

728891

FILED
APR 27 PM 12:10
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

The Heather Property Owners' Association, Inc.
9100 Nakoma Way
Weeki Wachee, Florida 34613
(352) 596-7715

Department of State
Divisions of Corporations
P.O. Box 6327
Tallahassee, Florida 32314

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-04/09/98--01016--002
*****87.50 *****87.50

Subject: Restated Articles of Incorporation for The Heather Property Owners' Association, Inc.

We are submitting restated and amended Articles of Incorporation for filing. The original Articles were filed under the name of "Royal Highland West Property Owners' Association" on February 15, 1974. The developer gave control of the Association to The Heather Property Owners Association in 1986 and a fictitious name has been used since May 21, 1991.

It is with a 51% vote of the membership that these Restated Articles be filed under the name of "The Heather Property Owners' Association, Inc." The assignee of the original developer, has been notified of these Articles and given an opportunity to vote..

Enclosed please find a check in the amount of 87.50 to cover cost of filing fee.

Sincerely,



Edith Michalek
President

Encl: Original Articles
2 copies of Restated Articles

VS APR 28 1998

Restated Art. & N/C



FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State

April 20, 1998

EDIATH MICHALEK
THE HEATHER PROPERTY OWNERS' ASSOC.
9100 NAKAOMA WAY
WEEKI WACHEE, FL 34613

SUBJECT: ROYAL HIGHLANDS WEST PROPERTY OWNERS ASSOCIATION,
INC.
Ref. Number: 728891

We have received your document for ROYAL HIGHLANDS WEST PROPERTY OWNERS ASSOCIATION, INC. and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

The incorporator(s) cannot be amended or changed. Please correct your document accordingly.

You can only specify only one registered agent which has to be a specific person or an active corporation which has to state their name and address, please correct art. XII where sticky note appears.

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) 487-6909.

Velma Shepard
Corporate Specialist

Letter Number: 798A00021035

RECEIVED
98 APR 27 AM 8:26
DIVISION OF CORPORATIONS

**The Heather Property Owners Association, Inc.
9100 Nakoma Way
Weeki Wachee, Florida 34613**

April 23, 1998

**Velma Shepard, Corporate Specialist
Division of Corporations
Florida Department of State
P.O. Box 6327
Tallahassee, Florida 32314**

Ref: Your letter of April 20, 1998

**Subj: Royal Highlands West Property Owners Association, Inc.
Ref. Number 728891**

As per your telephone conversation with Elsie King on April 22, 1998, and your letter of April 20, 1998, we have made the required corrections to the Restated Articles of Incorporation.

The corrected documents are being forwarded for your approval and recording.

Thank you for your consideration.



**Ediath Michalek
President**

**Encl: (2) copies of corrected Restated
Articles of Incorporation
Copy of letter of April 20, 1998**

RESTATED
ARTICLES OF INCORPORATION
OF
ROYAL HIGHLANDS WEST PROPERTY OWNERS ASSOCIATION, INC.

FILED
98 APR 27 PM 12:10

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

These RESTATED ARTICLES OF INCORPORATION (the "Articles") have been duly adopted by the Board of Directors of the Heather Property Owners Association, Inc. per Chapter 617, Florida Statutes, Para. 617.01201. These RESTATED ARTICLES only restate and integrate amendments heretofore made and do not further amend the provisions of the Articles. The original Articles of Incorporation were filed with the Secretary of State, Miami, Florida on February 15, 1974, under the name of Royal Highlands West Property Owners Association, Inc. Upon recording of these RESTATED ARTICLES the original Articles of the Association and associated amendments shall be superseded and thenceforth these Restated Articles of Incorporation shall be the Articles of the Incorporation of the Association.

All amendments to the Articles of Incorporation were by a fifty-one (51%) percent vote of the membership as per Article X of these Articles, and filed here as per Florida Statutes s. 617.1006. All amendments, and dates of these amendments are so listed.

ARTICLES OF INCORPORATION
OF
The Heather Property Owners Association, Inc.
(a Corporation not for Profit)

In compliance with the requirements and provisions of Chapter 617 of the Florida Statutes, the undersigned do hereby make, subscribe and acknowledge the following Articles of Incorporation.

ARTICLE I

The name of the Corporation is:
THE HEATHER PROPERTY OWNERS ASSOCIATION, INC. (3-19-98)

ARTICLE II

The Corporation shall be a Corporation not for profit and is formed under the provisions of Chapter 617 of the Florida Statutes.

The purposes for which the Corporation is organized are:

a. To promote the recreation, health, safety and welfare of the residents of that area known and described as "The Heather" located west of and abutting on U. S. Highway 19, Hernando County, Florida. All of the area described hereinabove is hereafter referred to as "The Properties." (3-19-98)

b. To carry out all functions, activities, rights, obligations and powers enumerated in various and several Declaration of Restrictions, as said Restrictions are recorded in the Official Records of Hernando County. (3-19-98)

c. To own, acquire, build, operate and maintain recreational facilities, including buildings, structures and personal properties incident thereto, hereinafter referred to as "the common property and facilities."

Article II (cont'd)

d. To provide or, if the same are provided by municipal or governmental agencies, to supplement and all municipal services, including but not limited to street lighting, fire and police protection, and garbage and trash collection.

e. To fix assessments or charges to be levied against the Properties.

f. To enforce any and all covenants restrictions and agreements applicable to The Properties, including imposition of fines as contained in the Declarations of Restrictions. (3-19-98)

ARTICLE III

Section 1. Membership: Every person or entity who is a record owner of any Lot, tract, parcel or Living Unit which is subject by covenants or record to assessment by the Association shall automatically be and become a member of the Association, provided that any such person or entity who holds such interest merely as a security for the performance of an obligation shall not be a member. Such membership shall cease and terminate upon the sale, transfer or other disposition of the member's Lot or Living Unit.

Section 2. Voting Rights. Members shall be entitled to one vote for each lot, tract, parcel or Living Unit owned subject to the provisions of the Bylaws of the Association. In the event a lot, tract, parcel or Living Unit is owned by more than one Owner, the Owners shall not be entitled to more than a total of one vote with respect to any such Property. (3-19-98)

ARTICLE IV

The term for which the Corporation is to exist is perpetual.

ARTICLE V

The affairs of the corporation are to be managed by the following officers: President, one or more Vice Presidents, Secretary and Treasurer; and such additional officers as may be provided by the Bylaws of the Corporation. All officers shall serve a term of one year, and shall be elected at the Annual Organizational Meeting of the Board of Directors by a majority vote. (3-19-98)

ARTICLE VI

The names of the persons who are to serve as officers of the Corporation until the next annual meeting of the Board of Directors are:

President	Ediath Michalek	9100 Nakoma Way, Weeki Wachee, Florida
Vice-President	Barbara Dohm	9100 Nakoma Way, Weeki Wachee, Florida
Vice-President	Earle Jordan	9100 Nakoma Way, Weeki Wachee, Florida
Director	Bruce Bowie	9100 Nakoma Way, Weeki Wachee, Florida
Director	Stafford Peebles	9100 Nakoma Way, Weeki Wachee, Florida
Treasurer	John Rust	9100 Nakoma Way, Weeki Wachee, Florida
Secretary	Olive Barnes	9100 Nakoma Way, Weeki Wachee, Florida

ARTICLE VII

The Corporation shall be governed by a Board of Directors of at least five (5) persons all of whom shall be members of the Association. (3-19-98)

ARTICLE VIII.

The Board of Directors may establish, fix and collect, or provide the procedure for establishing, fixing and collecting, monthly and special assessments against every Owner of a lot, tract, parcel or Living Unit for the purpose of promoting the recreation, health, safety, and welfare of the residents in the Properties and in particular for the construction, re-construction, improvement and maintenance of the properties, services, and facilities devoted to this purpose and related to the use and enjoyment of the Common Properties and of the homes situated upon The Properties, including but not limited to, the payment of taxes and insurance thereon and repair, replacements and additions thereto, and for the cost of labor, equipment, materials, management, and supervision thereof. Said monthly and special assessments, together with such interest thereon as determined by the Board of Directors and any costs of assessment is made and shall be a continuing lien upon the property against which each such assessment is made and shall also be the personal obligation of the person who was the owner of such Property at the time when the assessment fell due.

The Board of Directors may, after consideration of current maintenance costs and future needs of the Association, fix or provide the procedure for fixing the monthly assessment at such lesser or greater amount than the amount declared in the initial by-laws, as may be appropriate. (3-19-98)

ARTICLE IX.

The By-laws of the Corporation were adopted by the Board of Directors and may be altered, amended or rescinded by a majority vote of the Board of Directors. (3-19-98)

ARTICLE X

Fifty-one (51%) of the total membership qualified to vote shall be required to amend these Articles of Incorporation, voting in person or by proxy at any Annual Meeting or any Special Meeting called for that purpose wherein the required quorum exists. Unless otherwise specified, the amendment shall be effective immediately upon adoption. (recorded 6/5/97 with Florida Department of State - Document #728891)

ARTICLE XI

The present location of the office of incorporation shall be 9100 Nakoma Way, Weeki Wachee, Florida, 34613. (3-19-98)

ARTICLE XII

The name and the street address of the registered agent is:

Bruce T. Bowie 9100 Nakoma Way, Weeki Wachee, Florida 34613

ARTICLE XIII

This Corporation shall never have or issue shares of stock and no part of the income of the Corporation shall be distributable or distributed to any of its members, directors or officers except in the event of termination of the Corporation, at which time all of the assets shall be distributed equally among all members. (3-19-98)

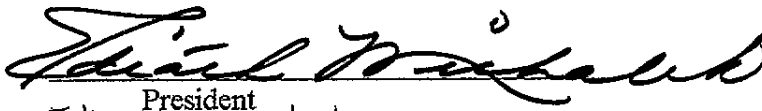
ARTICLE XIV

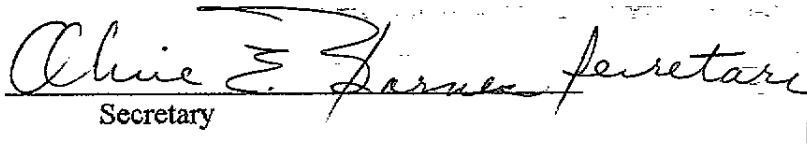
The names and addresses of the subscribers to these amended, restated and recorded articles are:

Ediath Michalek	9100 Nakoma Way, Weeki Wachee, Florida 34613
Olive Barnes	9100 Nakoma Way, Weeki Wachee, Florida 34613
President and Secretary of the Association.	

For the purpose of restating, as amended, the Articles of Incorporation of this Corporation under the Laws of the State of Florida, we, the undersigned, President and Secretary of this Association, have executed these Restated Articles of Incorporation.

The Heather Property Owners Association, Inc.


President
Ediath Michalek


Secretary

April 22, 1998
Date