

N96000003165

JACOB I. REIBER - ATTORNEY AT LAW

LINSKY & REIBER - TAMPA - WESLEY CHAPEL

TELEPHONE (813) 973-0883

PINENBROOK PLAZA
27429 STATE ROAD 54 WEST
WESLEY CHAPEL, FLORIDA 33544

MAILING ADDRESS:
POST OFFICE BOX 7055
WESLEY CHAPEL, FLORIDA 33543-7055

May 28, 1996

RECEIVED
JUL 12 1996
TALLAHASSEE, FLORIDA
*****122.50

Corporation Section, Charter Division
Secretary of State's Office
Post Office Box 6327
Tallahassee, FL 32314

Re: SHADOW OAKS EAST HOMEOWNERS' ASSOCIATION, INC.

Dear Sir or Madam:

Enclosed herewith please find the original and one copy of the Articles of Incorporation of the above referenced proposed corporation, together with our check in the sum of \$122.50 to be broken down as follows:

| | |
|---------------------------------|----------|
| Filing Fees: | \$35.00 |
| Certified Copy of Articles | 52.50 |
| Designation of Registered Agent | 35.00 |
| TOTAL | \$122.50 |

FILED
56 JUN 12 AM 9:52
TALLAHASSEE, FLORIDA

Thank you for your attention to this matter.

Sincerely,

LINSKY & REIBER

Jacob I. Reiber, Esquire

DMC
6/6/96

JIR/cl
enclosures
Corp\ArtInc

N96000003165



FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State

June 6, 1996

JACOB I. REIBER, ESQUIRE
ATTORNEY AT LAW
P.O. BOX 7055
WESLEY CHAPEL, FL 33543-7055

SUBJECT: SHADOW OAKS EAST HOMEOWNERS' ASSOCIATION, INC.
Ref. Number: W96000012017

We have received your document for SHADOW OAKS EAST HOMEOWNERS' ASSOCIATION, INC. and your check(s) totaling \$122.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

Section 617.0202(d), Florida Statutes, requires the manner in which directors are elected or appointed be contained in the articles of incorporation. A statement making reference to the bylaws is acceptable.

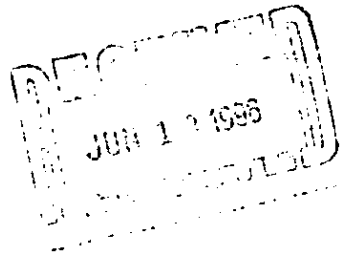
Section 617.0803, Florida Statutes, requires that the board of directors never have fewer than three directors.

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 (904) 487-6923.

Doris McDuffie
Corporate Specialist Supervisor

Letter Number: 196A00028347



**ARTICLES OF INCORPORATION
OF
SHADOW OAKS EAST HOMEOWNERS' ASSOCIATION, INC.**

In compliance with the requirements of Chapter 617, Florida Statutes, the undersigned who is a resident of the State of Florida, and who is of full age, has this day voluntarily associated for the purpose of forming a corporation not for profit and do hereby certify.

ARTICLE I

NAME OF ASSOCIATION

The name of the corporation is SHADOW OAKS EAST HOMEOWNERS' ASSOCIATION, INC., hereafter called the "Association."

ARTICLE II

LOCATION OF ASSOCIATION

The principal office of the Association is located at 27437 State Road 54 West, Wesley Chapel, Pasco County, Florida 33544.

ARTICLE III

INITIAL REGISTERED AGENT

Jacob I. Reiber, whose address is 27429 State Road 54 West, Post Office Box 7055, Wesley Chapel, Pasco County, Florida 33543, is hereby appointed the initial registered agent of this Association.

ARTICLE IV

PURPOSE AND POWERS OF THE ASSOCIATION

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation of the Subdivision Lots and Common Area within that certain tract of property described as: See Exhibit "A" attached hereto and made a part hereof; and to promote the health, safety, and welfare of the residents within the above-described property and any additions thereto as may hereafter be brought within the jurisdiction of this Association for this purpose to:

a. exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in that certain Declaration of Covenants, Conditions, and Restrictions, hereinafter called the "Declaration", applicable to the property and recorded

or to be recorded in the Office of the Clerk of Pasco County, Florida, and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth at length;

b. fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; 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 the property of the Association;

c. acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;

d. borrow money, and with the assent of three-fourths (3/4) of the of members, 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. dedicate, sell or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument has been signed by three-fourths (3/4) of the members, agreeing to such dedication, sale or transfer;

f. participate in mergers and consolidation with other nonprofit corporations organized for the same purposes or annex additional residential property and Common Area, provided that any such merger, consolidation or annexation shall have the assent of three-fourths (3/4) of the members;

g. own, operate and maintain the common property including the surface water management system as permitted by the Southwest Florida Water Management District including all lakes, retention areas, water management areas, ditches, culvert structures and related appurtenances;

h. have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Florida by law may now or hereafter have or exercise;

i. sue and be sued;

j. establish rules and regulations governing resident members' responsibilities; and

k. contract for the management of the Properties and Common Properties and to delegate to such contractor all powers and duties of the Association except such as and specifically required by the covenants and restrictions recorded against the Properties to have the approval

of the Board of Directors of the membership of the association.

ARTICLE V

MEMBERSHIP

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 assessment by the Association, including contract Sellers, 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 any Lot which is subject to assessment by the Association.

ARTICLE VI

VOTING RIGHTS

The Association shall have one class of voting membership consisting of all Owners, 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 they determine, but in no event shall more than one vote be cast with respect to any Lot.

ARTICLE VII

BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of no less than three (3) Directors or no more than five (5) Directors, who need not be members of the Association. The number of directors may be changed by amendment of the By-Laws of the Association. The names and addresses of the persons who are to act in the capacity of initial directors until the selection of their successors are:

| <u>Name</u> | <u>Address</u> |
|----------------------|--|
| Johnny L. Wild | 27437 State Road 54 West, Wesley Chapel, FL 33544 |
| Randall J. McConnell | 27437 State Road 54 West, Wesley Chapel, FL 33544 |
| Kim McConnell | 27437 State Road 54 West, Wesley Chapel, FL 33544 |

At the first annual meeting the members shall elect three directors for a term of one year each.

ARTICLE VIII

DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than three-fourths (3/4) of the members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to such similar purposes.

In the event the Association is dissolved, the property consisting of the surface water management system shall be conveyed to an appropriate agency of local government, and that if not accepted, then the surface water management system shall be dedicated to a similar nonprofit corporation.

ARTICLE IX

DURATION

The corporation shall exist perpetually.

ARTICLE X

AMENDMENTS

Amendment of these Articles shall require the assent of 75 percent (75%) of the entire membership.

IN WITNESS WHEREOF, the undersigned incorporator has executed these Articles of Incorporation for the uses and purposes herein stated this 21 day of may, 1996.

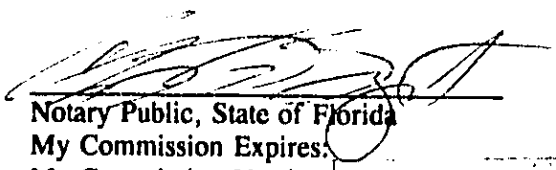


JOHNNY L. WILD

STATE OF FLORIDA
COUNTY OF PASCO

I HEREBY CERTIFY that on this day before me, a Notary Public, duly authorized to take acknowledgements personally appeared Johnny L. Wild, as incorporator, to me personally known to be the person described in and who executed the foregoing Homeowners Articles of Incorporation, or who produced n/a as identification.

WITNESS MY HAND and official seal at Wesley Chapel, Pasco County, Florida this
21 day of May, 1996.


Notary Public, State of Florida
My Commission Expires:
My Commission No. is:



CORP/HOMEOWNER.ART

CERTIFICATE DESIGNATING REGISTERED OFFICE
FOR THE SERVICE OF PROCESS WITHIN THE STATE
NAMING REGISTERED AGENT UPON WHOM
PROCESS MAY BE SERVED

FILED

96 JUN 12 AM 9:53

CLERK OF DISTRICT COURT
TALLAHASSEE, FLORIDA

In pursuance of Chapter 48.091, Florida Statutes, the following is submitted, in compliance with said act:

That SHADOW OAKS EAST HOMEOWNERS' ASSOCIATES, INC., desiring to organize under the laws of the State of Florida with its principal office, as indicated in the Articles of Incorporation, at the City of Wesley Chapel, Pasco County, State of Florida, has named Jacob I. Reiber, as its agent to accept service of process within the state.

Having been named to accept service of process for the above named corporation, at a place designated in the Certificate, I hereby accept to act in this capacity, and agree to comply with the provisions of this act relative to keeping open said office.

REGISTERED OFFICE ADDRESS:

27429 State Road 54 West
Wesley Chapel, Florida 33544

BY:



Jacob I. Reiber, Esquire

EXHIBIT A

Commence at the Southwest corner of Section 22, Township 25 South, Range 21 East, Pasco County, Florida; thence South $89^{\circ}48'12''$ East, along the South line of said Section 22, 30.00 feet to the Easterly boundary of Fort King Highway (a/k/a/ C41-A); thence along Easterly Right-of-way North $00^{\circ}19'53''$ East, 660.00 feet more or less for a POINT OF BEGINNING; thence continue North $00^{\circ}19'53''$ East, 417.36 feet more or less; thence South $89^{\circ}56'20''$ East, 1725.42 feet to Westerly Right-of-Way of former SCL Railroad; thence along Westerly Right-of-Way South $11^{\circ}26'11''$ West, 407.73 feet more or less; thence South $87^{\circ}33'13''$ West, 1,022.67 feet; thence South $00^{\circ}20'25''$ West, 2.70 feet; thence Westerly 660.00 feet to the POINT OF BEGINNING.