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FLORIDA NON-PROFIT CORPORATION

PORT ORANGE PLANTATION HOMEOWNERS ASSOCIATION, INC.

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Estimated Charge	\$70.00

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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**ARTICLES OF INCORPORATION**  
**OF**  
**PORT ORANGE PLANTATION**  
**HOMEOWNERS ASSOCIATION, INC.**

The undersigned natural persons, all of whom are citizens of the State of Florida, acting as incorporators under the laws of the State of Florida, Chapter 617, Florida Statutes, applicable to corporations not for profit, do hereby adopt the following Articles of Incorporation for such corporation.

**Article One**

The name of the corporation shall be **PORT ORANGE PLANTATION HOMEOWNERS ASSOCIATION, INC.**

**Article Two**

The corporation is a non-profit corporation.

**Article Three**

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 Four**

This Association is formed to be the corporate entity which is to be responsible for the common areas, storm and/or surface water management systems, and for the performance of certain duties and the enforcement of certain rights as provided in the Declaration of Covenants, Conditions and Restrictions recorded or to be recorded in Volusia County, Florida, for all phases of the subdivision to be known as Port Orange Plantation - Phase I and located in Volusia County, Florida.

The Association shall operate, maintain and manage the surface water and stormwater management systems in a manner consistent with the St. Johns River Water Management District Permit No. 4-127-92263, requirements and applicable District Rules, and shall assist in the enforcement of the restrictions and covenants contained herein.

The Association shall levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the surface water and stormwater management system(s).

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The assessments shall be used for the maintenance and repair of the surface water and stormwater management systems including but not limited to work within retention areas, drainage structures and drainage easements.

#### **Article Five**

The members of the corporation shall be all fee simple lot owners in all phases of the subdivision to be known as Port Orange Plantation Phase I in Volusia County Florida. Upon the purchase of a lot the lot owners shall automatically become Class A members as defined in the covenants and restrictions of Port Orange Plantation Phase I to be recorded. Membership shall be appurtenant to, and inseparable from, ownership of a lot.

#### **Article Six**

The street address of the initial principal business office of the corporation is 9456 Phillips Highway, Suite 1, Jacksonville, Florida 32256. The address of the registered office and the name of the initial Registered Agent are: Kenneth Johns, Jr., 9456 Phillips Highway, Suite 1, Jacksonville, Florida 32256.

#### **Article Seven**

This corporation shall never have less than Three (3) Directors. The number of Directors constituting the initial Board of Directors of the Corporation is Three (3) and the names and addresses of the persons who are to serve as the initial Directors until the first election shall be as follows:

1. Kenneth L. Johns, Jr.  
9456 Phillips Highway Suite 1  
Jacksonville, Florida 32256
2. John Zakoske  
9456 Phillips Highway, Suite 1  
Jacksonville, Florida 32256
3. Jan Doan  
9456 Phillips Highway, Suite 1  
Jacksonville, Florida 32256

Directors shall serve and be appointed as provided in the By-Laws of the association

#### **Article Eight**

The names and addresses of the Subscribers to these Articles of Incorporation are listed in Article Seven above.

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**Article Nine**

The affairs of the Corporation are to be managed by the Officers of the Corporation who shall be appointed by the Boards of Directors. The names, addresses and offices of the persons who are initially to serve as officers of the Corporation are as follows:

**KENNETH L. JOHNS, JR. - President**  
9456 Philips Highway, Suite 1  
Jacksonville, Florida 32256

**JOHN ZAKOSKE - Vice President**  
9456 Philips Highway, Suite 1  
Jacksonville, Florida 32256

**JAN J. DOAN - Secretary**  
9456 Philips Highway, Suite 1  
Jacksonville, Florida 32256

**Article Ten**

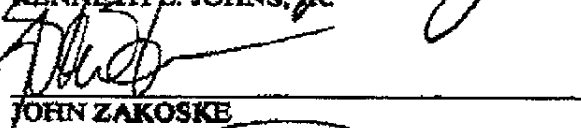
In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the stormwater management system must be transferred to and accepted by an entity which would comply with Section 40C-42.027, E.A.C., and be approved by the St. Johns River Water Management District prior to such termination, dissolution or liquidation. If the association is dissolved, the assets shall be dedicated to a public body, or conveyed to a nonprofit organization with similar purposes.

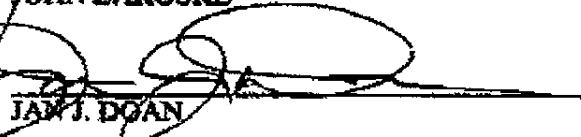
**Article Eleven**

The power to alter, amend or repeal the By-Laws or Articles of Incorporation or to adopt new By-Laws shall be vested in the Board of Directors. The By-Laws may contain any provisions for the regulation and management of the affairs of the corporation not inconsistent with the law or with the Articles of Incorporation.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 12<sup>TH</sup> day of MAY, 2004.

  
KENNETH L. JOHNS, JR.

  
JOHN ZAKOSKE

  
JAN J. DOAN

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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**CERTIFICATE DESIGNATING PLACE OF BUSINESS OR DOMICILE FOR THE  
SERVICE OF PROCES WITHIN THIS STATE, NAMING AGENT UPON WHOM  
PROCES MAY BE SERVED**

In compliance with Section 48.091, Florida Statutes, the following is submitted:

FIRST, that PORT ORANGE PLANTATION HOMEOWNERS ASSOCIATION INC. desiring to organize under the laws of the State of Florida, with its principal place of business at 9456 Philips Highway, Suite 1, Jacksonville, Florida 32256, has named KENNETH L. JOHNS, JR., located at the registered office of the corporation, to-wit, D.R. Horton, INC. - JACKSONVILLE, located at the registered office of the corporation, to-wit, D.R. Horton, Inc. - JACKSONVILLE, 9456 Philips Highway, Suite 1, Jacksonville, Florida 32256, as its Agent to accept service of process within this state.

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, and I accept the duties and obligations of Section 607.325 of the Florida Statutes.

REGISTERED AGENT

*Kenneth L. Johns, Jr.*  
KENNETH L. JOHNS, JR.

STATE OF FLORIDA

COUNTY OF DUVAL

Sworn to and subscribed before me this 12 day of May, 2004, by Kenneth L. Johns, Jr., who is personally known to me or produced as identification.

*Arlene Forbrich*  
Notary Public, State of Florida



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