

NO00000006140

ATTORNEYS' TITLE

Requestor's Name

660 E. Jefferson St.

Address

Tallahassee, FL 32301

850-222-2785

City/St/Zip

Phone #

CORPORATION NAME(S) & DOCUMENT NUMBER(S), (if known):

1- THOUSAND OAKS PHASE 2-5 HOMEOWNERS' ASSOCIATION, INC.

2-

3-

4-

☒ Walk-in

☐ Pick-up time ASAP

☒ Certified Copy

☐ Mail-out

☐ Will wait

☐ Photocopy

☒ Certificate of Status

NEW FILINGS

<input type="checkbox"/>	Profit
<input checked="" type="checkbox"/>	Non-Profit
<input type="checkbox"/>	Limited Liability
<input type="checkbox"/>	Domestication
<input type="checkbox"/>	Other

AMENDMENTS

<input type="checkbox"/>	Amendment
<input type="checkbox"/>	Resignation of R.A., Officer/Director
<input type="checkbox"/>	Change of Registered Agent
<input type="checkbox"/>	Dissolution/Withdrawal
<input type="checkbox"/>	Merger

OTHER FILINGS

<input type="checkbox"/>	Annual Report
<input type="checkbox"/>	Fictitious Name
<input type="checkbox"/>	Name Reservation

REGISTRATION/QUALIFICATION

<input type="checkbox"/>	Foreign
<input type="checkbox"/>	Limited Partnership
<input type="checkbox"/>	Reinstatement
<input type="checkbox"/>	Trademark
<input type="checkbox"/>	Other

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****262.50 *****87.50

RECEIVED
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DIVISION OF CORPORATION

Examiner's Initials

T. SMITH SEP 15 2000

ARTICLES OF INCORPORATION

FOR

THOUSAND OAKS PHASES 2-5 HOMEOWNERS' ASSOCIATION, INC.

In compliance with the requirements of Chapter 617, Florida Statutes, the undersigned, being a resident of the State of Florida and of full age, hereby subscribes to the following Articles of Incorporation for the purpose of forming a corporation not for profit in accordance with the laws of the State of Florida, and certifies as follows:

ARTICLE I

DEFINITIONS

Section 1. "Articles" shall mean and refer to these Articles of Incorporation of the Association (as hereinafter defined), including any and all amendments or modifications thereof.

Section 2. "Association" shall mean and refer to Thousand Oaks Phases 2-5 Homeowners' Association, Inc., a Florida corporation not for profit, its successors and assigns.

Section 3. "Board of Directors" shall mean and refer to the Association's Board of Directors.

Section 4. "By-Laws" shall mean and refer to the By-Laws of the Association, including any and all amendments or modifications thereof.

Section 5. "Common Expense" shall mean and refer to any expense for which a general and uniform assessment may be made against the Owners (as hereinafter defined) and shall include, but in no way be limited to, the expense of upkeep and maintenance of the Common Properties (as hereinafter defined); medians, shoulders, roadways and certain boundary walls, retention and detention areas, surface water management systems and equipment and entrance signs within the Properties (as hereinafter defined) and all obligations, responsibilities, and liabilities arising out of or in connection with any Southwest Florida Water Management District Permits issued in connection with the Properties.

Section 6. "County" shall mean and refer to Pasco County, Florida.

Section 7. "Declarant" shall mean and refer to Sunfield Homes, Inc., a Florida corporation, as Declarant hereunder, with regard to such Lot.

Section 8. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions for Thousand Oaks Phases 2-5 and any amendments or modifications thereof hereafter made from time to time.

Section 9. "Dwelling Unit" or "Dwelling" shall mean and refer to any residential dwelling unit constructed upon a Lot, (as hereinafter defined) intended as an abode for one family.

Section 10. "Lot" shall mean and refer to each portion of land shown upon the Plat which has been designated by Declarant to contain a single family dwelling (as hereinafter defined) and which has limited fixed boundaries and an assigned number, letter or other name through which it may be

identified, provided, however, that "Lot" shall not mean any Common Properties or parcel of land designated as a "Tract".

Section 11. "Common Properties" shall mean and refer to all real property, including the improvements thereto, owned from time to time by the Association for the common use and enjoyment of the members of said Association.

Section 12. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot but, notwithstanding any applicable theory of the mortgage, shall not mean or refer to the mortgagee unless and until such mortgagee has acquired fee simple title pursuant to foreclosure or any proceeding in lieu of foreclosure.

Section 13. "Plat" means the plat of the Properties (as hereinafter defined) when said plat is recorded in the Public Records of Pasco County, Florida.

Section 14. "Properties" shall mean and refer to the real property described in Exhibit "A" of the Declaration.

Section 15. "Structure" shall mean and refer to the structure as that term is defined by Zoning Ordinance of the County in effect at the time of the recording of the Declaration.

Section 16. "Voting Member" shall mean and refer to the Owner or the Declarant who is authorized to cast the vote or votes for the Lot they own as set forth in the Declaration.

Section 17. Interpretation. Unless the context otherwise requires, the use herein of the singular shall include the plural and vice versa; the use of one gender shall include all genders; and the use of the term "including" shall mean "including without limitation". The headings used herein are for indexing purposes only and shall not be used as a means of interpreting or construing the substantive provisions hereof.

ARTICLE II

NAME

Section 1. Name. The name of this corporation is Thousand Oaks Phases 2-5 Homeowners' Association, Inc., hereafter called the "Association".

ARTICLE III

OFFICE

Section 1. Office. The initial principal office of this Association shall be located at 8105 State Road 54, New Port Richey, Florida, 34655, which office may be changed from time to time by action of the Board of Directors.

ARTICLE IV

REGISTERED OFFICE AND AGENT

Section 1. Generally. The street address of the initial registered office of the Association shall be 8105 State Road 54, New Port Richey, Florida, 34655, which office may be changed from time to time by action of the Board of Directors.

ARTICLE V

PURPOSE AND POWERS OF THE ASSOCIATION

Section 1. Generally. This Association does not contemplate pecuniary gain or profit to its members. The specific purposes for which it is formed are to promote the health, safety and general welfare of the residents within the Properties, and any additions thereto as may hereafter be brought within the jurisdiction of this Association. The purposes of this Association shall include, without limitation of the foregoing, the maintenance of the Common Properties and certain other land within the Properties, and carrying out, enforcing and otherwise fulfilling its rights and responsibilities under and pursuant to the Declaration. All terms defined in the Declaration shall have the same meaning as set forth in the Declaration when used herein, such Declaration as amended from time to time, being incorporated herein by reference. For the foregoing purposes, this Association is empowered to:

(a) exercise all of the powers and privileges and perform all of the duties and obligations of the Association as set forth in the Declaration; fix, levy, collect and enforce payment by any lawful means of all charges or assessments pursuant to the terms of the Declaration and pay all expenses incident to the conduct of the business of this Association, including all license fees, taxes, or governmental charges levied or imposed against the real or personal property of this Association;

(b) acquire, either by gift, purchase or otherwise, own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, or otherwise dispose of real or personal property in connection with the affairs of this Association;

(c) borrow money, and with the assent of two thirds (2/3) of each Class of members, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(d) dedicate, sell or transfer in fee simple all or any part of this Association's property to any public bodies or governmental agencies or authorities, or public or private utility companies for such purposes and subject to such conditions as may be agreed to by two third (2/3) vote of each Class of members; provided, however, no such approval shall be required in order to convey property for use as a well site or pumping station, lift station, retention pond or such other incidental or related use; and further provided that no such conveyance shall materially limit or alter the ingress and egress to any Lot.

(e) grant easements as to the Common Properties to public and private utility companies, and to public bodies or governmental agencies or other entities or persons, without cost or charge, where convenient, desirable or necessary in connection with the development of the Properties, and the providing of utility and other services thereto;

(f) participate in mergers and consolidations with other corporations not for profit organized for similar purposes, provided that any such merger or consolidation shall have assent of two-thirds (2/3) of each Class of members;

(g) from time to time adopt, alter, amend, and rescind reasonable rules and regulations governing the use of the Common Properties, which rules and regulations shall be consistent with the rights and duties established by the Declaration and with the provisions of these Articles of Incorporation;

(h) contract for the maintenance and management of the Common Properties, and to authorize a management agent to assist the Association in carrying out its powers and duties under the Declaration; and

(i) assume and perform all obligations pursuant to those certain permits issued by Southwest Florida Water Management District in connection with the Properties; and

(j) have and exercise any and all powers, rights and privileges which a corporation organized under Chapter 617, Florida Statutes, may now or hereafter have or exercise.

ARTICLE VI

MEMBERSHIP AND VOTING RIGHTS

Section 1. General Membership. Every owner of a Lot which is subject to assessment shall be a member of the Association, subject to and bound by the Association's Articles of Incorporation, By-Laws, Rules and Regulations, and the Declaration. The foregoing does not include persons or entities who hold a leasehold interest in a Lot and also does not include an interest in a Lot merely as security for the performance of an obligation. Ownership, as defined above, shall be the sole qualification. When any Lot is owned of record by two (2) or more persons or other legal entities, all such persons or entities shall be members. An Owner of more than one (1) Lot shall be entitled to one (1) membership for each Lot owned by him. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment, and it shall be automatically transferred by conveyance of that Lot to the grantee named in such conveyance. The Declarant shall also be a member so long as it owns one (1) or more Lots.

Section 2. Voting Members. As to each Lot owned by one (1) or more Owners, Class A members shall be entitled to one (1) vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members. The votes for such Lot shall be exercised as they determine, but in no event shall more than one (1) vote be cast with respect to any Lot.

Section 3. Classes of Memberships Established. The Association shall have not more than two (2) classes of membership, as follows:

(a) Class A Membership. Every Owner of a Lot, other than the Declarant, shall be a Class A member of the Association.

(b) Class B Membership. The Declarant shall be the Class B member of the Association until such Class B membership is converted to Class A membership, at Declarant's option, as hereinafter set forth. The Class B membership shall cease and be converted to Class A membership on the happening of any of the following events, whichever earlier occurs:

1. When the total votes outstanding in the Class A membership equals the total votes outstanding in the Class B membership; or

- Declarant; or
2. Four (4) months after ninety-five (95) percent of the Lots have been sold by
 3. Five (5) years following conveyance of the first Lot by Declarant to an Owner; or
 4. When the Declarant waives in writing its right to Class B membership.

(c) Voting for Class A Lots. The Owners of any Lot who are Class A members pursuant to the Declaration shall have one (1) vote for each Lot owned by them subject, however, to the requirements and limitations set forth in Section 2 of this Article.

(d) Voting for Class B Lots. The Class B member shall, as to all Lots owned by it within the Properties, be entitled to five (5) votes for each such Lot.

ARTICLE VII

BOARD OF DIRECTORS

Section 1. Generally. The affairs of this Association shall be managed by a Board of Directors initially composed of three (3) Directors, who need not be members of the Association. The number of Directors may be changed by amendment to the By-Laws of this Association but shall never be less than three (3). The Directors shall be divided into three (3) classes: Class A, Class B and Class C. The term of office for all Directors shall be three (3) years, except that the term of the office of the initial Class A Director shall expire at the first annual meeting of the members, the term of office for the initial Class B Director shall expire at the second annual meeting of the members, and the term of office of the initial Class C Director shall expire at the third annual meeting of the members. At each such election and at such succeeding annual elections, each Director elected shall be chosen for a term of three (3) years to succeed the one whose term expires. The names and addresses of the persons who are to act in the capacity of Directors until their successors are elected and qualify, unless they sooner shall die, resign, or are removed, are:

NAME	CLASS	ADDRESS
Patricia Orsi	C	8105 State Road 54 New Port Richey, FL 34655
William Lopez	B	8109 State Road 54 New Port Richey, FL 34655
Julie Orsi	A	8105 State Road 54 New Port Richey, FL 34655

Section 2. Election. Directors shall be elected in accordance with the terms of the By-Laws of this Corporation.

ARTICLE VIII

OFFICERS

Section 1. Generally. The names and addresses of the officers of this Association who, subject to these Articles of Incorporation and the By-Laws of this Association and the laws of the State of Florida, shall hold office for the first year of the existence of this Association, or until an election is

held by the Directors of this Association for the election of officers following the first annual members meeting, if earlier, and until their successors have been duly elected and qualify, unless they sooner die, resign, or are removed are:

NAME	OFFICE	ADDRESS
Patricia Orsi	President	8105 State Road 54 New Port Richey, FL 34655
Julie Orsi	Secretary	8105 State Road 54 New Port Richey, FL 34655
William Lopez	Vice President and Treasurer	8109 State Road 54 New Port Richey, FL 34655

Thereafter, officers shall be elected at the Board of Directors meeting next following each annual meeting of members. Officers need not be members of the Association.

ARTICLE IX

SUBSCRIBER

Section 1. Generally. The name and address of the subscriber to these Articles of Incorporation is as follows:

<u>NAME</u>	<u>ADDRESS</u>
Patricia Orsi	8105 State Road 54 New Port Richey, FL 34655

ARTICLE X

DISSOLUTION

Section 1. Dissolution. This Association may be dissolved with the assent given in writing and signed by Voting Members entitled to cast not less than two thirds (2/3) of the votes of each Class of members. Upon dissolution of this Association, other than incident to a merger or consolidation, the assets of this Association shall be dedicated to an appropriate public agency to be used for the purposes similar to those for which this Association was created. In the event that such dedication is refused, such assets shall be granted, conveyed and assigned to any corporation not for profit, association, trust or other organization to be devoted to such similar purposes, but in no event shall such assets inure to the benefit of any member or other private individual.

ARTICLE XI

DURATION

Section 1. Duration. This Association shall exist perpetually.

ARTICLE XII

BY-LAWS

Section 1. By-Laws. The By-Laws of this Association shall be initially adopted by the Board of Directors. Thereafter, the By-Laws shall be altered, amended or rescinded by a majority vote of the Board of Directors.

ARTICLE XIII

CONVEYANCES TO ASSOCIATION

Section 1. Generally. Any and all additions to the Common Properties by Declarant must be accepted by the Association and such acceptance shall be conclusively presumed by the recording of a deed in the Public Records of the County by or on behalf of Declarant for any such Common Properties. The Association shall be required, upon request of Declarant and without further consideration, to execute any documents necessary to evidence the acceptance of such Common Properties.

ARTICLE XIV

AMENDMENTS

Section 1. Generally. These Articles may be amended by an affirmative vote of the Voting Members entitled to cast not less than two thirds (2/3) of the votes of each Class of members which are in existence at such time as such amendment is made; provided, however, that notwithstanding the foregoing, for so long as the Declarant owns at least one (1) Lot within the Properties, the Declarant may, for a period of five (5) years from the date of filing of these Articles with the Secretary of State of Florida, amend, from time to time, these Articles without the consent of any Class A members.

ARTICLE XV

INDEMNIFICATION

Section 1. Indemnification. Every Director and every officer of the Association shall be indemnified by the Association to the fullest extent permitted by law against all expenses and liabilities, including counsel fees, reasonably incurred by or imposed on him in connection with any proceeding or settlement or any proceeding to which he may be a party or in which he may become involved by reason of his being or having been a Director or officer of the Association, whether or not he is a Director or officer at the time such expenses are incurred.

ARTICLE XVI

INTERPRETATION

Section 1. Interpretation. Express reference is hereby made to the terms, provisions, definitions and rules of interpretation contained in the Declaration where necessary to interpret, construe, and clarify the provisions of these Articles. In subscribing and filing these Articles, it is the intent of the undersigned that the provisions hereof be consistent with the provisions of the Declaration and, therefore, to the extent not prohibited by law, the provisions of these Articles of Incorporation shall be interpreted, construed and applied so as to avoid inconsistencies or conflicting results with the provisions of the Declaration.

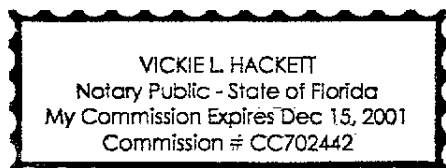
IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, the undersigned, constituting the subscriber of this association, has executed these Articles of Incorporation, this 12th day of September, 2000.

Patricia Orsi
PATRICIA ORSI

STATE OF Florida
COUNTY OF Pasco

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to take acknowledgements, Patricia Orsi, who is personally known to me or who has produced _____ as identification and is the person described in and who executed the foregoing Articles of Incorporation, and she acknowledged then and there before me that she executed the same for the purposes therein expressed.

WITNESS my hand and official seal this 12th day of September, 2000.



Vickie L. Hackett
NAME: Vickie L. Hackett
NOTARY PUBLIC
COMMISSION NO. CC 702442
MY COMMISSION EXPIRES: 12-15-2001

CERTIFICATE DESIGNATING PLACE OF BUSINESS OR DOMICILE
FOR THE SERVICE OF PROCESS WITHIN FLORIDA

NAMING AGENT UPON WHOM PROCESS MAY BE SERVED

IN COMPLIANCE WITH SECTION 48.091, FLORIDA STATUTES, THE
FOLLOWING IS SUBMITTED:

FIRST, THAT THOUSAND OAKS PHASES 2-5 HOMEOWNERS' ASSOCIATION, INC.,
DESIRING TO ORGANIZE OR QUALIFY UNDER THE LAW OF THE STATE OF FLORIDA,
WITH ITS PRINCIPAL PLACE OF BUSINESS IN PASCO COUNTY, STATE OF FLORIDA, HAS
NAMED PATRICIA ORSI, 8105 STATE ROAD 54, NEW PORT RICHEY, FLORIDA 34655, AS
ITS AGENT TO ACCEPT SERVICE OF PROCESS WITHIN THE STATE OF FLORIDA.

SIGNATURE: Patricia Orsi
Subscriber

HAVING BEEN NAMED TO ACCEPT SERVICE OF PROCESS FOR THE ABOVE STATED
CORPORATION, AT THE PLACE DESIGNATED IN THIS CERTIFICATE, I HEREBY AGREE TO
ACT IN THIS CAPACITY, AND I FURTHER AGREE TO COMPLY WITH THE PROVISIONS OF
ALL STATUTES RELATIVE TO THE PROPER AND COMPLETE PERFORMANCE OF MY
DUTIES.

SIGNATURE: Patricia Orsi
Registered Agent

Date: 9/12/00