

# N9800001390

## FILING COVER SHEET

REFERENCE: 0163. 1837

DATE: 3-10-98

CONTACT: CINDY HICKS

FROM: CORPORATE & CRIMINAL RESEARCH SERVICES

103 N. MERIDIAN STREET

TALLAHASSEE, FL 32301

TELEPHONE: 222-1173

SUBJECT: Homes for Ruskin Property Owners' Association, Inc

FILED  
98 MAR 10 PM 1:12  
SECRETARY OF  
TALLAHASSEE

STATE FEES PREPAID WITH CHECK # 22055 FOR \$ 78.75

800002452218-19  
-03/10/98-01041-022  
\*\*\*\*\*78.75 \*\*\*\*\*78.75

### PLEASE FILE:

- ARTICLES OF INC.      ( ) AMENDMENT      ( ) DISSOLUTION      ( ) ANNUAL REPORT
- ( ) QUALIFICATION      ( ) LIMITED PARTNERSHIP      ( ) ANNUAL REPORT
- ( ) FICTITIOUS NAME      ( ) LIMITED LIABILITY      ( ) REINSTATEMENT
- ( ) UCC-1      ( ) UCC-3

### PROVIDE US WITH:

- ( ) CERTIFIED COPY       CERTIFICATE OF STATUS       STAMPED COPY

[Signature]  
3/10  
Examiner's Initials

RECEIVED  
98 MAR 1 AM 11:09  
DIVISION OF CORPORATION

98 MAR 10 PM 1:42  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

FILED

**ARTICLES OF INCORPORATION  
OF  
HOMES FOR RUSKIN PROPERTY OWNERS' ASSOCIATION, INC.**

THE UNDERSIGNED, in accordance with the provisions of Chapter 617, Florida Statutes, hereby make, subscribe and acknowledge these Articles of Incorporation for the purpose of forming a non-profit Florida corporation.

**ARTICLE I**

The name of the corporation is **HOMES FOR RUSKIN PROPERTY OWNERS' ASSOCIATION, INC.** (hereinafter referred to as the "Association"), and the physical address of its initial principal office is 201 14th Avenue S.E., Ruskin, Florida 33570, and the mailing address of its initial principal office is P.O. Box 771, Ruskin, Florida 33570.

**ARTICLE II**

The Association does not contemplate pecuniary gain or profit, direct or indirect, to its Members, and its primary purposes are:

A. To promote the health, safety and social welfare of the owners of all property within Homes for Ruskin Subdivision, a single-family affordable housing development in Hillsborough County, Florida (the "Property"), that is subject to the Declaration of Protective Covenants, Building Standards and Easements for Homes for Ruskin Subdivision, as amended from time to time, recorded among the Public Records of Hillsborough County, Florida (the "Declaration"), which Declaration is hereby incorporated herein by this reference; and

B. To maintain all portions of the Property and improvements thereon for which the obligation to maintain and repair has been delegated to the Association by the Declaration.

**ARTICLE III**

The term for which the Association is to exist is perpetual unless the Association is dissolved pursuant to any applicable provision of the Florida Statutes. If the Association is dissolved, the property consisting of the surface water management system shall be conveyed to an appropriate agency of local government and, if not accepted by the local government, then the surface water management system shall be dedicated to a similar non-profit corporation.

**ARTICLE IV**

The definitions contained in the Declaration are incorporated into these Articles of Incorporation and made a part hereof, unless specified to the contrary herein. The provisions of these Articles and the Bylaws of the Association are subject to all terms of the Declaration and the reservation of Developer's rights contained therein.

**ARTICLE V**

The name and address of the subscriber of these Articles is:

Dorothy Duke                      2022 Heathfield Circle  
Sun City Center, Florida 33573

**ARTICLE VI**

The Association shall be governed by a Board of Directors consisting of not less than three (3) nor more than seven (7) persons. The initial Board of Directors shall be appointed by the undersigned incorporator prior to the first meeting of the Board. In the event of a vacancy on the Board of Directors, the vacancy shall be filled by the majority vote of the remaining Directors. The Directors shall be elected from time to time in accordance with the Bylaws.

**ARTICLE VII**

The affairs of the Association are to be managed by a President, a Vice-President, a Secretary, a Treasurer and such other Officers as the Bylaws of the Association may provide for from time to time. All Officers shall be elected by the Board at the first meeting of the Board of Directors following the annual meeting of the Association and shall hold office until the next succeeding annual election of Officers or until their successors are elected and qualify.

Dorothy Duke shall serve as President/Secretary/Treasurer until the first meeting of the Board following the annual meeting of the Association.

In the event of a vacancy in any office, the vacancy shall be filled by a majority vote of the Board of Directors.

**ARTICLE VIII**

Each Owner of a Building Site within the Property shall be a Member of the Association, as further provided in the Declaration.

**ARTICLE IX**

Voting Rights. The aggregate votes from all Members shall constitute the total outstanding votes available for voting purposes in determining the action of the Association on any matter to be approved by vote (herein "Outstanding Votes"). If more than one (1) person owns an interest in any Building Site, all such persons are Members, but there may be only one vote cast with respect to such Building Site. Such vote may be exercised as the Owners determine among themselves, but a split vote is not permitted. Prior to any meeting at which a vote is to be taken, each co-owner shall file the name of the voting co-owner with the Secretary of the Association to be entitled to vote at such meeting, unless such co-owners has filed a general voting authority with the Secretary applicable to all votes until rescinded. The Developer is entitled to have the number of votes equal to the total votes held by all Members plus one (1) until the happening of any one of the following events, whichever occurs first:

- a. When Developer voluntarily relinquishes its right to a majority vote;
- b. When Developer no longer owns any portion of the Property; or
- c. January 1, 2025.

**ARTICLE X**

The holders of one-third (1/3) or more of the Outstanding Votes must be present in person, or present by valid proxy, to constitute a quorum. A quorum shall be required at all meetings of the membership for the transaction of business, except as otherwise provided by statute or by the Declaration. If a quorum cannot be reached at any meeting of the membership, the meeting may be adjourned and reconvened without notice other than announcement at the meeting. Adjourned and reconvened meetings shall be at least three (3) days apart and, if a quorum is reached, any business may be transacted which might have been transacted at the adjourned meeting.

**ARTICLE XI**

This Association shall never have nor issue any shares of stock, nor shall this Association distribute any part of the income of this Association, if any, to its Members, Directors or Officers. However, the Association shall not be prohibited from reasonably compensating its Members, Directors, or Officers for services rendered, nor shall the Association be prohibited from making any payments or distributions to Members of benefits, monies or properties permitted by Chapter 617, Florida Statutes.

**ARTICLE XII**

The Association shall have all the powers set forth and described in Chapter 617, *Florida Statutes*, as presently existing or as may be amended from time to time, together with those powers conferred by the Declaration, these Articles of Incorporation and the Bylaws of the Association. The powers of the Association shall include, but not be limited to, the power to operate and maintain the Common Area, specifically including the surface water management system as permitted by the Southwest Florida Water Management District including all lakes, retention areas, water management areas, ditches, culverts, structures and related appurtenances and the power to assess Members and enforce said assessments.

**ARTICLE XIII**

The Association shall indemnify all persons who may serve or who have served at any time as Directors or Officers, and their respective heirs, administrators, successors and assigns against any and all expenses, including amounts paid upon judgments, counsel fees, and amounts paid in settlement (before or after suit is commenced), actually and necessarily incurred in connection with the defense or settlement of any claim, action, suit or proceeding in which they or any of them are made a party, or which may be asserted against any of them, by reason of having been a Director or Officer of the Association, except in such cases where the Director or Officer is adjudged guilty of willful misfeasance or malfeasance in the performance of his duties. Such indemnification shall be in addition to any rights to which such Director or Officer may otherwise be entitled.

**ARTICLE XIV**

In the absence of fraud, no contract or other transaction between this Association or any other person, firm, association, corporation or partnership shall be affected or invalidated by the fact that any Director or Officer of this Association is pecuniarily or otherwise interested in, or is a director, member or officer of, any such firm, association, corporation or partnership. Any Director may vote and be counted in determining the existence of a quorum at any meeting of the Board of Directors for the purpose of authorizing such contract or transaction with like force and effect as if he were not so interested, or not a director, member or officer of, such other firm, association, corporation or partnership.

**ARTICLE XV**

The Bylaws of this Association are to be made and adopted by a majority vote of the Directors and said Bylaws may not be altered, amended, rescinded or added to except as provided in the Bylaws.

ARTICLE XVI

These Articles of Incorporation may be amended, altered, rescinded, or added to by appropriate resolution approved by a majority of the voting interest of the Members present at any duly convened membership meeting or, alternatively, by appropriate resolution adopted by a majority vote of the Board of Directors at any duly convened meeting of the Board and accepted by a majority vote of the voting interest of the Members present at any duly convened membership meeting. Any Member of this Association may propose an amendment to the Articles of Incorporation to the Board or the membership, as the case may be.

IN WITNESS WHEREOF, the undersigned subscriber has executed these Articles of Incorporation, this 27 day of February, 1997. 1998

Dorothy Duke
Dorothy Duke, Incorporator

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 27 day of February, 1998, by Dorothy Duke, who is personally known to me or who has produced as identification.

Dagmar H. Arja
NOTARY PUBLIC
Name: Dagmar H. Arja
Commission No.

My Commission
DAGMAR H. ARJA
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC383534
MY COMMISSION EXP. JULY 1, 1998

**DESIGNATION OF REGISTERED AGENT  
AND REGISTERED OFFICE**

The initial registered agent of this Association shall be Earl Pfeiffer. The initial registered office and principal place of business of this Association shall be 201 14th Avenue S.E., Ruskin, Florida 33570.

**ACCEPTANCE**


Having been named registered agent to accept service of process for the above-named Association, I hereby accept to act in this capacity and agree to comply with the provisions of Chapter 48.091, Florida Statutes.



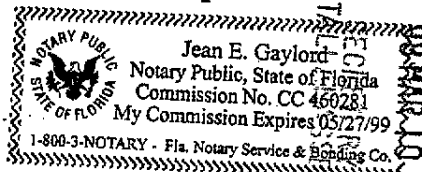
\_\_\_\_\_  
Earl Pfeiffer

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of March, 1998, by Earl Pfeiffer, who is personally known to me or who has produced Driver License as identification.

  
\_\_\_\_\_  
NOTARY PUBLIC  
Name: Jean Gaylord  
Commission No. \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

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STATE OF FLORIDA

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