

State of Florida



Department of State

I certify that the attached is a true and correct copy of the Articles of Incorporation of

INDIAN TRAIL HOMEOWNERS ASSOCIATION INC.

filed on the 20th of February, 1981

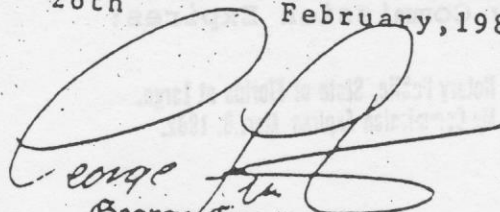
The Charter Number for this corporation is 757019



CORP 104 Rev. 5-79

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

26th day of February, 1981


George Firestone
Secretary of State

FILED

ARTICLES OF INCORPORATION OF INDIAN TRAIL
HOMEOWNERS ASSOCIATION INC.,
A Florida Corporation not for profit

FEB 20 4 45 PM '81

DIVISION OF
CORPORATIONS
MIAMI FLORIDA

WE the undersigned acknowledge and file in the office
of the Secretary of State of the State of Florida, in order to
form a corporation not for profit under the laws of the State of
Florida, these Articles of Incorporation.

ARTICLE I

NAME

The name of the corporation shall be INDIAN TRAIL
HOMEOWNERS ASSOCIATION INC. For convenience, the Corporation
shall hereinafter be referred to as the "Association."

ARTICLE II

PURPOSES

The purpose for which the Association is organized is
to provide an entity which will exercise the various functions
necessary to effectuate restrictions and easements recorded in
Plat Book 31, Page 26-35 and Plat Book 30, Pages 104-114 of the
Public Records of Palm Beach County Florida and any amendments
thereto as well as covenants, conditions, restrictions, agreements
and limitations as recorded which have or will further encumber
said property. Such documentation shall hereinafter be referred
to collectively as the "restrictions of record." As such entity
it shall be the purpose of this Association to maintain, admin-
ister, and enforce all of the provisions of the restrictions
of record.

ARTICLE III

POWERS

The powers of this Association shall include, but shall
not be limited to the following:

1. The Association shall have all of the common law powers of a corporation not for profit, as well as those granted by the Florida Statutes, which are not in conflict with the terms of these Articles, the restrictions of record, or the By-Laws of the Association.

2. The Association shall have all of the powers reasonably necessary to implement the purposes of the Association, including but not limited to the following:

- (a) To make, establish and enforce reasonable rules and regulations necessary to implement the provisions of the restrictions of record;
- (b) To make, levy and collect assessments against the record owners of fee simple title to any lot in the Indian Trail Subdivision; and to use and expend the proceeds of assessments in the exercise of the powers and duties of the Association;
- (c) To maintain, repair and replace to the reasonable satisfaction of the Directors of the Department of Public Works and the Building and Zoning Department of Metropolitan Palm Beach County including the wall which surrounds the Indian Trail Subdivision.
- (d) To maintain, repair, replace and operate any and all amenities which may be included within the Indian Trail subdivision; to enforce by legal means the provisions of the restrictions of record, the By-Laws, the rules and regulations of the Association, and these Articles of Incorporation;
- (e) To contract for the performance of services consonant with the purposes of this Association and to delegate to such contractors, reasonable powers and duties to carry out the terms of such contracts;
- (f) To deal with other homeowner associations or representatives thereof on matters of mutual interest.

ARTICLE IV-

MEMBERS

The qualification of members and the manner of their admission to membership shall be as follows:

1. The fee simple title holders to lots in the Indian Trail Subdivision shall be members of this Association and no other persons or entities shall be entitled to membership.

2. Membership shall be established by the acquisition of ownership of fee title to or fee interest in a lot in the Indian Trail Subdivision whether by conveyance, devise or judicial decree, which designates the lot affected thereby. The new owner designated in such deed or other instrument shall thereupon become a member of the Association, and the membership of the prior owner as to the lot designated shall be terminated. The new owner shall deliver to the Association a true copy of such deed or instrument by which title was acquired.

How you become a member

ARTICLE V

TERM

This Association shall have perpetual existence.

ARTICLE VI

SUBSCRIBERS

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

<u>Name</u>	<u>Address</u>
Ethel Pinkwasser	2145 N.E. 204th Street North Miami Beach, Florida
William Kraut	2145 N.E. 204th Street North Miami Beach, Florida
Barbara Kraut	2145 N.E. 204th Street North Miami Beach, Florida
Alan Pinkwasser	2145 N.E. 204th Street North Miami Beach, Florida

ARTICLE VII

OFFICERS

Subject to the direction of the Board of Directors, the affairs of the Association shall be administered by the officers designated in the By-Laws, who shall serve at the discretion of the Board of Directors. The Directors shall elect the president, secretary, treasurer, and as many vice presidents, assistant secretaries, and assistant treasurers as the Directors shall, from time to time determine to be necessary. The same person may hold two offices and all persons shall hold office at the discretion of the Board of Directors.

The names of the officers who shall serve until the first election following the first annual meeting of the Board of Directors are as follows:

<u>Title</u>	<u>Name</u>
President	William Kraut
Vice President	Barbara Kraut
Secretary	Alan Pinkwasser
Treasurer	Ethel Pinkwasser

ARTICLE VIII

DIRECTORS

The affairs and property of this Association shall be managed and governed by a Board of Directors composed of not less than three (3) nor more than nine (9) persons. The first Board of Directors shall have seven (7) members, and in the future, the number will be determined from time to time in accordance with the provisions of the By-Laws of the Association.

Directors shall be elected by the voting members in accordance with the By-Laws at the regular annual meeting of the membership of this Association, in the manner set out in the By-Laws. Directors shall be elected to serve for a term of one year. In the event of a vacancy, the elected Directors may appoint an additional Director to serve the balance of said year.

The first election of Directors shall not be held until thirty-one (31) lots in the Briar Bay Subdivision have been sold by Federal Development Corporation, a Florida corporation, or assigns. The Directors herein named shall serve until the first election of Directors and any vacancies in their number occurring before the first election shall be filled by the remaining Directors.

The names and addresses of the members of the first Board of Directors are as follows:

<u>Name</u>	<u>Address</u>
Ethel Pinkwasser	2145 N.E. 204th Street, North Miami Beach
William Kraut	2145 N.E. 204th Street, North Miami Beach
Barbara Kraut	2145 N.E. 204th Street, North Miami Beach
Alan Pinkwasser	2145 N.E. 204th Street, North Miami Beach

ARTICLE X

BY-LAWS

The By-Laws of the Association shall be adopted by the first Board of Directors, and may be altered, amended or rescinded in the manner provided in Article XI.

ARTICLE XI

AMENDMENTS

Proposals for amendments to these Articles of Incorporation which do not conflict with the restrictions of record may be made by a majority of the Board of Directors or a majority of the voting members of the Association.

Such proposals shall set forth the proposed alteration, amendment or rescission, shall be in writing and shall be delivered to the President. Upon receipt of such proposal, the President shall call a Special Meeting of the Directors and Members of the Association, such meeting to be held not less than ten (10) days nor more than thirty (30) days from receipt of the proposed amendment. At such meeting, an affirmative vote of two-thirds (2/3) of the entire Board of Directors and two-thirds (2/3) of the

entire membership of the Association eligible to vote shall be required to adopt the requested alteration, amendment or rescission. All provisions of the By-Laws regarding the giving of notice and waiver of notice shall apply to the amendment procedure set forth herein.

ARTICLE XII

INDEMNIFICATION

In order to induce persons to serve as officers and Directors of the Association, the Association shall indemnify and hold harmless each such person from and against any and all claims, liabilities and expenses to which such person may be subjected by reason of his having been a Director or officer of the Association. In accordance with the foregoing, the Association shall reimburse or otherwise hold any such person harmless from all expense reasonably incurred, including legal expense, in defending claims based on alleged acts or omission of such person while acting as an officer or Board member of the Association; provided, that in the case of a settlement of a claim brought against such person, the indemnification provided herein shall apply only when the Board of Directors approves such settlement and determines that reimbursement to such person is in the best interest of the Association; provided further that in cases where it is determined that such person has been derelict or guilty of willful misconduct in connection with the performance of his duties as a Director or officer of the Association, there shall be no indemnification or reimbursement. The foregoing rights of indemnification shall be in addition to all other rights to which such persons may be entitled.

ARTICLE XIII REGISTERED AGENT

The street address of the initial registered office of this corporation is 2145 NE 204th Street North Miami Beach, Florida and the name of the initial registered agent of this corporation is Alan Pinkwasser

IN WITNESS WHEREOF, the subscribers have executed these Articles of Incorporation, this 15 day of November 1980.

Ethel Pinkwasser
Ethel Pinkwasser
William Kraut
William Kraut
Barbara Kraut
Barbara Kraut
Alan Pinkwasser
Alan Pinkwasser

STATE OF FLORIDA)
COUNTY OF DADE)

I hereby certify that on this day before me an officer duly authorized to take acknowledgements personally appeared ETHEL PINKWASSER, WILLIAM KRAUT AND BARBARA KRAUT, to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal this 15 day of November 1980.

Alan Pinkwasser
Notary Public

Notary Public, State of Florida at Large
Commission Expires July 21, 1982
Maynard Bonding Agency

STATE OF FLORIDA)
COUNTY OF DADE)

I hereby certify that on this day before me an officer duly authorized to take acknowledgements personally appeared ALAN PINKWASSER, to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESS my hand and official seal this 20th day of Feb., 1980.

Alan Pinkwasser
Notary Public

Notary Public, State of Florida at Large
My Commission Expires Aug. 24, 1984
Bonded by The Fidelity Insurance Co.

Having been named to accept service of process for the above named corporation I hereby agree to accept to act in this capacity and agree to comply with the Florida Statutes.