

Division of Corporations

# NO 7000002865

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### COR AMND/RESTATE/CORRECT OR O/D RESIGN SILVER RUN FOREST HOMEOWNER'S ASSOCIATION, INC.

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*Amended And Restated  
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**AMENDED AND RESTATED ARTICLES OF INCORPORATION  
OF  
SILVER RUN FOREST HOMEOWNER'S ASSOCIATION, INC.**

We, the undersigned, being the President and Secretary of Silver Run Forest Homeowner's Association, Inc., a Florida not for profit corporation ("Association"), in accordance with its Articles of Incorporation and Bylaws do hereby certify:

- A. The Association was originally incorporated on March 19, 2007, under Document Number N07000002865, pursuant to Chapter 617 of the laws of the State of Florida.
- B. A copy of the Articles of Incorporation of the Association ("Original Articles") were attached to the Declaration of Covenants and Restrictions for Silver Run Forest (the "Original Declaration") as recorded in OR Book 4743, Page 1580, public records of Marion County, Florida. The Original Declaration was amended pursuant to an Amendment to Declaration of Covenants and Restrictions for Silver Run Forest as recorded in OR Book 5330, Page 1104, public records of Marion County, Florida. As so amended, the Original Declaration is referred to as the "Declaration."
- C. The Original Articles are hereby duly amended and restated in their entirety in accordance with the provisions of Section 617.1007(1), Florida Statutes.
- D. These Amended and Restated Articles of Incorporation were proposed by more than 25% of the Members<sup>1</sup> of the Association entitled to vote thereon, and were adopted by affirmative vote of more than three-fourths of the Members entitled to vote thereon.
- E. As so adopted, these Amended and Restated Articles of Incorporation replace the Original Articles in their entirety and are substituted therefore except as set forth in paragraph 5.2 hereof.

In compliance with the requirements of Chapter 617, Florida Statutes, the Association adopts the following Articles of Incorporation for the Association:

ARTICLE I. Name

- 1.1. The name of this corporation shall be Silver Run Forest Homeowner's Association, Inc. (hereinafter referred to as the "Association").

ARTICLE II. Address

- 2.1. The address of the principal office of the Association is 4701 NE 36th Avenue, Ocala, Florida 34479, and the mailing address of the Association is 4701 NE 36th Avenue, Ocala, Florida 34479.

<sup>1</sup> Terms capitalized herein and not otherwise defined herein have the same meaning herein as in the Declaration.

ARTICLE III. Registered Agent

- 3.1. Scott Sumner, whose address is 4701 NE 36th Avenue, Ocala, Florida 34479, is hereby appointed the initial registered agent of the Association.

ARTICLE IV. Duration

- 4.1. This Association shall exist perpetually (subject to paragraph 8.1), commencing on the date of filing of these Articles with the Florida Department of State.

ARTICLE V. Purposes

- 5.1. The Association does not contemplate pecuniary gain or profit, direct or indirect, to the Members thereof, and the specific purposes for which it is formed are to provide for the maintenance and preservation of the Lots and Common Area within the Property and to promote the health, safety and welfare of the Owners and residents within the Property and any additions thereto as may hereafter be brought within the jurisdiction of the Association. For these purposes the Association shall have the following powers, which, unless indicated otherwise by Declaration or Bylaws, may be exercised by the Board of Directors:
  - 5.1.1. Any and all powers, rights and privileges which a corporation organized under Chapter 617, Florida Statutes, by law may now or hereafter have or exercise;
  - 5.1.2. The powers necessary or desirable to perform all obligations and duties of the Association and to exercise all rights and powers of the Association as set forth in the Declaration or as set forth in the Bylaws, and as the same may be amended from time to time as therein provided including, without limitation, the following:
    - a. To fix, levy, collect and enforce payment of, by any lawful means, all charges or Assessments pursuant to the terms of the Declaration. The amount of such Assessments shall be determined by the Association's Board of Directors, except to the extent expressly set forth in the Declaration;
    - b. To pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied or imposed against property of the Association;
    - c. To acquire (by gift, purchase or otherwise), manage, control, own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property subjected to the Declaration or any other property for which the Association by rule, regulation, Declaration or contract has a right or duty to provide such services;
    - d. To borrow money, and as provided in the Declaration, Bylaws, or action of the Association, mortgage, pledge, deed in trust or hypothecate any or

all of its real or personal property as security for money borrowed or debts incurred;

- e. To dedicate, sell or transfer all or any part of the Common Area to any public agency, authority or utility as set forth in the Declaration;
- f. To enter into, make, perform, or enforce contracts of every kind and description, and to perform 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;
- g. To enforce covenants, conditions, or restrictions affecting any property to the extent the Association may be authorized to do so under the Declaration or Bylaws;
- h. To engage in activities which will actively foster, promote, and advance the interests of owners of real property subject to the Declaration; and
- i. To adopt the Bylaws as may be necessary or desirable for the proper management of the affairs of the Association; provided, however, such Bylaws may not be inconsistent with or contrary to any provisions of these Articles of Incorporation or the Declaration.

- 5.2. The Association shall operate, maintain and manage the surface water or stormwater management system in a manner consistent with the requirements for the permit issued by the St. Johns River Water Management District (the "District") and applicable District rules, and shall assist in the enforcement of the Declaration which relate to the surface water or stormwater management system. This supplements all provisions of the Original Articles concerning the ownership, maintenance or operation of the surface water or stormwater management system and shall not be deemed to reduce the rights or responsibilities of the Association or the Members concerning such system under the Original Declaration.
- 5.3. The Association shall 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.
- 5.4. The foregoing enumeration of powers shall not limit or restrict in any manner the exercise of other and future 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 are independent powers, not to be restricted by reference to or inference from the items of any other paragraph or provisions of this Article.

ARTICLE VI. Membership

- 6.1. Membership, transfer of Membership and voting by Members shall be as set forth in the Declaration.

ARTICLE VII. Directors

7.1. The method of election of directors shall be stated in the Bylaws of the Association.

ARTICLE VIII. Dissolution of the Association

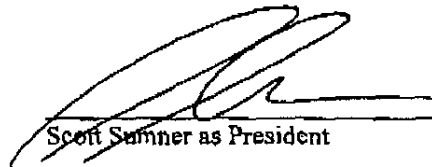
8.1. The term of the Association shall be perpetual unless dissolved by the written consent of at least three-fourths (3/4) of each class of Members.

8.2. 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 the applicable rules and regulations of the District prior to such termination, dissolution or liquidation.

8.3. Except as set forth in paragraph 8.2 above, upon dissolution, the Association's assets (including any real property and improvements thereon) remaining after payment to creditors and payment of all costs and expenses relating to such dissolution shall be distributed in the following priority:

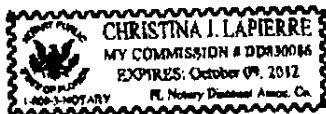
8.3.1. To any municipal or governmental authority which is willing to accept such assets; and, if none, then

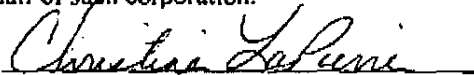
8.3.2. To the Members in such proportions as they agree upon or, failing such agreement, in such proportions as are determined by a Court having jurisdiction thereof.

  
Scott Sumner as President

STATE OF FLORIDA  
COUNTY OF MARION

The foregoing instrument was acknowledged before me this 30 day of April, 2010, by Scott Sumner, as President of Silver Run Forest Homeowner's Association, Inc., a Florida not for profit corporation, on behalf of such corporation.



  
Notary Public, State of Florida  
Name: Christina Lapierre  
(Please print or type)

Commission Number: DD830086  
Commission Expires: OCT. 09, 2012

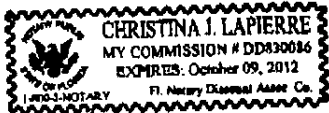
Notary: Check one of the following:

- Personally known OR
- Produced Identification (if this box is checked, fill in blank below).
- Type of Identification Produced: \_\_\_\_\_

*Linda Duprey*  
Linda Duprey as Secretary

STATE OF FLORIDA  
COUNTY OF MARION

*CL* The foregoing instrument was acknowledged before me this 30 day of April, 2010  
~~2008~~, by Linda Duprey, as Secretary of Silver Run Forest Homeowner's Association, Inc., a  
Florida not for profit corporation, on behalf of such corporation.



*Christina Lapierre*  
Notary Public, State of Florida  
Name: Christina Lapierre  
(Please print or type)

Commission Number: DD 830084  
Commission Expires: Oct 09, 2012

Notary: Check one of the following:

- Personally known OR
  - Produced Identification (if this box is checked, fill in blank below).
- Type of Identification Produced: \_\_\_\_\_

ACCEPTANCE OF REGISTERED AGENT

Having been named as registered agent for the above-named Association, at the place designated in the foregoing Articles of Incorporation, I hereby accept such designation and agree to act in such capacity, and I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, as registered agent.

*Scott Sumner*  
Scott Sumner  
Registered Agent  
Date: 4/30/10