

199000006874

TRANSMITTAL LETTER

Department of State  
Division of Corporations  
P. O. Box 6327  
Tallahassee, FL 32314

900003042299-8  
-11/17/99-00056-012  
\*\*\*\*\*122.50 \*\*\*\*\*78.75

**SUBJECT:** 121 NORTH FARMS OWNERS ASSOCIATION, INC., A NONPROFIT CORPORATION  
(Proposed corporate name - must include suffix)

Enclosed is an original and one(1) copy of the articles of incorporation and a check for :

\$70.00  
Filing Fee

\$78.75  
Filing Fee  
& Certificate

\$122.50  
Filing Fee  
& Certified Copy

\$131.25  
Filing Fee,  
Certified Copy  
& Certificate

**ADDITIONAL COPY REQUIRED**

**FROM:** JENKINS & TUBB  
Name (Printed or typed)

2700B NW 43rd Street  
Address

Gainesville, FL, 32606  
City, State & Zip

352 376 2641  
Daytime Telephone number

99 NOV 17 AM 10:48  
FILED  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**NOTE: Please provide the original and one copy of the articles.**

ARTICLES OF INCORPORATION  
OF  
121 NORTH FARMS OWNERS ASSOCIATION, INC.  
A NONPROFIT CORPORATION

FILED  
99 NOV 17 AM 10:48  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

We, the undersigned natural persons of legal age, at least two of whom are citizens of the State of Florida, acting as incorporators of a corporation under Chapter 617 of the Florida Statutes, do hereby adopt the following articles of incorporation for such corporation:

ARTICLE I

The name of the corporation (called the association) is 121 NORTH FARMS OWNERS ASSOCIATION, INC. .

ARTICLE II

The association is a non-profit corporation.

ARTICLE III

The period of its duration is perpetual.

ARTICLE IV

The association is organized for the purpose of maintenance, preservation, and architectural control of the residence lots and common area, and management, maintenance, operation and care of real and personal property, including but without limitation, all lakes, ditches, canals, retention or detention areas, drainage, other surfacewater management works, and preservation or conservation areas, wetlands and wetland mitigation areas, roads and other common areas which are owned or controlled by the association or the owners in common, within a certain tract of real property to be known as "121 NORTH FARMS" located in Alachua County, Florida.

In furtherance of such purposes, the association shall have power to:

(a) Perform all of the duties and obligations of the association as set forth in a certain Declaration of Covenants, Conditions, and Restrictions (the declaration) applicable to the subdivision to be recorded in the public records of Alachua County, Florida or by any permit or authorization from any unit of local, regional, state or federal government and to enforce by any legal means the provisions of these articles, the bylaws, and the declarations;

(b) Affix, levy, and collect all charges and assessments pursuant to the terms of the declaration, and enforce payment thereof by any lawful means; and 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 on the property of the association;

(c) Acquire (by gift, purchase, or otherwise), own, hold, improve, build on, operate, maintain, convey, sell, lease, transfer, dedicate to public use, or otherwise dispose of real and personal property in connection with the affairs of the association;

(d) Borrow money;

(e) To maintain, repair, replace, operate, and care for the common area, roads, drainage easements, including but without limitation, all lakes, ditches, canals, retention or detention areas, drainage, other surfacewater management works, and preservation or conservation areas, wetlands and wetland mitigation areas which are owned or controlled by the association or the owners in common in manner consistent with the permit issued by the Suwannee River Water Management District (or any other government entity having jurisdiction) and the operation and maintenance plan attached thereto;

(f) Have and exercise any and all powers, rights, and privileges that a corporation organized under Chapter 617 of the Florida Statutes by law may now or hereafter have or exercise.

(g) To make, amend, impose, and enforce by any lawful means, reasonable rules and regulations regarding the use of the common areas and the association property;

(h) To do and perform anything required by these articles, the by-laws, of the declaration to be done by the owner, but if not done by the owner in a timely manner, at the expense of the owner.

(i) To do and perform any obligations imposed upon the association by the declaration or by any permit or authorization from any unit of local, regional, state, or the federal government and to enforce by any legal means the provisions of these articles, the bylaws and the declaration.

(j) To purchase and maintain insurance for the common area.

The association is organized and shall be operated exclusively for the aforementioned purposes. The activities of the association shall be financed by assessments on members as provided in the declaration, and no part of any net earnings shall inure to the benefit of any member.

#### ARTICLE V

The address of the principal office of the corporations is, 1017 NE 156<sup>th</sup> Street, Gainesville, FL 32609 and the mailing address is 1017 NE 156<sup>th</sup> Street, Gainesville, FL 32609, Florida.

The street address of the initial registered office of the association is 1017 NE 156<sup>th</sup> Street, Gainesville, FL 32609, and the name of its initial registered agent at such address is A. M. Robinson.

#### ARTICLE VI

Every person or entity who is a record owner of a fee or undivided fee interest in any lot which is subject by covenants of record to assessments by the association, including contract sellers, but excluding persons holding title merely as security for performance of an obligation, shall be a member of the association. Membership shall be appurtenant to and may not be separated from ownership of a lot which is subject to assessment by the association.

#### ARTICLE VII

The association shall have two classes of voting members as follows:

Class A. Class A members shall be all owners with the exception of the declarant as such term is defined in the declaration, and shall be entitled to one vote for each lot owned. When more than one person holds an interest in any lot, all such persons shall be members. The vote for such lot shall be exercised as such members may determine among themselves, but in no event shall more than one vote be cast with respect to any lot owned by Class A members.

Class B. The Class B member shall be the declarant, as such term is defined in the declaration, who shall be entitled to votes for each lot owned. The Class B membership shall cease and be converted to Class A membership as provided in the declaration.

Notwithstanding the other provisions contained in these articles to the contrary, the class B member, shall prior to relinquishing control of the association or otherwise allowing control to transfer, shall provide at least 30 days written notice to the Suwannee River Water Management District that all terms and conditions place upon the developer by permits or authorizations from the Suwannee River Water Management District have been satisfied in full and that transfer is proposed to occur on a specific date.

#### ARTICLE VIII

The number of directors constituting the initial board of directors of the association is 3, and the names and addresses of the persons who are to serve as the initial directors are:

<u>Name</u>	<u>Address</u>
A. M. Robinson	1017 NE 156 <sup>th</sup> Street, Gainesville, FL 32609
Dorothy B. Robinson	1017 NE 156 <sup>th</sup> Street, Gainesville, FL 32609
Reda Waters	1017 NE 156 <sup>th</sup> Street, Gainesville, FL 32609

Future directors shall be elected or appointed in accordance with the by-laws.

ARTICLE IX

Prior to dissolution of this association, all property, interest in property, whether real, personal, or mixed, which is directly or indirectly related to the surfacewater management system, including but without limitation, all lakes, ditches, canals, retention or detention areas, drainage, other surfacewater management works, and preservation or conservation areas, wetlands, and wetland mitigation areas which are owned by the association or the owners in common, will be dedicated to and accepted for maintenance by the appropriate unit of government or otherwise transferred to and accepted for maintenance by another approved entity. Dedication or approval must be authorized by the Suwannee River Water Management District through modification of any and all permits or authorizations issued by the Suwannee River Water Management District. Such modifications shall be made under the lawfully adopted rules of the Suwannee River Water Management District in effect at the time of application for such modification.

On dissolution, the assets of the association shall be distributed to an appropriate public agency to be used for purposes similar to those for which the association was created. In the event such distribution is refused acceptance, such assets shall be granted, conveyed, and assigned to any nonprofit corporation, association, trust, or other organization organized and operated for such similar purposes.

ARTICLE X

The bylaws will be adopted and may be amended by the Directors or members consistent with these articles and the declaration. Amendments to the articles and bylaws which directly or indirectly impact operation and maintenance of the surfacewater management system, may be made after approval by the Suwannee River Water Management District. Such approval shall be in the form of a modification to any and all permits issued by the Suwannee River Water Management District in effect at the time of application for such modification. Notice of all other amendments may be made without authorization of the Suwannee River Water Management District; however, copies of any such amendments shall be forwarded to the District within 30 days of approval.

ARTICLE XI

The name and street address of each incorporator is:

<u>Name</u>	<u>Address</u>
A. M. Robinson	1017 NE 156 <sup>th</sup> Street, Gainesville, FL 32609
Dorothy B. Robinson	1017 NE 156 <sup>th</sup> Street, Gainesville, FL 32609
Reda Waters	1017 NE 156 <sup>th</sup> Street, Gainesville, FL 32609

ARTICLE XII

Nothing in the Articles of Incorporation shall be deemed to require equal assessments for each lot in the property to be known as "121 North Farms".

Executed at Gainesville, Florida, on November 16th, 1999.

A.M. Robinson  
A. M. Robinson

Dorothy B. Robinson  
Dorothy B. Robinson

Reda Waters  
Reda Waters

I am familiar with and hereby accept the duties and responsibilities as registered agent for this corporation.

A.M. Robinson  
A. M. Robinson  
Registered Agent

FILED  
99 NOV 17 AM 10:48  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

STATE OF FLORIDA  
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this 16 day of November, 1999 by A. M. Robinson, Dorothy B. Robinson & Reda Waters who are personally known to me or who has produced \_\_\_\_\_ as identification.

Denise A. Edwards  
Notary Public  
State of Florida at Large

My commission expires:



Denise H. Edwards  
MY COMMISSION # CG634127 EXPIRES  
April 1, 2001  
BONDED THRU TROY FAIN INSURANCE, INC