

**Samuel A. Block, P.A.**

2127 Tenth Avenue  
Vero Beach, Florida 32960  
Telephone (561) 562-1600

Samuel A. Block  
Attorney at Law

*No 0000003397*

May 16, 2000

Telefax  
(561) 562-1740

Secretary of State  
Division of Corporations  
Corporate Records Bureau  
Post Office Box 6327  
Tallahassee, FL 32314

100003257581--2  
-05/18/00--01086--017  
\*\*\*\*\*78.75 \*\*\*\*\*78.75

Re: **ARTICLES OF INCORPORATION -  
SABAL TRACE HOMEOWNERS ASSOCIATION, INC.**

Dear Sir/Madam:

Please find enclosed the original and one copy of Articles of Incorporation for the above-captioned not for profit corporation, together with this firm's check, in the amount of \$78.75, to cover the following costs:

Filing Fee	\$ 35.00
Certified Copy	8.75
Registered Agent Fee	<u>35.00</u>
	\$78.75

Please return a certified copy of the Articles of Incorporation evidencing your approval of same to the undersigned after the Articles have been filed with your office.

Thank you for your courtesy and cooperation in this matter.

Yours truly,

*Samuel A. Block*  
SAMUEL A. BLOCK

SAB/nlg  
Enclosures  
cc: Robert A. Peters

S:\OFFICE\WP\IN\DOCS\H01\SABAL.TRAISOS.LTR

FILED  
00 MAY 18 PM 12:21  
DIVISION OF CORPORATIONS  
TALLAHASSEE, FLORIDA

D. BROWN MAY 24 2000

ARTICLES OF INCORPORATION  
OF  
SABAL TRACE HOMEOWNERS ASSOCIATION, INC.

RECORDED  
60 MAY 18 PM 12:21  
INDIAN RIVER COUNTY  
FLORIDA

The undersigned by these Articles of Incorporation associate themselves for the purpose of forming a corporation not for profit, pursuant to the provisions of Chapter 617, Florida Statutes, and certify as follows:

ARTICLE I

Name

The name of the Corporation shall be SABAL TRACE HOMEOWNERS ASSOCIATION, INC. For convenience, the corporation will be referred to in this instrument as the Association. The place of business shall be 1017 Casseekey Lane, Vero Beach, Florida, 32963, until changed by the owners at the first meeting.

ARTICLE II

Purposes

2.1 The purpose for which the Association is organized is to provide an entity to uphold, maintain and promote the property interests and rights of its members who are the owners of single-family residential lots in a residential community known as SABAL TRACE and which community is located within the boundaries of the following described real property located in Indian River County, Florida:

The North 359.41 feet of Tract 8, Section 5, Township 33 South, Range 39 East, less highway right-of-way and also less that portion of road right-of-way as in Plat Book 13, Page 83, and less road right-of-way for 58th Avenue as in O.R. Book 1111, Page 1077, Indian River County, Florida, and less the West 5.40 acres thereof.

2.2 The association will make no distribution of income to its members, directors or officers.

## ARTICLE III

### Powers

The Association shall have all of the powers and privileges granted to associations not for profit under the laws of the State of Florida and shall have all of the powers reasonably necessary to implement and effectuate the purposes of the Association, including but not limited to the following:

3.1 To promote the safety and health of members of the Association and their property interests and rights by providing, improving and maintaining lighting, right-of-way areas, utility easements, walls and entrance ways and median, drainage facilities and easement, sewage lines, landscaping in and around the areas listed in this subarticle, and such other and further similar type services as may be reasonably necessary or desirable in SABAL TRACE.

3.2 To purchase insurance for properties owned by the Association; and insurance for the protection of the Association and its members, officers and directors.

3.3 To approve or disapprove the transfer of ownership and the leasing of lots and residences within SABAL TRACE as may be provided by the Bylaws and the covenants and restrictions applicable to SABAL TRACE.

3.4 To make and establish covenants and restrictions governing the use and maintenance of property located within SABAL TRACE.

3.5 To amend, modify or change any covenants and restrictions which are, have been, or may be applicable to SABAL TRACE.

3.6 To enforce the provisions of any covenants or restrictions, which are or may be made applicable to the property located within SABAL TRACE and which may be adopted from time to time as provided in the Declaration of Covenants, Restrictions and Easements of SABAL TRACE, as they may exist from time to time.

3.7 To levy and collect, from time to time, assessments against members of the Association to defray expenses of maintenance and repair of the items and areas lying within

SABAL TRACE as described in paragraph 3.1 above and are shown as "common areas" on the plat of SABAL TRACE which is attached to the Declaration of Covenants, Restrictions and Easements of SABAL TRACE referred to in paragraph 3.6 above, and other expenses incurred in implementing the Association's purposes in such manner as may be provided by the Bylaws of the Association, and the Association shall have a lien upon any property of a member of the Association lying within SABAL TRACE for the payment of such assessments. The lien herein provided shall secure the monies due for all assessments levied against a member of the Association as provided in the Bylaws, together with interest upon delinquent assessments, and for all the costs and expenses, including a reasonable attorneys' fee, which may be incurred by the Association in preparing, recording and enforcing its lien. The lien shall be enforced by recording in the public records of Indian River County, Florida, a claim of lien and by foreclosure in the same manner as real estate mortgages may be foreclosed in the State of Florida.

3.8 To reconstruct improvements comprising the items and areas lying within SABAL TRACE as described in paragraph 3.1 above, and designated as common areas on the plat of SABAL TRACE attached to the Declaration of Covenants, Restrictions and Easements, and to repair and maintain the same.

3.9 To employ personnel to perform the services required for the proper management and operation of the Association.

3.10 To operate, maintain and manage the surface water or stormwater management system(s) in a manner consistent with the St. Johns River Water Management District Permit No. 40-061-0080AM2-ERP requirements and applicable District rules, and shall assist in the enforcement of the Declaration of Covenants and Restrictions which relate to the surface water or stormwater management system.

3.11 To levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the surface water or stormwater management system.

#### ARTICLE IV

##### Term

Existence of the Association shall commence with the filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The Association shall exist in perpetuity.

#### ARTICLE V

##### Dissolution

Upon dissolution of this organization all of its assets remaining after payment of all costs and expenses of such dissolution shall be distributed to organizations which have qualified for exemption under Section 501 (c) (3) of the Internal Revenue Code, or to the Federal Government, or to a State or local government, for a public purpose, and none of the assets will be distributed to any member, officer or trustee of this organization.

In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water or stormwater management system must be transferred to and accepted by an entity which would comply with Section 40C-42.027, F.A.C., and be approved by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.

#### ARTICLE VI

##### Members

Membership in the Association shall be established by the acquisition of the fee simple title to real property lying within the confines of SABAL TRACE. Membership in the Association shall be automatically terminated upon a member being divested of the fee simple title to said real property.

ARTICLE VII

Board of Directors

7.1 The affairs of the Association shall be managed by a Board of Directors consisting of not more than six nor less than three persons who shall each be members of the Association.

7.2 The Directors of the Association shall be elected at the annual meeting of the members.

7.3 The names and addresses of the members of the first Board of Directors who shall hold office until their successors are elected and have qualified, or until removed, are as follows:

<u>Name</u>	<u>Address</u>
ROBERT A. PETERS	1017 Casseekey Lane Vero Beach, FL 32963
NEAL PETERS	3427 67th Street Vero Beach, FL 32967
V. JOLYN PETERS	1017 Casseekey Lane Vero Beach, FL 32963

ARTICLE VIII

Officers

The affairs of the Association shall be administered by the officers designated in the Bylaws of the Association. Said officers shall be elected by the Board of Directors annually and shall serve at the pleasure of the Board of Directors. The names and addresses of the officers, who will serve until their successors are designated, are as follows:

<u>Name</u>	<u>Address</u>	<u>Office</u>
Robert A. Peters	1017 Casseekey Lane Vero Beach, FL 32963	President
Neal Peters	3427 67th Street Vero Beach, FL 32967	Secretary/ Treasurer

ARTICLE IX

Bylaws

The Bylaws of the Association may be adopted, amended, altered or rescinded by the Board of Directors.

ARTICLE X

Assessments

The assessments shall be used for administrative costs of the Association, and after the Certificate of Occupancy is issued for a residence, lawn maintenance costs, costs of maintaining the Drainage Easement, costs related to pressure washing the residence annually, maintenance of Common Property and lighting, as well as for the maintenance and repair of the surface water or stormwater management systems including but not limited to work within retention areas, drainage structures and drainage easements.

ARTICLE XI

Amendments

Amendments to these Articles of Incorporation shall be proposed and adopted in the following manner:

11.1 Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting at which a proposed amendment is considered.

11.2 A resolution for the adoption of a proposed amendment may be proposed either by the Board of Directors or by the members of the Association.

a. Such amendment must be approved by not less than a majority of the entire membership of the Board of Directors; and,

b. By not less than two-thirds (2/3) of the entire membership of the Association.

11.3 A copy of each amendment shall be certified by the Secretary of State, State of Florida, and shall be recorded in the public records of Indian River County, Florida.

ARTICLE XII

Subscribers

The name and address of the subscriber of these Articles of Incorporation are as follows:

<u>Name</u>	<u>Address</u>
ROBERT A. PETERS	1017 Casseekey Lane Vero Beach, FL 32963

ARTICLE XIII

Registered Agent

The street address of the initial registered office of the Association is: 1017 Casseekey Lane, Vero Beach, Florida, 32963; and, the name of the initial registered agent of the Association at that address is: ROBERT A. PETERS.

IN WITNESS WHEREOF, the subscriber has affixed his signature, this 27<sup>th</sup> day of

April, 2000.

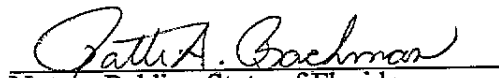
  
ROBERT A. PETERS

STATE OF FLORIDA

COUNTY OF INDIAN RIVER

BEFORE ME personally appeared ROBERT A. PETERS, to me well known and known to be the person described in and who executed the foregoing instrument and acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 27<sup>th</sup> day of April, 2000.

  
Notary Public, State of Florida  
at Large. My Commission Expires:

( SEAL )

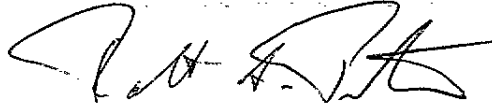


Patti A. Bachman  
MY COMMISSION # CC553058 EXPIRES  
June 9, 2000  
BONDED THRU TROY FAIN INSURANCE, INC.



ACCEPTANCE OF DESIGNATION OF REGISTERED AGENT

The undersigned hereby accepts the designation of registered agent on behalf of SABAL TRACE HOMEOWNERS ASSOCIATION, INC..



ROBERT A. PETERS

RECEIVED  
00 MAY 18 PM 12:22  
COMMERCIAL & INDUSTRIAL  
SOUTH LENOIR