

N07000007036

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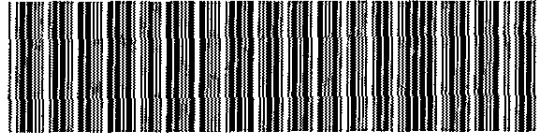
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*Amend.  
Fees*

07/27/07--01025--014 \*\*35.00

**FILED**  
2007 AUG -8 AM 11:18  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**BOOTH & COOK, P. A.**  
Attorneys at Law

STEPHEN C. BOOTH  
J. HARRIS COOK

RIDGEWOOD EXECUTIVE CENTER  
7510 RIDGE ROAD  
PORT RICHEY, FLORIDA 34868  
727/842-9105  
FAX 727/848-7601

August 7, 2007

Thelma Lewis  
Florida Department of State  
Amendment Section  
Division of Corporations  
Clifton Building  
2661 Executive Center Circle  
Tallahassee, FL 32301

Re: Summit View of Pasco County Homeowner's Association, Inc.

Dear Ms. Lewis:

Enclosed please find a corrected Amendment to the Articles of Incorporation along with a copy, for the above referenced, correcting the items that we had spoken of yesterday.

Please file said Amendment and return the stamped copy to my office and if for some reason I still need to correct the Amendment, could I please request that you call me at the number above and let me know, as this is unfortunately a rush, especially now that I made the errors in the first place.

Thank you so much and if you need any further information please just let me know.

Respectfully,

BOOTH & COOK, P.A.



Laurie A. Nezbeth  
Assistant to Stephen C. Booth, Esq.

encl.

**BOOTH & COOK, P. A.**  
Attorneys at Law

STEPHEN C. BOOTH  
J. HARRIS COOK

RIDGEWOOD EXECUTIVE CENTER  
7510 RIDGE ROAD  
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January 8, 2006

Secretary of State  
Division of Corporation  
Amendment Section  
P.O. Box 6327  
Tallahassee, FL 32312

Re: Summit View of Pasco County Homeowner's Association, Inc.

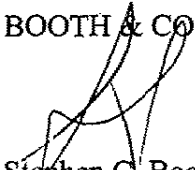
To Whom It May Concern:

Enclosed please find an Amendment to the Articles of Incorporation along with a copy, for the above referenced, as well as a check for the filing fees. Please file this and **return the stamped copy to my office** as soon as possible.

Thank you and if any further information is needed please call.

Sincerely,

BOOTH & COOK, P.A.



Stephen C. Booth

/lan  
encl.



FLORIDA DEPARTMENT OF STATE  
Division of Corporations

August 3, 2007

STEPHEN C. BOOTH, ESQ.  
BOOTH & COOK, P.A.  
7510 RIDGE ROAD  
PORT RICHEY, FL 34668

SUBJECT: SUMMIT VIEW OF PASCO COUNTY HOMEOWNER'S  
ASSOCIATION, INC.  
Ref. Number: N07000007036

We have received your document for SUMMIT VIEW OF PASCO COUNTY HOMEOWNER'S ASSOCIATION, INC. and check(s) totaling \$35.00. However, the enclosed document has not been filed and is being returned to you for the following reason(s):

A certificate must accompany the Restated Articles of Incorporation setting forth one of the following statements: (1) The restatement was adopted by the board of directors and does not contain any amendments requiring member approval; OR (2) If the restatement contains an amendment requiring member approval, the date of adoption of the amendment by the members and a statement that the number of votes cast for the amendment was sufficient for approval.

The document must be signed by the chairman, any vice chairman of the board of directors, its president, or another of its officers.

Please return 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) 245-6905.

Thelma Lewis  
Document Specialist Supervisor

Letter Number: 207A00047994

AMENDED ARTICLES OF INCORPORATION  
OF  
SUMMIT VIEW OF PASCO COUNTY  
HOMEOWNER'S ASSOCIATION, INC.

FILED  
2007 AUG -8 AM 11:18  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

The undersigned hereby associate to amend the articles of incorporation for the above named not for profit corporation organized under Chapter 617 of the Florida Statutes.

ARTICLE I

The purpose of the Association is to acquire title to and own, and whether owned or not, to operate, maintain and preserve the Common Area, as such term is defined in the Declaration of Covenants, Conditions, Restrictions, Easements and Assessments of Summit View of Pasco County, which will be recorded among the Public Records of Pasco County, Florida, (hereinafter called "Declaration"), in the development located in Pasco County, Florida, known as Summit View of Pasco County. The Association is also formed to perform any other duties assigned to it in the Declaration.

ARTICLE II

The Association shall have all of the powers given to corporations not for profit by the Florida Statutes and all of the powers expressly conferred upon it by the Declaration, together with all powers necessary to fulfill all such stated powers and the duties expressly given to it by such Declaration. These powers include, but are not limited to, the power to:

1. Maintain, repair, improve and insure the Common Area as defined in the Declaration and other real or personal property which the Association owns or which it has assumed the obligation to maintain, including, without limitation, the surface water management system which includes the lakes, retention areas, culverts and related appurtenances;
2. Make and collect assessments from its Members;
3. Pay all Association expenses;
4. Acquire title to and exercise all rights of Ownership in and to any real or personal property;
5. Own and convey real or personal property;
6. Make, amend and enforce reasonable rules and regulations for the use of the property it owns or maintains;

7. Enforce the terms of the Declaration, these Articles, and the By-Laws of the Association.
8. Sue and be sued;
9. Contract for operation and maintenance services.
10. Require all Owners to be members of the Association.
11. Exist in perpetuity, but in the event that the Association is dissolved, the Common Area including the surface water management system shall be conveyed to an appropriate agency of local government, or if not accepted to a nonprofit corporation with similar purposes.
12. Take any other action necessary for the purposes for which the Association is formed.

### ARTICLE III

1. Every record Owner of a fee interest in any lot, as defined in the Declaration, shall be a Member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to, and may not be separated from ownership of a Parcel.

2. Change of membership in the Association shall be established by the recording, in the Public Records of Pasco County, Florida, of a deed or other instrument establishing a record of title to a lot, and shall be evidenced by delivery to the Association of a copy of such instrument. The membership of the prior Owner (but not the obligation to pay previous assessments) shall be terminated as of, the date of recording such deed or other instrument.

3. The share of a Member in the funds and assets of the Association cannot be assigned, hypothecated or transferred in any manner except upon transfer of this lot.

4. There shall be two (2) classes of membership as follows:

(a) Class A. As long as there is a Class B membership, Class A Members shall be all Owners, as defined in the Declaration, other than the Developer, as defined in the Declaration, and shall be entitled to one vote for each lot owned. Upon termination of Class B membership, Class A Members shall be all Owners, including the Developer, as long as the Developer is an Owner and each Owner shall be entitled to one vote for each lot owned. If more than one (1) person owns an interest in any lot, all such persons shall be Members, but there shall be only one (1) vote cast with respect to such lot. Such vote may be exercised as the Owners determine among themselves, but no split vote shall be permitted.

(b) Class B. The Class B Member shall be the Developer and as long as there is a Class B voting membership the Developer shall be entitled to nine (9) votes for each lot owned.

Class B membership shall cease and be converted to Class A membership and any Class B Lots then subject to the terms of the Declaration shall become Class A Lots upon the happening of any of the following events, whichever occurs earlier:

(i) When the total outstanding Class "A" votes equals 90% of the total number of lots planned for all Phases of Summit View of Pasco County, or

(ii) January 1, 2019 or

(iii) When the Developer waives in writing its right to Class B membership.

#### ARTICLE IV

1. The affairs of the Association shall be initially managed by a Board of three (3) Directors, whose names and address are:

Name: Douglas J. Weiland, MD  
Address: 300 State Street East, Oldsmar, FL 34677

Name: Matt Dunn  
Address: 300 State Street East, Oldsmar, FL 34677

Name: Kevin Cimino  
Address: 300 State Street East, Oldsmar, FL 34677

2. New Directors shall be appointed or elected and the number of Directors shall be increased or diminished in accordance with the By-Laws of the Association, but there shall not be less than three.

#### ARTICLE V

The officers of the Association shall be President, Vice President, Secretary and Treasurer, and such additional officers as the By-Laws specify. The officers shall be elected by Directors at their annual meeting or at any special meeting called for that purpose.

The first officers who shall serve until the first election are:

President:	Douglas J. Weiland, MD
Vice President:	Kevin Cimino
Secretary:	Matt Dunn
Treasurer:	Steve Rogers

ARTICLE VI

The By-Laws of the Association may be adopted and amended by the Board of Directors.

ARTICLE VII

The Articles may be amended in the manner set forth in Chapter 617, Florida Statutes, provided, however, that any amendment to these Articles shall require the assent of written consent of two-thirds (2/3) of the Lot Owners at any regular or special meeting of the membership duly caused and convened. No such amendment may diminish any rights of the Class B Member, however, unless joined in by such Class B Member.

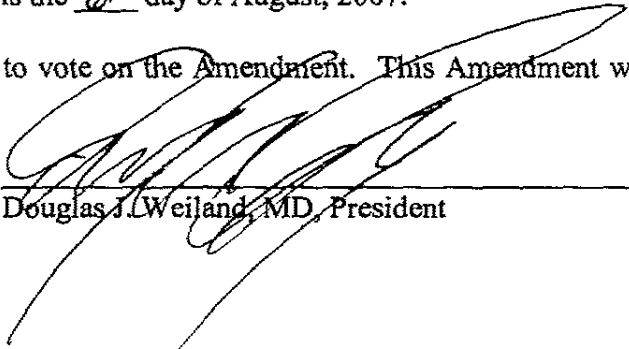
ARTICLE VIII

The term of the Association shall be perpetual unless dissolved by the unanimous written consent of the Members and all mortgagees.

Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association (including without limitation the surface water management system portions of the Common Area) shall be dedicated to an appropriate public agency to be used for purposes similar to those for which the Association was created. In the event that approval of such dedication is refused, such assets shall be granted, conveyed and assigned to any non-profit corporation, association, trust or other organization to be devoted to such similar purposes, but in no event shall such assets inure to the individual benefit of any Member or other private individual. The Article is subject to the provisions of Section 617.05 Florida Statutes.

The date of the adoption of this Amendment is the 6<sup>th</sup> day of August, 2007.

There are no members or members entitled to vote on the Amendment. This Amendment was adopted by the Board of Directors.

  
\_\_\_\_\_  
Douglas J. Weiland, MD, President