



No 10000007470

ACCOUNT NO. : 072100000032

REFERENCE : 921505 81879A

AUTHORIZATION : *Patricia Pizito*

COST LIMIT : \$ 78.75

2001 OCT 12 PM 2:47
SECRETARY OF STATE
TALLAHASSEE FLORIDA

FILED

ORDER DATE : October 12, 2001

ORDER TIME : 3:29 PM

ORDER NO. : 921505-005

CUSTOMER NO: 81879A

700004635237--6

CUSTOMER: Timothy J. Conner, Esq.
Timothy J. Conner & Associates

Suite 110
1 Florida Park Drive, North
Palm Coast, FL 32137

DOMESTIC FILING

NAME: RIVER OAKS IN THE HAMMOCK
HOMEOWNERS ASSOCIATION, INC.

EFFECTIVE DATE:

XX ARTICLES OF INCORPORATION
 CERTIFICATE OF LIMITED PARTNERSHIP
 ARTICLES OF ORGANIZATION

PLEASE RETURN THE FOLLOWING AS PROOF OF FILING:

XX CERTIFIED COPY
 PLAIN STAMPED COPY
 CERTIFICATE OF GOOD STANDING

CONTACT PERSON: Betty Young - EXT. 1112

EXAMINER'S INITIALS:

2589
W01-23773

RECEIVED
OCT 12 PM 4:40
SECRETARY OF STATE
TALLAHASSEE FLORIDA

ef 10/19/01



FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State

2001 OCT 12 PM 2:47

SECRETARY OF STATE
TALLAHASSEE FLORIDA

October 15, 2001

RESUBMIT

Please give original
submission date as file date.

CSC NETWORKS
1201 HAYS STREET
TALLAHASSEE, FL 32301

SUBJECT: RIVER OAKS IN THE HAMMOCK HOMEOWNERS ASSOCIATION,
INC.
Ref. Number: W01000023773

We have received your document for RIVER OAKS IN THE HAMMOCK HOMEOWNERS ASSOCIATION, INC. and the authorization to debit your account in the amount of \$78.75. However, the document has not been filed and is being returned for the following:

You must list the corporation's principal office and/or a mailing address in the document.

Please return the original and one copy of your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6973.

Claretha Golden
Document Specialist
New Filings Section

Letter Number: 401A00056956

RECEIVED
01 OCT 19 PM 1:37
DEPARTMENT OF STATE
OFFICE OF CORPORATIONS
TALLAHASSEE, FLORIDA

**ARTICLES OF INCORPORATION
OF
RIVER OAKS IN THE HAMMOCK HOMEOWNERS ASSOCIATION, INC.
A CORPORATION NOT-FOR-PROFIT**

2001 OCT 12 PM 2:47

SECRETARY OF STATE
TALLAHASSEE FLORIDA

The undersigned, for the purpose of forming a corporation not-for-profit under Section 617.301-617.312, Florida Statutes (2000), files these Articles of Incorporation and certifies as follows:

**ARTICLE I
NAME**

The name of the corporation shall be RIVER OAKS IN THE HAMMOCK HOMEOWNERS ASSOCIATION, INC. For convenience, the corporation shall be referred to in this instrument as the "Association". The principal office of the Association is 2689 N. Oceanshore Blvd., Flagler Beach, Florida 32136. -

**ARTICLE II
PURPOSES**

A. The purpose for which the Association is organized are:

(i) to be and constitute the Homeowners Association to which reference is made in the Declaration of Covenants, Conditions, and Restrictions as amended from time to time, to perform all obligations and duties of the Association, and to exercise all rights and powers of the Association, as specified therein, in the By-Laws and as provided by law; and

(ii) to provide an entity for the furtherance of the interests of the owners of River Oaks in the Hammock, a plated subdivision in Flagler County, Florida, and

(iii) to own, manage, and control the common areas of the development known as River Oaks in the Hammock.

(iv) to operate, maintain and manage the surface water or storm water management system(s) in a manner consistent with the St. Johns River Water Management District Permit requirements and applicable District rules, and to assist in the enforcement of the restrictions and covenants contained herein.

B. The Association shall make no distributions of income to its members, directors, or officers.

C. The Association is not and shall never become a Condominium Association nor shall it ever operate such as to require compliance with the Florida Condominium Act.

ARTICLE III

POWERS

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

A. The Association shall have all the common law and statutory powers of a corporation not-for-profit which are not in conflict with the Florida Homeowners Association Law, the terms of these Articles, or By-Laws of this Association.

B. The Association shall have all of the powers necessary or desirable to perform the obligations and duties and to exercise the rights and powers set out in these Articles, the By-Laws, including, without limitations, the following:

(i) to fix and to collect assessments or other charges to be levied against the units;

(ii) to manage, control, operate, maintain, repair, and improve property subjected to the Declaration or any other property for which the Association by rule, regulation or contract has a right or duty to provide such exercises;

(iii) to enforce covenants, conditions, or restrictions affecting any property to the extent the Association may be authorized to do so under any Declaration or By-Laws;

(iv) to engage in activities which will actively foster, promote, and advance the common interest of the Unit Owners;

(v) to buy or otherwise acquire, sell, or otherwise dispose of, mortgage, or otherwise encumber, exchange, lease, hold, use, operate, and otherwise deal in and with real, personal, and mixed property of all kinds and any right of interest therein for any purpose of the Association;

(vi) to borrow money for any purpose as may be limited in the By-Laws;

(vii) to enter into, make, perform or enforce contracts of every kind and description, and to do all other acts necessary, appropriate, or advisable in carrying out any purpose of the Association, with or in association with any other association,

corporation, or other entity or agency, public or private;

(viii) to adopt, alter, and amend or repeal such By-Laws as may be necessary or desirable for the proper management of the affairs of the Association; provided, however, such By-Laws may not be inconsistent with or contrary to any provisions of the Covenants, Restrictions, Easements and Reservations;

(ix) to provide any and all supplemental municipal services as may be necessary or proper for the operation and maintenance of all common areas, and the common interest of the Unit Owners.

(x) to levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the surface water or storm water management system. Such assessments shall be used for the maintenance and repair of the surface water or storm water management systems including, but not limited to, work within retention areas, drainage structures and drainage easements.

C. The foregoing enumeration of powers shall not limit or restrict in any manner the exercise of other and further rights and powers which may now or hereafter be allowed or permitted by law; and the powers specified in each of the paragraphs of this ARTICLE III are independent powers, not to be restricted by reference to or inference from the terms of any other paragraph or provision in ARTICLE III.

ARTICLE IV **MEMBERS**

A. The Association shall be a membership corporation without certificates or shares of stock.

B. The owner of each Lot in River Oaks in the Hammock Subdivision shall be a member of the Association and shall be entitled to vote in accordance with the formula set forth in the By-Laws Declaration, except there shall be no vote for any lot held by the Association. The manner of exercising voting rights shall be determined by the By-Laws of the Association.

C. Change of membership in the Association shall be established by recording in the public records of the County of Flagler, Florida by deed or other instrument establishing record title to a unit subject to the Covenants, Restrictions, Easements and Reservations and written notice to the Association of such change in title. The owner designated by such instrument thereby becomes a member of the Association, and the membership of the prior owner is terminated.

D. The share of a member in the funds and assets of the Association cannot be assigned, hypothecated, or transferred in any manner, except as an appurtenance of a unit.

ARTICLE V **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 VI **DISSOLUTION**

In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water or storm water 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 VII **DIRECTORS**

A. The affairs of the Association shall be conducted, managed, and controlled by a Board of Directors. The initial Board of Directors shall consist of three (3) Directors. The number of Directors may be either increased or diminished from time to time in accordance with the By-Laws, but shall never be less than three (3) and shall always be an odd number.

B. The method of election and term of office, removal, and filling of vacancies shall be set forth in the By-Laws. The Board may delegate such operating authority to such companies, individuals, and committees as it, in its discretion, may determine.

ARTICLE VIII **OFFICERS**

The affairs of the Association shall be administered by the officers designated by the By-Laws. The officers shall be elected by the Board of Directors at its first meeting following the annual meeting of the Association, and they shall serve at the pleasure of the Board of Directors. The names and addresses of the officers who shall serve until their successors are designated by the Board of Directors are as follows:

DEREK V.H. FOWKES, President
2689 N. Oceanshore Blvd.
Flagler Beach, Florida 32136

DONALD LERNER, Vice President
2689 N. Oceanshore Blvd.
Flagler Beach, Florida 32136

BRENDA LERNER, Secretary/Treasurer
2689 N. Oceanshore Blvd.
Flagler Beach, Florida 32136

ARTICLE IX **BY-LAWS**

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

ARTICLE X **AMENDMENTS**

Amendments to the Articles of Incorporation may be proposed and adopted, provided that no amendment may be in conflict with the Covenant, Restrictions, Easements and Reservations and provided, further, no amendment shall be effective to impair or dilute any rights of members that are governed by such Covenants, Restrictions, Easements and Reservations.

ARTICLE XI **INCORPORATION**

The name and address of the incorporator to these Articles of Incorporation is as follows:

TIMOTHY J. CONNER, ATTORNEY
1 Florida Park Drive North, Ste. 110
Palm Coast, Florida 32137

ARTICLE XII **REGISTERED AGENT OFFICE**

The initial registered agent of the corporation is:

TIMOTHY J. CONNER, ATTORNEY
1 Florida Park Drive North, Ste. 110
Palm Coast, Florida 32137

**CERTIFICATE DESIGNATING REGISTERED
AGENT AND STREET ADDRESS FOR
SERVICE AND PROCESS**

2001 OCT 12 PM 2:48

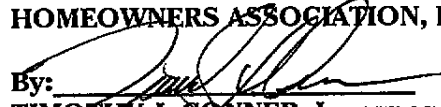
SECRETARY OF STATE
TALLAHASSEE FLORIDA

Pursuant to Section 48.091, Florida Statutes, The Corporation River Oaks in the Hammock Homeowners Association, Inc., hereby designates:

TIMOTHY J. CONNER, ATTORNEY
1 Florida Park Drive North, Ste. 110
Palm Coast, Florida 32137

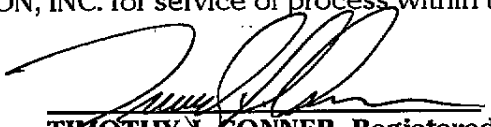
as its registered agent and the street address of its registered office for service of process within the State of Florida.

**RIVER OAKS IN THE HAMMOCK
HOMEOWNERS ASSOCIATION, INC.**

By: 
TIMOTHY J. CONNER, Incorporator

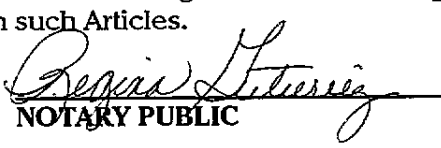
ACCEPTANCE OF DESIGNATION

I hereby accept the foregoing designation as registered agent of RIVER OAKS IN THE HAMMOCK HOMEOWNERS ASSOCIATION, INC. for service of process within the State of Florida.


TIMOTHY J. CONNER, Registered
Agent

STATE OF FLORIDA)
COUNTY OF FLAGLER)

The foregoing Articles of Incorporation were acknowledged before me this 10th day of Oct., 2001, for the purposes expressed in such Articles.


NOTARY PUBLIC

river oaks.articles of incorp.rev.021401

 Regina Gutierrez
My Commission DD029262
Expires May 28, 2005