

*No6000003008*

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06 MAR 16 AM 8:04  
SECRETARY OF THE  
DIVISION

*No6-9977*

D. Brown MAR 17 2006



**FLORIDA DEPARTMENT OF STATE**  
Division of Corporations

March 1, 2006

JAMES J. COSTELLO, JR.  
1010 JOHNS POINTE DR.  
OAKLAND, FL 34787

SUBJECT: CHERRY LAKE OAKS HOMEOWNERS' ASSOCIATION, INC.  
Ref. Number: W06000009977

We have received your document for CHERRY LAKE OAKS HOMEOWNERS' ASSOCIATION, INC. and check(s) totaling \$43.75. However, the enclosed document has not been filed and is being returned to you for the following reason(s):

There is a balance due of \$35.00.

The corporate fees are as follows:

**CORPORATIONS FILING FEES**

Profit and NonProfit  
Florida & Foreign Corp.

Filing Fees	\$35.00
Registered Agent Designation	\$35.00
Certified Copy	\$8.75
Certificate of Status	\$8.75

Please return the original and one copy of 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) 245-6972.

Doris Brown  
Document Specialist  
New Filing Section

Letter Number: 906A00014286

## COVER LETTER

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

SUBJECT: Cherry Lake Oaks Homeowners Association, Inc.  
(PROPOSED CORPORATE NAME - MUST INCLUDE SUFFIX)

NOT For Profit Corp  
Enclosed is an original and one(1) copy of the Articles of Incorporation and a check for :

☐ ~~\$70.00~~ <sup>35.00</sup>  
Filing Fee

☒ ~~\$78.75~~ <sup>43.75</sup>  
Filing Fee &  
Certificate of  
Status

☐ \$78.75  
Filing Fee  
& Certified Copy

☐ \$87.50  
Filing Fee,  
Certified Copy  
& Certificate

ADDITIONAL COPY REQUIRED

FROM: JAMES J COSTELLO JR.  
Name (Printed or typed)

1010 Johns Pointe Dr.  
Address

OAKLAND FL 34787  
City, State & Zip

407-509-7498  
Daytime Telephone number

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

**ARTICLES OF INCORPORATION  
OF  
CHERRY LAKE OAKS HOMEOWNERS' ASSOCIATION, INC.**

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**ARTICLE I – NAME**

The name of this Association is CHERRY LAKE OAKS HOMEOWNERS' ASSOCIATION, INC.

**ARTICLE II – PRINCIPAL OFFICE AND MAILING ADDRESS**

The address of the principal place of business of the Association is 1010 Johns Pointe Drive, Oakland, 34787.

**ARTICLE III – INITIAL REGISTERED OFFICE AND REGISTERED AGENT**

The street address of the initial registered office of the Association is 1010 Johns Pointe Drive, Oakland, FL 34787 and the name of the initial registered agent of this Association at that address is James J. Costello Jr.

**ARTICLE IV – INCORPORATOR**

The name and address of the incorporator is as follows:

James J. Costello Jr.  
1010 Johns Pointe Drive  
Oakland, FL 34787

**ARTICLE V – EXISTENCE AND DURATION OF THE ASSOCIATION**

Existence of the Association shall commence with the filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The Association shall exist in perpetuity.

**ARTICLE VI – PURPOSES AND POWERS OF THE ASSOCIATION**

The Association shall be responsible for maintenance of the Cherry Lake Subdivision common area, including repair and replacement of all improvements; payment of common area non ad valorem assessments and personal property taxes; operation of the common area in accordance with the rules and standards adopted by the Association Board of Directors; taking any and all actions necessary to enforce all covenants, restrictions and easements affecting the community; performing any of the functions delegated to the Association in the governing documents of the Cherry Lake subdivision; and conducting business matters of the Association.

The Association shall operate, maintain and manage the surface water or stormwater management system(s) in a manner consistent with the St. Johns River Water Management District permit no. 40-069097512-1 (8/19/05) requirements and applicable

District rules and shall assist in the enforcement of the Declaration of Covenants and Restrictions which relate to the surface water or stormwater management system.

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 storm water management system.

#### **ARTICLE VII – MEMBERSHIP**

Any person or entity that is a record owner of a fee or undivided fee interest of any lot which is subject to covenant of record to assessment by the Association. The foregoing is not intended to include persons or entities that 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 VIII – VOTING RIGHTS**

The Association shall have two classes of voting membership:

Class A. Class A members shall be all Owners, with the exception of the Declarant, 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.

Class B. The Class B member shall be the Declarant (as defined in the Declaration), and shall be entitled to exercise total voting control until the annual meeting following the event of 6 lots being owned by individuals other than the developer, its agents or associates.

#### **ARTICLE IX – BOARD OF DIRECTORS**

The affairs of this Association shall be managed by a Board of at least three (3) Directors, who need not be members of the Association. The number of directors and the manner in which Directors may be elected may be changed by amendment of the Declaration of Covenants, Conditions, and Restrictions of the Association. The names and addresses of the persons who is to act in the capacity of sole director until the selection of his successors are:

James J. Costello Jr.  
1010 Johns Pointe Drive, Oakland, FL 34787

#### **ARTICLE X – DISSOLUTION**

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 Section 40C-42.027, F.A.C., and be approved by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.

IN WITNESS WHEREOF, the undersigned does hereby execute this instrument this 23<sup>rd</sup> day of FEB, 2006

  
James J. Costello Jr.

**CERTIFICATE OF DESIGNATION**  
**REGISTERED AGENT/REGISTERED OFFICE**

Pursuant to the provisions of Section 607.0505, Florida Statutes, the undersigned Corporation, organized under the laws of the State of Florida, submits the following statement in designating the registered agent, in the State of Florida.

1. The name of the Corporation is: CHERRY LAKE OAKS HOMEOWNERS' ASSOCIATION, INC.
2. The name and address of the registered agent and officer is:

James J. Costello Jr.  
1010 Johns Pointe Drive  
Oakland, FL 34787

By:   
James J. Costello Jr.

Title: Incorporator

Dated this 23<sup>rd</sup> day of FEBRUARY, 2006.

HAVING BEEN NAMED TO ACCEPT SERVICE OF PROCESS FOR THE ABOVE STATED CORPORATION, AT THE PLACE DESIGNATED IN THIS CERTIFICATE, I HEREBY AGREE TO ACT IN THIS CAPACITY, AND I FURTHER AGREE TO COMPLY WITH THE PROVISIONS OF ALL STATUTES RELATIVE TO THE PROPER AND COMPLETE PERFORMANCE OF MY DUTIES, AND I ACCEPT THE DUTIES AND OBLIGATIONS OF MY POSITION AS REGISTERED AGENT INCLUDING THOSE CONTAINED IN SECTION 607.0505, FLORIDA STATUTES.

  
James J. Costello Jr.

Dated this 23<sup>rd</sup> day of FEBRUARY, 2006.

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James J. Costello Jr.

Dated this 23 day of FEBRUARY, 2006.

FILE  
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