

STATE OF FLORIDA  
DEPARTMENT OF STATE



RICHARD (DICK) STONE, Secretary of State of the State of Florida, do hereby  
certify that the following is a true and correct copy of

CERTIFICATE OF INCORPORATION

OF

FIVE TOWNS OF ST. PETERSBURG, NO. 302, INC.

a corporation not for profit organized and existing under the Laws of the State of  
Florida, filed on the 4th day of May, A.D. 1973,  
as shown by the records of this office.

GIVEN under my hand and the Great  
Seal of the State of Florida, at  
Tallahassee, the Capital, this the  
7th day of May,  
A.D. 1973.



*Richard (Dick) Stone*

SECRETARY OF STATE

ARTICLES OF INCORPORATION

We, the undersigned, jointly and severally agree with each other to associate ourselves and our successors together as a corporation not for profit under the Laws of the State of Florida, and do hereby subscribe, acknowledge and file in the Office of the Secretary of State, of the State of Florida, the following Articles of Incorporation:

I.

The name of this Corporation shall be:

FIVE TOWNS OF ST. PETERSBURG, NO. 302, INC., a Condominium

FILED  
MAR 4 1 48 PM '73  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

II.

The purposes for which this Corporation is organized shall be to buy, sell, lease or sub-lease, or to acquire, maintain or operate as fee owner or as owner of a leasehold interest, or solely to maintain, or operate without any interest in real property, a certain multi-unit residential building and the land upon which said building shall be situated, in Pinellas County, State of Florida, a condominium, which multi-unit residential building shall be known as:

FIVE TOWNS OF ST. PETERSBURG, NO. 302,

and the land on which said building shall be located being more particularly described in the Declaration of Condominium thereto: and to erect such additional buildings and structures on said real estate as the corporation may deem best, and to

*Law Office*  
*Parker, Battaglia, Ross and Stolba*  
3835 Central Avenue  
Post Office Box 12078  
St. Petersburg, Florida 33755

transact all business necessary and proper in connection with the operation of said property for the mutual benefit of its members; to operate said property for the sole use and benefit of its members, without attempting to make any profit or other gains for the corporation; and to perform any other act for the well being of member residents, without partiality or undue inconvenience as between member residents; and to perform any other act in maintaining an atmosphere of congeniality and high standard of occupancy by and for its member residents; and to maintain a high standard of the physical appearance of the building; to formulate By-Laws, rules and regulations, and to provide for the enforcement thereof. The corporation shall also have such other power and authority to do and perform every act and thing necessary and proper in the conduct of its business for the accomplishment of its purposes as set forth herein and as permitted by Chapter 617, Florida Statutes, entitled "Corporations Not For Profit".

III.

GEL-MET DEVELOPMENT CORP., a Florida corporation, hereinafter referred to as the "Developer", shall make and shall declare a certain Declaration of Condominium submitting the property described within the Declaration of Condominium to condominium ownership under the restrictions, reservations, covenants, conditions and easements as contained therein,

*Law Office*  
*Parker, Battaglia Ross and Stolla*  
*3835 Central Avenue*  
*Post Office 12078*  
*St. Petersburg, Florida 33702*

which shall be applicable to said property and all interests therein, to-wit:

(a) Legal description as more fully set forth in the Declaration of Condominium.

(b) All improvements erected or installed on said land, will contain approximately seventy-five (75) condominium units and related facilities.

Initially, such three (3) persons as the Developer may name shall be the members of the corporation who shall be the sole voting members of the corporation until such time as the Developer has conveyed seventy (70) condominium units to the individual grantees, as said condominium units are defined in the Declaration of Condominium, or for a period of five (5) years after date of completion of improvements upon the property described in the Declaration of Condominium, whichever event shall occur first. Thereafter, such three (3) named persons shall cease to be members of the corporation, unless they are either the Developer or a grantee of the Developer, and the individuals to whom the condominium units have been conveyed shall be the voting members of the corporation. The By-Laws of this corporation may not change or alter this Article.

IV.

The term for which this corporation shall exist shall be perpetual.

*Law Office*  
*Parker, Battaglia, Ross and Stolba*  
*3835 Central Avenue*  
*Post Office Box 12078*  
*P. O. Box 12078, Miami 33150*

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

HERMAN GELLER	3135 59th Street South Gulfport, Florida 33703
RICHARD L. CHAMBERS	2100 62nd Avenue North St. Petersburg, Florida 33714
RUTH LUTER	8141 54th Avenue North St. Petersburg, Florida

## VI.

The affairs of the Corporation shall be managed by a President, Vice President, Secretary, and Treasurer. The Officers of the Corporation shall be elected annually by the Board of Directors of the Corporation in accordance with the provisions provided therefor in the By-Laws of the Corporation.

## VII.

The business of the Corporation shall be conducted by a Board of Directors which shall consist of not less than five (5) members, as the same shall be provided for by the By-Laws of the Corporation. The members of the Board of Directors shall be elected annually by a majority vote of the members of the Corporation. The names and addresses of the first Board of Directors and Officers who shall serve as Directors and Officers, until the first election of Directors and Officers, are as follows:

HERMAN GELLER	3135 59th Street South Gulfport, Florida 33703	President and Director
---------------	---	---------------------------

*Law Office*  
*Parker, Battaglia, Ross and Stolba*  
*3835 Central Avenue*  
*Post Office Box 12078*

RICHARD L. CHAMBERS	2100 62nd Avenue N St. Petersburg, Fl. 33714	Vice President/ Treasurer and Director
RUTH LUTER	8151 54th Avenue N. St. Petersburg, Fl. 33709	Secretary and Director
ELSIE NOVAK	3135 59th Street S. Gulfport, Fl. 33703	Director
KURT T. BOROWSKY	2100 62nd Avenue N. St. Petersburg, Fl. 33714	Director

The name and address of the Resident Agent for said Corporation is as follows:

CARL G. PARKER 3835 Central Avenue  
St. Petersburg, Fl. 33713

VIII.

The By-Laws of the Corporation are to be made, altered or rescinded by a two-thirds (2/3) vote of the members of this corporation.

IX.

Amendments to the Articles of Incorporation may be proposed by the Board of Directors or by a majority vote of the members of the Corporation, provided, however, that no such amendments to the Articles of Incorporation shall be effective unless adopted pursuant to Article XI hereinafter.

X.

Section 1. No Officer, Director or member shall be personally liable for any debt or other obligation of the Cor

poration, except as provided in the Declaration of Condominium.

Section 2. Each member shall be restricted to one (1) vote, except in all elections for Directors, each member shall have the right to vote, in person or by proxy, for as many persons as there are Directors to be elected, or to distribute them on the same principle among as many candidates as he shall see fit.

Section 3. A membership may be owned by more than one owner provided that membership shall be held in the same manner as title to the unit. In the event ownership is in more than one person, all of the owners of such membership shall be entitled collectively to only one (1) vote or ballot in the management of the affairs of the Corporation in accordance with the Declaration of Condominium, and the vote may not be divided between plural owners of a single condominium.

Section 4. The members of this Corporation shall be subject to assessment for the costs and expenses of the Corporation in operating the multi-unit building, in accordance with the Declaration of Condominium, these Articles of Incorporation, and the By-Laws of the Corporation. The By-Laws of the Corporation may not change or alter this Section 4, Article X.

Section 5. The Corporation shall not be operated for profit, no dividends shall be paid, and no part of the income of the corporation shall be distributed to its members, Directors, or Officers.

Section 6. The members of the Corporation, individually, are responsible for all maintenance and repair within and about

*Law Office*  
*Parker, Battaglia, Ross and Stolba*  
*3835 Central Avenue*  
*Post Office Box 12078*

their condominium units.

Section 7. Any matter of controversy or dispute between members or between a member and the Corporation shall be settled by arbitration in accordance with the rules provided therefor by the American Arbitration Association and the Statutes of the State of Florida.

Section 8. The members of this Corporation shall be subject to all of the terms, conditions, covenants and restrictions contained in the Declaration of Condominium, these Articles of Incorporation and the By-Laws of the Corporation.

#### XI.

The Articles of Incorporation may not be amended, altered, modified, changed or rescinded by a vote of less than three-fourths (3/4ths) of the then present members of the Corporation, which may be accomplished at any regular or special meeting of the Corporation, provided that written notice of the proposed change shall have been mailed to each member of the Corporation ten (10) days prior to said meeting of the Corporation, provided, however, that no such alteration, amendments, modifications, change or rescision of Article II hereinabove, and of Section 4, 5, 6, and 8 of Article X, may be made without the unanimous approval of the then members of the Corporation together with the written unanimous approval of all mortgagees holding a valid, enforceable first mortgage lien against any condominium unit, provided such mortgagees are institutional mortgagees, such as a bank, savings and loan association or insurance company, authorized to transact business in the State of Florida.

*Law Offices*  
*Parker, Battaglia, Ross and Stolka*  
3835 Central Avenue  
Post Office Box 12078  
St. Peter, Florida 33702

XII.

This Corporation shall provide and may contract for recreational facilities to be used by the condominium unit owners for recreational and social purposes.

XIII.

ARTICLE XIII DELETED

XIV.

The principal place of business of this Corporation shall be 8141 54th Avenue North, St. Petersburg, Pinellas County, Florida Pinellas County, Florida, or at such other place or places as may be designated from time to time.

*Law Offices*  
*Parker, Battaglia, Ross and Solba*  
*3835 Central Avenue*  
*Post Office Box 12078*  
*St. Petersburg, Florida 33733*



A F F I D A V I T

STATE OF FLORIDA )  
 ) SS.  
COUNTY OF PINELLAS )

Before me, the undersigned authority, this day personally appeared HERMAN GELLER, who, after being duly sworn as required by law, deposes and says:

1. That he is the President of GEL-MET DEVELOPMENT CORP., a Florida Corporation.

2. That as President of said GEL-MET DEVELOPMENT CORP., a Florida Corporation, he has no objection to said Corporation being mentioned in the Articles of Incorporation filed with the Secretary of State, State of Florida, Tallahassee, Florida, known as FIVE TOWNS OF ST. PETERSBURG, NO. 302, INC., a condominium, and hereby consents to the use of the said Corporation name in the aforesaid condominium corporation.

3. That this consent shall be attached to and made a part of the charter of FIVE TOWNS OF ST. PETERSBURG, NO. 302, INC. a Condominium, as though set forth in full therein.

Further Affiant saith not.

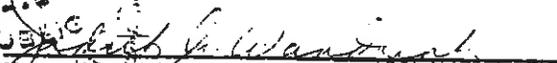
  
Herman Geller

Sworn to and Subscribed before me this

3rd day of May

1973



  
Notary Public

My Commission Expires:

Notary Public, State of Florida at Large  
My Commission Expires JAN. 6, 1974

*Law Office*  
*Parker, Battaglia, Ross and Stolba*  
3835 Central Avenue  
Post Office Box 12078  
St. Petersburg, Florida 33733

CERTIFICATE OF AMENDMENT  
TO THE DECLARATION OF CONDOMINIUM  
OF  
FIVE TOWNS OF ST. PETERSBURG, NO. 302, INC.

WE HEREBY CERTIFY THAT the attached amendment to the Declaration of Condominium, as described in Book 4058 at Page 1419, et. seq. of the Official Records of Pinellas County, Florida, was duly approved as required by said Declaration at a meeting of the membership held on April 19, 1989, in the manner prescribed by the Declaration.

IN WITNESS WHEREOF, we have affixed our hands this 25th day of April, 1989, at Pinellas County, Florida.

FIVE TOWNS OF ST. PETERSBURG,  
NO. 302, INC.

(SEAL)

Witnesses:

*Herman D. Southwell*  
*Shirley Gelband*

By: *Ethel Young*  
Ethel Young, President

Attest: *Shirley J. Gelband*  
Shirley Gelband, Secretary

STATE OF FLORIDA )

SS

COUNTY OF PINELLAS )

BEFORE ME, the undersigned authority, personally appeared Ethel Young, and Shirley Gelband, to me known to be the President and Secretary, respectively, of Five Towns of St. Petersburg, No. 302, Inc., and they jointly and severally acknowledged before me that they freely and voluntarily executed the same as such officers, under authority vested in them by said corporation.

WITNESS my hand and official seal in the County and State last aforesaid, this 25th day of April, 1989.

*Herman D. Southwell*  
Notary Public

My commission expires:

ADOPTED AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF  
FIVE TOWNS OF ST. PETERSBURG, NO. 302, INC.,  
A CONDOMINIUM

(Substantial change to Section: See Section 20(f) for current text)

20. OBLIGATIONS OF MEMBERS: In addition to other obligations and duties heretofore set out in this Declaration, every Condominium Parcel owner shall:

- (f) Comply with the following age restriction. After the effective date of this amendment, at least one person fifty-five (55) years of age or older must be an occupant of each unit while any person occupies said unit. Persons under the age of fifty-five (55) and more than fourteen (14) years of age may occupy and reside in a unit as long as at least one of the occupants is fifty-five (55) years of age or older. Notwithstanding the language contained above, no person under the age of fourteen (14) shall be allowed to permanently reside in or occupy a residence. For purposes of occupancy by persons under fourteen (14) years of age, "permanent" occupancy shall mean occupancy more than ninety (90) days per year. The Board shall have the authority to provide facilities or services specifically designed to meet the requirements of the Fair Housing Amendments Act of 1988. The Board of Directors shall have the power to make hardship exceptions to this provision, in the event of the death or permanent disability of a unit owner, so long as not less than eighty (80%) percent of the units in the condominium are occupied in accordance with the criteria contained herein. The Board of Directors shall establish policies and procedures for the purpose of assuring that the foregoing required percentages of adult occupancy are maintained at all times and to establish policies in order to comply with the requirements of the Fair Housing Amendments Act of 1988.



ADOPTED AMENDMENTS TO  
DECLARATION OF CONDOMINIUM OWNERSHIP OF  
FIVE TOWNS OF ST. PETERSBURG, NO. 302, INC.  
A CONDOMINIUM  
AND THE BY-LAWS OF FIVE TOWNS OF  
ST. PETERSBURG, NO. 302, INC.

1. Adopted amendment to Declaration of Condominium, Article 15., to add a new Section (c), as follows:

15. MAINTENANCE AND IMPROVEMENTS: ...

(c) The Board of Directors shall have the authority to make alterations and improvements to the Common Elements, with the approval of a majority (50% plus one) of the total voting interests.

2. Adopted amendment to Declaration of Condominium, Article 17., Section (i), as follows:

17. INSURANCE: . . .

(i) Notwithstanding the above, the Association shall provide casualty and other insurance as required by the Condominium Act, as may be amended from time to time. More specifically, the Association's policy shall not be required to insure floor, wall or ceiling coverings; electrical fixtures, appliances, air-conditioning or heating equipment, water heaters, built-in cabinets, or plumbing lines and/or plumbing fixtures which serve only the one unit, or any other equipment or improvements within the unit which the owner is responsible to repair or replace under this Declaration.

3. Adopted amendment to Declaration of Condominium, Article 18., Section (b), as follows:

18. CONVEYANCES, SALES, RENTALS, LEASES AND TRANSFERS:

(B) RENTAL OR LEASE: A condominium parcel shall not be leased or rented without the prior written approval of the Association, and the terms and conditions of said Lease are subject to the approval of the Board of Directors of the Association. The board of Directors shall have the right to require that a substantially uniform form of Lease be used. The minimum lease term required for any lease shall be six (6) months.

4. Adopted amendment to Declaration of Condominium, Article 18., Section (b), to add a new second paragraph, as follows:

18. CONVEYANCES, SALES, RENTALS, LEASES AND TRANSFERS:

(B) RENTAL OR LEASE: . . .

No unit may be sublet at any time.

5. Adopted amendment to By-Laws, Article XIV, to add a new Section 12., as follows:

ARTICLE XIV  
HOUSE RULES AND REGULATIONS

12. Permanent occupancy of a unit is limited to a maximum of two (2) persons in a one-bedroom unit, and a maximum of four (4) persons in a two-bedroom unit. In addition, guest occupancy in a unit is limited to a maximum of two (2) overnight guests in a one-bedroom unit, and a maximum of four (4) overnight guests in a two-bedroom unit. With prior Board approval, additional guests may stay for no more than two weeks.

PLEASE NOTE: ADDITIONS ARE INDICATED BY UNDERLINING;  
DELETIONS ARE INDICATED BY HYPHENS; AND UNAFFECTED TEXT  
IS INDICATED BY "..."

KARLEEN F. DE BLAKER, CLERK OF COURT  
PINELLAS COUNTY, FLORIDA  
8C101207 09-21-1999 14:27:23 NRP  
51 CTF-FIVE TOWNS OF SP  
0000000000  
RECORDING 003 PAGES 1 \$15.00  
TOTAL: \$15.00  
P CHECK AMT. TENDERED: \$15.00  
CHANGE: \$.00  
BY \_\_\_\_\_ DEPUTY CLERK



of June, 1995.

FIVE TOWNS OF ST. PETERSBURG, NO. 302, INC.

(Corporate Seal)

By: Ethel Young  
Ethel Young, President

ATTEST: Jeannette Hitchens  
Jeannette Hitchens, Secretary

Witnesses

Jean F. Creamer

JEAN F. CREAMER  
Printed Name of Witness

Theresa M. Graham

Theresa M. Graham  
Printed Name of Witness

STATE OF FLORIDA  
COUNTY OF PINELLAS

On this 1st day of June, 1995, personally appeared before me Ethel Young, President, and Jeannette Hitchens Secretary, of FIVE TOWNS OF ST. PETERSBURG, NO. 302, INC., and acknowledged the execution of this instrument for the purposes herein expressed. They took an oath and are personally known to me or have produced \_\_\_\_\_ as identification or are to be the President and Secretary of the corporation executing the foregoing instrument, and they acknowledged executing the same voluntarily under the authority duly vested in them by said corporation. If no type of identification is noted, the above-named persons are personally known to me.

Frances C. Lewis  
NOTARY PUBLIC  
STATE OF FLORIDA

My Commission Expires:



**FIVE TOWNS OF ST. PETERSBURG NO. 302, INC.**

**FOREWARD**

For ease of reading and understanding, the Declaration of Condominium presented herein is a composite of the initial declaration and the amendments there-in, effective June 14, 1995.

The initial declaration was recorded in Pinellas County by the Developer, Gel-Met Development Corp. on June 28, 1973 and attested to by its corporate officers.

The amendments to the declaration were approved at a special membership meeting held April 25, 1995 and recorded in Pinellas County June 14, 1995 and attested to by its corporate officers in the Certificate of Amendment.

Copies of the initial declaration as recorded in O.R. Book 4058, Page 1419 through Page 1448 and copies of the amendments recorded in O.R. Book 9021, Page 1 through Page 11 are part of the Association Records:

Nicholas J. Licursi  
President

# FTLLC MAINTENANCE RESPONSIBILITIES

## DARTMOUTH BUILDING

**BROOM SWEEP - M-W-F/ 1<sup>ST</sup> FL. LOBBY, ELEVATOR FL. & RESTROOM ONCE PER WEEK - MOP SAME**

**DAMP MOP - 2<sup>ND</sup> THRU 5<sup>TH</sup> FL. CORE AREAS, INCLUDING WALKWAYS, ONCE PER WEEK - TOP OF RAILINGS - ONCE PER MONTH ANY VISIBLE COBWEBS OR MUD DAUBER REGULARLY**

**WIPE DOWN - ALL MAILBOXES, FIRE EXTINGUISHER CABINETS - ONCE PER WEEK**

**CLEAN & DAMP MOP - LAUNDRY ROOM FLOORS AND EQUIPMENT TWICE PER WEEK**

**MOP & DISINFECT - ~~FULL DUMPSTER AND~~ TRASH ROOM - ONCE PER WEEK. LIGHT FIXTURES SHALL BE CLEANED OF DEAD BUGS**

**SUPPLY & REPLACE - ALL NON-FUNCTIONING LIGHT BULBS IN CONDO AREA**

## SERVICE CONTRACT SCHEDULE

### HOUSEKEEPING

#### 3 TIMES A WEEK

1. Broom sweep first floor lobby, elevator and restroom floors

#### 2 TIMES A WEEK

1. Clean and mop laundry rooms

#### 1 TIME A WEEK

1. Mop first floor lobby, elevator and restroom floor
2. Broom sweep core areas of common elements, the stairways and walkways
3. Wipe down utility service cabinets, mailboxes and fire extinguisher cabinets
4. Mop floor of trash room with disinfectant and spray for insects and vermin.

#### AS NEEDED

1. Damp mop core areas above the first floor
2. Remove cobwebs and mud daubers
3. Clean windows and screens of laundry room
4. Clean lint traps in laundry dryers

#### NOT MORE THAN EVERY SIX MONTHS

1. Hose down inside walls of exterior stairways and wash down steps
2. Clean exterior light fixtures

### MAINTENANCE

#### 4 TIMES A YEAR

1. Sweep parking lots

#### NOT MORE THAN 2 TIMES A YEAR

1. Remove debris from the roof and drains
2. Clean and flush out hot water boilers

#### NOT MORE THAN 1 TIME A YEAR

1. Paint and renumber parking bumpers

No

#### NOT MORE THAN 1 TIME EVERY 3 YEARS

1. Paint 1 coat of paint on exterior doors and jambs of the units in the building.
2. Paint the walls and ceilings of the laundry rooms.

#### NOT MORE THAN 1 TIME IN EIGHTEEN MONTH PERIOD

1. Paint laundry floors

#### AS NEEDED

1. Change A/C filters in laundry rooms.

### HOT WATER HEATER CLEANING/FLUSHING SCHEDULE