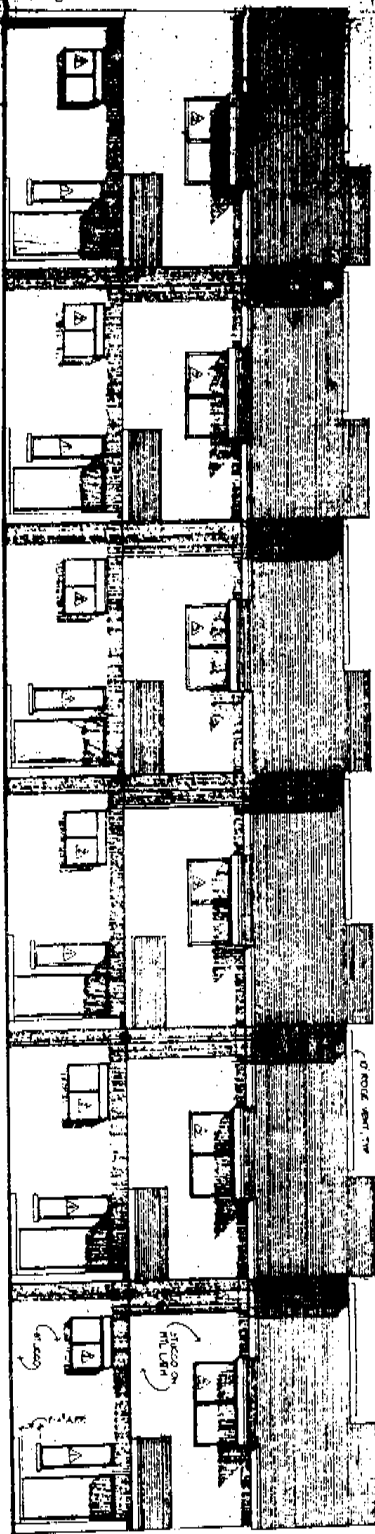
GARAGE FLOOR PLAN

EXHIBIT "D"

EAST TOWNHOMES (A-A)



EAST TOWNHOMES (B-B)



DATE  
CHK  
APP

PEPPER TREE EAST TOWNHOMES  
A CONDOMINIUM FOR D&D CONSTRUCTION CO.

ATLANTIC ARCHITECTS GROUP, INC.  
james e. mcghee daniel a. suman robert j. diamond

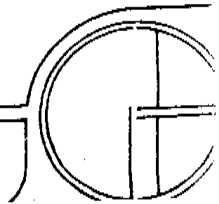




EXHIBIT "E"

PERCENTAGE OF OWNERSHIP IN COMMON ELEMENTS

Unit 1	1/12%
Unit 2	1/12%
Unit 3	1/12%
Unit 4	1/12%
Unit 5	1/12%
Unit 6	1/12%
Unit 7	1/12%
Unit 8	1/12%
Unit 9	1/12%
Unit 10	1/12%
Unit 11	1/12%
Unit 12	1/12%

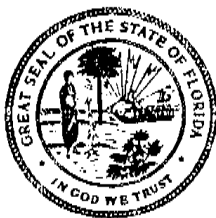
# State of Florida

DEPARTMENT OF STATE • DIVISION OF CORPORATIONS

EXHIBIT "F"

I certify that the following is a true and correct copy of Articles of Incorporation of PEPPERTREE EAST CONDOMINIUM, INC., a corporation not for profit organized under the Laws of the State of Florida, filed on July 26, 1978, as shown by the records of this office.

The charter number for this corporation is 743723.



GIVEN under my hand and the Great  
Seal of the State of Florida, at  
Tallahassee, the Capital, this the  
31st day of July, 1978.

*James M. Long, Jr.*  
SECRETARY OF STATE

APPROVED  
AND  
FILED  
JUL 26 12 53 PM 1978  
FLORIDA DEPT. OF STATE  
CORPORATIONS DIVISION  
TALLAHASSEE, FLORIDA

ARTICLES OF INCORPORATION  
OF  
PEPPERTREE EAST CONDOMINIUM, 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:

ARTICLE I

The name of the proposed corporation shall be PEPPERTREE EAST CONDOMINIUM, INC., hereinafter referred to as "Association" or "Corporation".

ARTICLE II

The purposes and objects of the corporation shall be to administer the operation and management of a condominium to be established by CHARLES R. BOLLINGER and VIRGINIA K. BOLLINGER, hereinafter referred to as "Developer", the condominium apartment complex to be established in accordance with the laws of the State of Florida upon the following described real property situate, lying, and being in Brevard County, Florida, to-wit:

Lots 17,18,19,20; Block 34, Wilcox Plat of Melbourne Beach, as recorded in Plat Book 1, Page 58 of the Public Records of Brevard County, Florida, together with improvements thereon.

and to undertake the performance of the acts and duties incident to the administration of the operation and management of the condominium in accordance with the terms, provisions, conditions, and authorizations contained in these Articles, and which may be contained in the Declaration of Condominium which will be recorded in the Public Records of Brevard County, Florida, at the time said property and the improvements now or hereafter situate thereon are submitted to a plan of condominium ownership; and to own, operate, lease land and facilities of every

nature. The Association shall make no distribution of income to its members, directors, or officers.

#### ARTICLE III

The powers of the Association shall include and be governed by the following provisions:

The Association shall have all of the common-law statutory powers of a corporation not for profit in conflict with the terms of these Articles.

The Association shall have all the powers and duties set forth in the Condominium Act, except as limited by these Articles and the Declaration of Condominium, and all the powers and duties reasonably necessary to operate the condominium pursuant to the Declaration and as it may be amended from time to time.

#### ARTICLE IV

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

1. The owners of all apartment units in the condominium shall be members of the Association and no other persons or entities shall be entitled to membership, except as provided in these Articles. The developer shall be deemed owner for all purposes for each apartment unit to which the developer holds a fee ownership interest.

2. Membership shall be established by the acquisition of a fee title to an apartment unit in the condominium, 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 apartment unit except that nothing herein contained shall be construed as terminating the membership of any party who may own two or more apartment units, so long as such party shall retain title to, or a fee ownership interest in any apartment unit.

#### ARTICLE V

The corporation shall have perpetual existence.

ARTICLE VI

The principal office of the corporation shall be located at 101 N. Shannon Avenue, Indialantic, Florida, but the corporation may maintain offices and transact business in such other places within or without the State of Florida as may from time to time be designated by the Board of Directors.

ARTICLE VII

These articles of Incorporation may not be amended except by majority vote of the members of the Association.

The By-Laws of the Corporation may be made, altered, or rescinded by the members of the Association and by no one else.

ARTICLE VIII

The affairs of the Corporation shall be administered by the following officers:

President	William R. Black
Vice President	Charles R. Bollinger
Secretary	Kathleen M. Perry

and, if any, the Assistant Secretaries and Assistant Treasurers, subject to the directions of the Board of Directors. The Board of Directors, or the President, with the approval of the Board of Directors, 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, 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.

ARTICLE IX

The affairs of the corporation shall be managed by the Board of Directors. The number of members of the first Board of Directors of the corporation shall be three (3). The number of succeeding Boards of Directors shall be composed of twelve (12) members as provided from time to time by the By-Laws of the corporation, and may be increased or decreased as authorized by the laws of the State of Florida. The members of the corporation shall approve the twelve (12) members of the Board of

Directors as appointed by each of the apartment units.

The Directors named in these Articles will serve until the first election of directors and any vacancies in their number occurring before the first election will be filled by the remaining directors. Notwithstanding the foregoing, the first appointment of Directors by the apartment unit owners will not be held until after the Developer has closed the sales of all the condominium units in the Condominium established by it upon the lands described in Article II hereof, or until it elects to terminate its control of the Association, or until it elects to terminate its control of the Association, or until January 1, 1981, whichever first occurs.

#### ARTICLE X

The names and post office addresses of the first Board of Directors, who, subject to the provisions of these Articles, By-Laws, and the laws of the State of Florida, shall hold office for the first years of the Corporation's existence, or until their successors are elected and have qualified, are as follows:

<u>NAME</u>	<u>ADDRESS</u>
William R. Black	60 Miami Avenue, Indialantic, Florida
Charles R. Bollinger	101 N. Shannon Av., Indialantic, Florida
Kathleen M. Perry	90 Miami Avenue, Indialantic, Florida

#### ARTICLE XI

Notwithstanding the foregoing provisions of these Articles, no amendment or amendments to these Articles shall abridge, amend or alter the provisions hereof, may be adopted or become effective without the prior written consent of CHARLES R. BOLLINGER.

#### ARTICLE XII

The name and address of the resident agent of this corporation is as follows:

CHARLES R. BOLLINGER 101 N. Shannon Ave., Indialantic, Florida

IN WITNESS WHEREOF, the subscribers have hereunto set their hands and seal this 20 day of July 1978.

William R. Black  
WILLIAM R. BLACK

Charles R. Bollinger  
CHARLES R. BOLLINGER

Kathleen M. Perry  
KATHLEEN M. PERRY

STATE OF FLORIDA  
County of Brevard

BEFORE ME personally appeared CHARLES R. BOLLINGER,  
WILLIAM R. BLACK, and KATHLEEN M. PERRY, to me well known  
and known to me to be the persons described in and who executed  
the foregoing instrument, and they acknowledged to and before  
me that they executed said instrument, Articles of Incorporation,  
for the purposes therein expressed.

WITNESS my hand and official seal this 20 day  
of JULY, 1978.

Antonia L. Bickel  
NOTARY PUBLIC

My Commission Expires:

Notary Public, State of Florida at Large  
My Commission Expires Nov. 3, 1980  
Approved By American Fair & Cavalry Company

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:

First - That PEPPERTREE EAST CONDOMINIUM, INC.

DESIRING to organize under the laws of the State of Florida with its principal office, as indicated in the articles of incorporation at City of Indialantic, County of Brevard, State of Florida has named CHARLES R. BOLLINGER located at 101 N. Shannon Ave City of Indialantic, County of Brevard State of Florida, as its agent to accept service of process within this state.

ACKNOWLEDGEMENT: (Must Be Signed by Designated Agent)

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 said office open.

BY: Charles R. Bollinger  
CHARLES R. BOLLINGER  
(Resident Agent)



EXHIBIT "G"

BY-LAWS  
OF  
PEPPERTREE EAST CONDOMINIUM, INC.  
(A Corporation Not for Profit)

1. IDENTITY

These are the By-Laws of the PEPPERTREE EAST CONDOMINIUM, INC., a corporation not for profit under the laws of the State of Florida, the Articles of Incorporation of which were filed in the offices of the Secretary of State the

PEPPERTREE EAST CONDOMINIUM, INC., hereinafter called "Association" or "Corporation", has been organized for the purposes of administering the operations and management of the condominium apartment project established or to be established in accordance with the "Condominium Act of the State of Florida", by CHARLES R. BOLLINGER and VIRGINIA K. BOLLINGER, his wife, hereinafter called "Developer", upon the lands described in said Articles of Incorporation, situate, lying, and being in Brevard County, Florida. It is anticipated that there will be one condominium which will be established by said corporation on such land.

(a) The provisions of these By-Laws are applicable to said condominium and the terms and provisions hereof are expressly subject to the effects of the terms, provisions, conditions, and authorizations contained in the Articles of Incorporation, and which may be contained in the Declaration of Condominium which is to be recorded in the Public Records of Brevard County, Florida. The terms and provisions of said Articles of Incorporation and Declaration of Condominium are to be controlling when the same may be in conflict herewith.

(b) All present or future owners, tenants, future tenants, or their employees, or any other persons that might use said condominium or any of the facilities thereof in any manner are subject to the regulations set forth in these By-Laws and in said Articles of Incorporation and Declaration of Condominium.

(c) The mere acquisition or rental of any of the family units (hereinafter referred to as "Units") of the project or the mere act of occupancy of any of said units will signify that these By-Laws, Charter provisions, and regulations in the Declaration of Condominium are accepted, ratified, and will be complied with.

(d) The fiscal year of the Association shall be the calendar year.

(e) The "seal" of the Association shall bear the name of the Association, the word "Florida", the words, "a corporation not for profit", and the year 197 .

(f) The office of the Association shall be at

(g) Anything in these By-Laws to the contrary notwithstanding, the said By-Laws shall not become applicable or effective, insofar as the management of the condominium project is concerned, until actual management of the condominium project is delivered and turned over to this non-profit corporation; the management

of said condominium project being vested in the Developer until a turnover is perfected, which shall be no later than January 1, 1980. Until a turnover is perfected as set out above, the Developer shall retain management of the condominium project, and in so doing, shall collect all assessments, the same being payable to the Developer during this interim.

2. MEMBERSHIP, VOTING, QUORUM, PROXIES.

(a) The qualifications of members, the manner of their admission to membership, and termination of such membership, and the voting by members, shall be as set forth in Article IV of the Articles of Incorporation of the Association; the provisions of which Article IV of the Articles of Incorporation are incorporated herein by reference.

(b) A quorum of members' meetings shall consist of persons entitled to cast a majority of the votes of the entire membership. Joinder of members in the action of a meeting by signing and concurring in the Minutes thereof shall constitute the presence of such persons, for the purpose of determining a quorum.

(c) The votes of the owners of an apartment unit owned by more than one (1) person or by any corporation or other entity, shall be cast by the person named in the written notice signed by all of the owners of the apartment until filed with the Secretary of the Association; and such written notice shall be valid until revoked by subsequent written notice. If such written notice is not on file or not produced at the meeting, the votes of such owners shall not be considered in determining the requirement for a quorum, nor for any other purpose.

(d) Any units owned by the Association shall not be entitled to a vote as a member or be considered in determining requirement for a quorum, nor for any other purpose.

(e) Any vote may be cast in person or by proxy. Proxies shall be valid only for a particular meeting designated thereon, and must be filed with the Secretary before the appointed time of the meeting.

(f) Approval or disapproval of an apartment unit owner upon any matters, whether or not the subject of the Association's meeting, shall be the same person who would cast the vote of such owner if in an Association meeting.

(g) Except that where otherwise required under the provisions of the Articles of Incorporation of the Association, these By-Laws, the Declaration of Condominium or where the same may otherwise be required by law, the affirmative vote of the owners of a majority of the apartment units represented at any duly called member's meeting at which a quorum is present will be binding for all members.

(h) Meeting of the Board of Administration shall be open to all unit owners and notices of meetings shall be posted 48 hours in advance of said meeting, except for emergencies.

### 3. BOARD OF DIRECTORS AND OFFICERS

(a) The Board of Directors shall be made up of twelve (12) members, each apartment unit to be entitled to have one of its residents as a Director, said Director to be determined by residents of said apartment unit.

(b) Each Director duly elected at the first annual meeting of the members, and at each annual member's meeting thereafter shall serve the term of one (1) year or until his successor is duly elected.

(c) The organization meeting of the Board of Directors shall be held within ten (10) days of their election at such time and at such place as shall be fixed by the Directors at the meeting at which they were elected, and no further notice of the organizational meeting shall be necessary, provided a quorum shall be present.

(d) The officers of the Association shall be elected annually by the Board of Directors at the organizational meeting of each new Board of Directors and shall hold office at the pleasure of the Board.

(e) Upon an affirmative vote of a majority of the Board of Directors, any officer may be removed, with or without cause, and his successor elected at any regular meeting of the Board of Directors or any special meeting of the Board called for such purpose.

(f) Regular meetings of the Board of Directors may be held at such time and place as shall be determined from time to time by a majority of the Directors but at least six bi-monthly meetings shall be held during each calendar year. Notice of regular meetings shall be given to each Director, either personally, by mail, telephone or telegram, at least ten (10) days prior to the day named for such meeting unless notice is waived.

(g) Special meetings of the Directors may be called by the President, and must be called by the Secretary at the written request of two Directors. Not less than three days' notice of a meeting shall be given to each Director, personally by mail, telephone or telegram, which notice shall state the time, place, and purpose of the meeting.

(h) Any Director may waive notice of a meeting before or after the meeting, and such waiver shall be deemed equivalent to the giving of notice. Attendance by a Director at any meeting of the Board shall be waived of notice by him of the time and place thereof. If all the Directors are present at any meeting of the Board, no notice shall be required and any business may be transacted at such meeting.

(i) a quorum of a Directors meeting shall consist of the Directors entitled to cast a majority of the votes of the entire Board, namely seven (7). The acts of the Board approved by a majority of the votes present at the meeting at which a quorum is present shall constitute an act of the Board of Directors except as specifically otherwise provided in the Articles of Incorporation, By-Laws, or Declaration of Condominium. If any Directors' meeting cannot be organized because a quorum has not attended, or because the greater percentage of Directors required to constitute a quorum for particular purposes has not

attended, whenever the latter percentage of attendance may be required, Directors who are present may adjourn the meeting from time to time, until a quorum or required percentage of attendance, if greater than a quorum, is present. At any adjourned meeting, any business which might have been transacted at the meeting originally called may be transacted without further notice. The joinder of a Director in the action of a meeting by signing and concurring in the Minutes thereof shall constitute the presence of such Director for the purpose of determining a quorum.

(j) The presiding officer of Directors meetings shall be the President. In the absence of the President, the Vice-President shall preside.

(k) Directors's fees, if any, shall be determined by the members.

(l) All the powers and duties of the Association shall be exercised by the Board of Directors, including all those existing under the common law and statutes, Articles of Incorporation of the Association, these By-Laws, and the Declaration of Condominium; such powers and duties shall be exercised in accordance with said Articles of Incorporation, these By-Laws, and the Declaration of Condominium and shall include, without limiting the generality of the foregoing, the following:

(i) To make, levy, and collect assessments against members and members' apartment units to defray the costs of the condominium, and to use the proceeds of said assessments in the exercise of the powers and duties granted unto the Association.

(ii) The maintenance, repair, replacement, operation of management of the condominium wherever the same is required to be done and accomplished by the Association for the benefit of its members.

(iii) Reconstruction of improvements after casualty, and further improvement of the property, real and personal.

(iv) To make and amend regulations governing the use of the property, real and personal, in the condominium, so long as such regulation or amendments thereto do not conflict with the restrictions and limitations which may be placed upon the use of such property under the terms of the Articles of Incorporation and Declaration of Condominium.

(v) To approve or disapprove proposed purchasers and lessees of apartment units in the manner specified in the Declaration of Condominium.

(vi) To acquire, operate, lease, manage and otherwise trade and deal with the property, real and personal, including apartment units of the condominium, as may be necessary or convenient in operating and managing the condominium, and in accomplishing the purposes set for in the Declaration of Condominium.

(vii) 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 Board of Directors or membership of the Association.

(viii) To enforce by legal means the provisions of the Articles of Incorporation, the By-Laws, the Declaration of Condominium, and any regulations hereinafter promulgated governing the uses of the property in the condominium.

(ix) To pay all taxes and assessments which are liens against any part of the condominium other than the apartment units and the appurtenances thereto, and to assess the same against the members of their respective apartment units subject to such liens.

(x) To carry insurance for the protection of the members and the Association against casualty and liability.

(xi) To pay all costs of power, water, sewer, and other utility services rendered to the condominium and not billed to the owner of the separate apartment units; and

(xii) To employ personnel to perform the services required for proper administration of the Association.

(m) The undertaking and contracts authorized by said first Board of Directors shall be binding upon the Association in the same manner as though such undertakings and contracts had been authorized by the first Board of Directors duly elected by the membership.

#### 4. OFFICERS.

(a) The principal officers of the Association shall be President, Vice-President, Secretary and Treasurer, all of whom shall be elected by and from the Board of Directors. The Directors may appoint an assistant Treasurer, an assistant Secretary and such other officers as in their judgement may be necessary.

(b) The President shall be the chief executive officer of the Association. He shall preside at all meetings of the Association and of the Board of Directors. He shall have all the general powers and duties which are usually vested in the office of the President of an association, including, but not limited to the power to appoint committees from among the owners from time to time as he may in his discretion decide is appropriate, to assist in the conduct of the affairs of the Association.

(c) The Vice-President shall take the place of the President and perform his duties whenever the President shall be absent or unable to act. If neither the President nor the Vice-President is able to act, the Board of Directors shall appoint some other member of the Board to do so on an interim basis. The Vice-President shall also perform such other duties as shall, from time to time, be imposed upon him by the Board of Directors.

(d) The Secretary shall have custody of and maintain all the corporate records except the financial records; shall record the Minutes of all meetings of the Board of Directors, send out all notices of meetings, and perform such other duties as may be directed by the Board of Directors and the President. He shall have custody of the seal of the Association and affix same to all instruments requiring a seal when duly signed.