

758880

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TALLAHASSEE, FLORIDA

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[Signature]

COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: OAK TREE HOMEOWNER'S ASSOCIATION, INC.

DOCUMENT NUMBER: 758880

The enclosed *Articles of Amendment* and fee are submitted for filing.

Please return all correspondence concerning this matter to the following:

MICHAEL R. LeMAIRE, ESQ.

(Name of Contact Person)

SADER & LeMAIRE, P.A.

(Firm/ Company)

1901 W. Cypress Creek Road, Suite 415

(Address)

FORT LAUDERDALE, FL 33309

(City/ State/ and Zip Code)

For further information concerning this matter, please call:

Michael R. LeMaire, Esq.

(Name of Contact Person)

at (954) 776-7004

(Area Code & Daytime Telephone Number)

Enclosed is a check for the following amount:

☐ \$35 Filing Fee

☐ \$43.75 Filing Fee &
Certificate of Status

☒ \$43.75 Filing Fee &
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enclosed)

☐ \$52.50 Filing Fee
Certificate of Status
Certified Copy
(Additional Copy
is enclosed)

Mailing Address

Amendment Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Street Address

Amendment Section
Division of Corporations
409 E. Gaines Street
Tallahassee, FL 32399

FILED
05 MAY 13 PM 3:17
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Amended and Restated
Articles of Incorporation

OF

OAK TREE ESTATES HOMEOWNERS' ASSOCIATION, INC.
(A Corporation Not for Profit Under the Laws of the State of Florida)

The undersigned hereby associate themselves for the purpose of becoming incorporated under the laws of the State of Florida applicable for corporations not for profit, under the following proposed charter:

ARTICLE I.
NAME

The name of this corporation shall be Oak Tree Estates Homeowners' Association, Inc., and it shall be located at 2744 Oak Tree Lane, Fort Lauderdale, Broward County, Florida.

ARTICLE II.
PURPOSE

The Association is organized for the following purposes:

- (a) to promote the beauty, well-being, economic stability, safety, and desirability of the residential neighborhood in which the members of this corporation live and to do anything or matter consistent with law to accomplish such purpose.
- (b) to promote and encourage a community spirit among its members and to manage and promote social, recreational and maintenance functions for the benefit of all the members of the Association.
- (c) to exercise all lawful powers consistent with the foregoing and necessary to the management and maintenance of the private roads, pavements, streetlights, other amenities, common areas and facilities and aesthetic beauty of the Oak Tree Estates, located in Oakland Park, Broward County, Florida.
- (d) to exercise all powers permitted by law to a non-profit corporation.

ARTICLE III.
MEMBERSHIP

The members of the association shall consist of all the record owners of lots, improved or unimproved, within the following described geographical bounds within Broward County, Florida:

All that part of the Southwest one-quarter (SW $\frac{1}{4}$) and the Southeast one-quarter (SE $\frac{1}{4}$) of Section 17, Township 49 South, Range 42 east, Broward County, Florida, more particularly described as follows:

Beginning at the Northwest (NW) corner of the southeast one-quarter (SE $\frac{1}{4}$) of the Southwest one-quarter (SW $\frac{1}{4}$) of said Section 17, then N 88°22'14" 140.00 feet; thence N01°36'51"W along a Line 140.00 feet East of and Parallel with the West Line of the East one-half (E $\frac{1}{2}$) of the said SW $\frac{1}{4}$ 526.06 feet; thence N 88°14'05" E, 80.00 feet; thence N 01°45'55" W, 10.00 feet; thence N 88°14'05" E, 100.00 feet; thence N 01°45'55" W, 80.0 feet; thence N 88°14'05" E, 376.78 feet to a Point of Curvature, thence southeasterly along the arc of a circular curve to the right, having a radius of 200.00 feet, and arc distance 130.21 feet to a point of reverse curvature; thence Southeasterly along the arc of a reverse curvature; thence Southeasterly along the arc of circular curve to the left, having a radius of 240.00 feet, an arc distance of 98.72 feet, thence S 39°43'54" E, 30.99 feet, thence S 01°25'56" E, 63.23 to a Point of Curvature; thence Southerly and Westerly along the arc of a circular curve to the right, having a radius of 120.00 feet; an arc distance of 198.33 feet; thence S 86°44'06" W , 142.47 feet; thence N73°40'59" W, 82.00 feet; thence S 07°07'21" W, 157.92 feet; thence S 03°15'54" W, 40.00 feet; thence N 86°44'06"W, 10.00 feet; thence N73°40'59" W,

82.00 feet; thence S07°07'21" W, 157.92 feet; thence S15°27'06" E, 148.75 feet; thence S 86°44'06 E, 153.98 feet; thence N11°39'07" E, 282.95 feet; thence Northeasterly along the arc of a circular curve to the left having a radius of 160.00 feet, and arc distance of 173.79 feet; thence S01°25'56" E, along a line 462.00 feet West of and parallel with the East Line of the SW $\frac{1}{4}$ of said Section 17, 360.93 feet to a Point on the South line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 17; thence N 88°22'14" E, along the said South Line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, 695.09 feet; thence N 32°09'53" E, 460.00 feet; thence N 57°50'07" W 100.00 feet, thence N32°09'53" E, 98.574 feet to a Point of Curvature; thence Northerly along the arc of a circular curve to the left, having a radius of 100.00 feet, and arc distance of 59.23 feet, thence N 01°46'32" W, 39.392 feet to a Point of Curvature, thence Northeasterly along the arc of a circular curve to the right, having a radius of 25.00 feet, an arc distance of 39.27 feet; thence S 88°13'28" W, 75.00 feet; thence N 01°46'32" W, 30.00 feet to a Point of the North Line of the S $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 17; thence S 88°13'28" W, along the said North Line of the S $\frac{1}{2}$ of the N $\frac{1}{2}$ of SE $\frac{1}{4}$, 425.03 feet to the Northeast corner of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the same being the SW corner of Parcel "L" TAMARAC LAKES SOUTH, recorded in Plat Book 62, page 24, of the Public Records of Broward County, Florida;

Thence S 88°14'05" W, along the North Line of the S ½ of the NE ¼ of the SW ¼ said Section 17, and the South Line of TAMARAC LAKES SOUTH, 1343.06 feet to the Northwest corner of the S ½ of the NE ¼ of the SW ¼, thence S 01°36'51" E, along the West Line of the said S ½ of the NE ¼ of the SW ¼ and the East Boundary of the said TAMARAC LAKES SOUTH, 665.79 feet to the Point of Beginning. Said lands situate, lying and beginning in Broward County, Florida.

It shall be the sole responsibility of the membership of the Association to pay all costs of maintenance and to properly maintain all private streets and pavements, the storm drainage system, the sanitation sewer gravity collection system, the pump station and force main and other common areas or elements, to include the entry road into the Subdivision from Prospect Road and to include replacement of such items determined to be necessary in accordance with the procedures provided for in these Articles and the ByLaws.

ARTICLE IV. **Terms of Existence**

The term of existence of this corporation shall be perpetual.

ARTICLE V. **Directors and Subscribers**

The directors and subscribers to these Amended Articles are:

David C. Struve
2760 Oak Tree Lane
Fort Lauderdale, FL 33309

Ed Binkerd
2713 Oak Tree Lane
Fort Lauderdale, FL 33309

Duane Smeryage
2744 Oak Tree Lane
Fort Lauderdale, FL 33309

William Scott
2704 Oak Tree Drive
Fort Lauderdale, FL 33309

James Weaver
2697 Oak Tree Drive
Fort Lauderdale, FL 33309

Tammie Sader
2900 Oak Tree Drive
Fort Lauderdale, FL 33309

ARTICLE VI.
FIRST BOARD OF DIRECTORS AND OFFICERS

The subscribers aforesated shall consist of the First Board of Directors and Officers of the corporation under these Amended Articles. There shall be four (4) officers: President, Vice President, Secretary, and Treasurer each of whom shall be a member of the Board of Directors in order to qualify for officership. There shall be a minimum of five (5) directors. Each director shall be elected by the general membership at the annual meeting and shall serve for until the next annual meeting of the members and thereafter until his successor is duly elected and qualified or until he is removed in the manner provided in the ByLaws. The officers shall be elected after each annual meeting by the then Board of Directors.

All legal instruments of the corporation shall be signed by the President or Vice-President and attested by the Secretary. The full Board of Directors shall make reports of the receipts and disbursements, and balances of the assets of the corporation, and the affairs of the corporation at the annual meeting of the corporation or more frequently as may be required by law, and, when so required, shall make such reports to any other duly constituted business meeting of the corporation.

Directors shall be elected by the membership, attending in person or by proxy, at the annual meeting pursuant to the voting procedure set forth in the ByLaws. The Directors shall manage the affairs of the corporation except as otherwise set forth in the Articles or ByLaws.

ARTICLE VII.
BYLAWS

The ByLaws may be altered, amended or rescinded in the manner provided by the ByLaws as well as by a majority vote of the members of this corporation present at any duly constituted annual meeting of the corporation.

ARTICLE VIII.
POWERS OF THE MEMBERSHIP

The membership shall have the power to elect Directors at the annual members meeting and shall have such other powers as may be provided in these Articles, the ByLaws, the Protective Covenants or ByLaws.

ARTICLE IX
DEVELOPER

[THIS SPACE INTENTIONALLY LEFT BLANK]

ARTICLE X.
EASEMENT

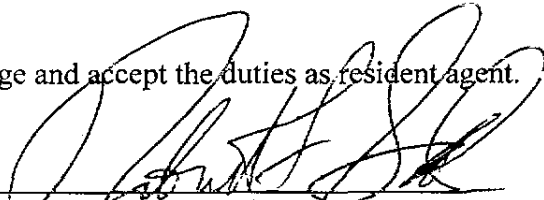
The Oak Tree Estates Homeowners' Association, Inc. expressly acknowledges that an easement is granted to the City of Oakland Park in Broward County for police, fire, sanitation and other valid municipal purposes.

ARTICLE XI.
REGISTERED AGENT

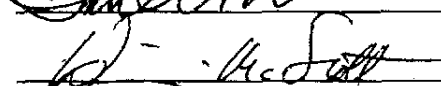
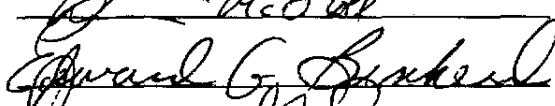
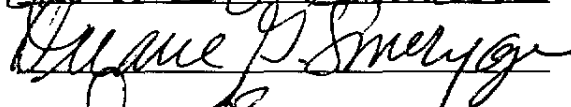
The initial registered agent for the corporation to receive official notice and service as required by Florida Statute shall be:

ROBERT L. SADER, ESQ.
1901 W. Cypress Creek Road – Suite 415
Fort Lauderdale, Florida 33309

By his signature hereafter, he does acknowledge and accept the duties as resident agent.


Robert L. Sader, Registered Agent

IN WITNESS WHEREOF, we the undersigned have set our hands and affixed our seals this 5 day of April, 2005.



STATE OF FLORIDA)

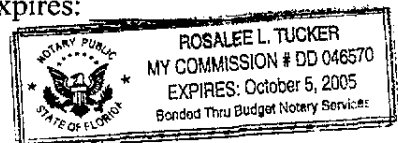
COUNTY OF BROWARD)

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, DAVID C. STIVE of Oak Tree Estates Homeowners' Association, Inc., to me well known to be the person described in and who executed the foregoing Articles of Incorporation as his/her free and voluntary act and deed.

WITNESS my hand and official seal on this 5 day of April, 2005.


NOTARY PUBLIC

My Commission Expires:

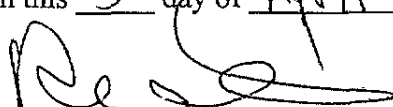


STATE OF FLORIDA)

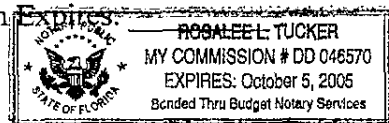
COUNTY OF BROWARD)

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, William M. Scott of Oak Tree Estates Homeowners' Association, Inc., to me well known to be the person described in and who executed the foregoing Articles of Incorporation as his/her free and voluntary act and deed.

WITNESS my hand and official seal on this 5 day of April, 2005.


NOTARY PUBLIC

My Commission Expires:

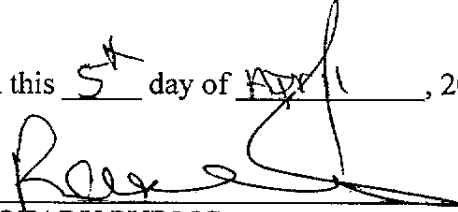


STATE OF FLORIDA)

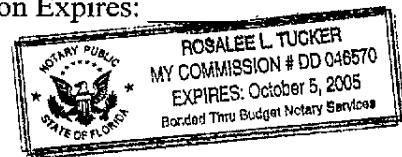
COUNTY OF BROWARD)

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Edward G. Binyard of Oak Tree Estates Homeowners' Association, Inc., to me well known to be the person described in and who executed the foregoing Articles of Incorporation as his/her free and voluntary act and deed.

WITNESS my hand and official seal on this 5th day of April, 2005.


NOTARY PUBLIC

My Commission Expires:

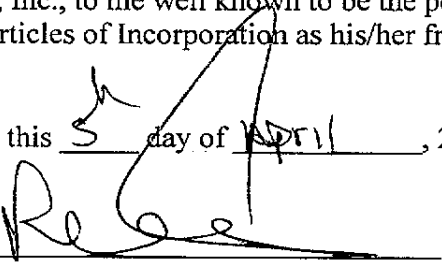


STATE OF FLORIDA)

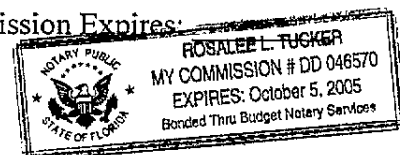
COUNTY OF BROWARD)

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Duane G. Smeryage of Oak Tree Estates Homeowners' Association, Inc., to me well known to be the person described in and who executed the foregoing Articles of Incorporation as his/her free and voluntary act and deed.

WITNESS my hand and official seal on this 5th day of April, 2005.


NOTARY PUBLIC

My Commission Expires:

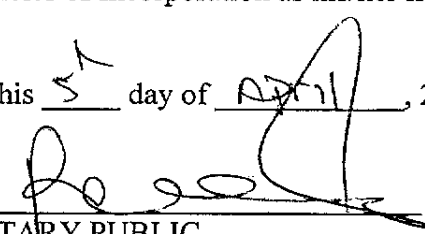


STATE OF FLORIDA)

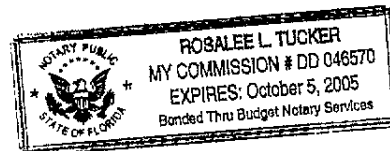
COUNTY OF BROWARD)

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, JAMES LEAVES of Oak Tree Estates Homeowners' Association, Inc., to me well known to be the person described in and who executed the foregoing Articles of Incorporation as his/her free and voluntary act and deed.

WITNESS my hand and official seal on this 5th day of April, 2005.


NOTARY PUBLIC

My Commission Expires: _____

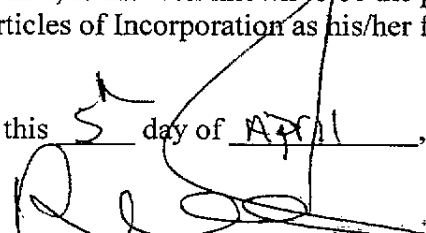


STATE OF FLORIDA)

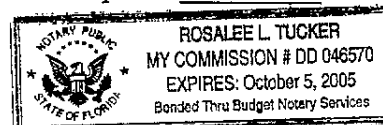
COUNTY OF BROWARD)

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Jamie Sedon of Oak Tree Estates Homeowners' Association, Inc., to me well known to be the person described in and who executed the foregoing Articles of Incorporation as his/her free and voluntary act and deed.

WITNESS my hand and official seal on this 5th day of April, 2005.


NOTARY PUBLIC

My Commission Expires: _____



Articles of Amendment
to
Articles of Incorporation
of

OAK TREE HOMEOWNER'S ASSOCIATION, INC.

(Name of corporation as currently filed with the Florida Dept. of State)

758860

(Document number of corporation (if known))

Pursuant to the provisions of section 617.1006, Florida Statutes, this *Florida Not For Profit Corporation* adopts the following amendment(s) to its Articles of Incorporation:

NEW CORPORATE NAME (if changing):

OAK TREE ESTATES HOMEOWNERS' ASSOCIATION, INC.

(must contain the word "corporation," "incorporated," or the abbreviation "corp." or "inc." or words of like import in language; "Company" or "Co." may not be used in the name of a not for profit corporation)

AMENDMENTS ADOPTED- (OTHER THAN NAME CHANGE) Indicate Article Number(s) and/or Article Title(s) being amended, added or deleted: **(BE SPECIFIC)**

SEE ATTACHED AMENDED AND RESTATED ARTICLES OF INCORPORATION

(Attach additional pages if necessary)
(continued)

The date of adoption of the amendment(s) was: 4/05/05

Effective date if applicable: _____
(no more than 90 days after amendment file date)

Adoption of Amendment(s) (CHECK ONE)

- ☒ The amendment(s) was (were) adopted by the members and the number of votes cast for the amendment was sufficient for approval.
- ☐ There are no members or members entitled to vote on the amendment. The amendment(s) was (were) adopted by the board of directors.

Signed this 12th day of APRIL, 2005.

Signature , PRESIDENT
(By the chairman or vice chairman of the board, president or other officer- if directors have not been selected, by an incorporator- if in the hands of a receiver, trustee, or other court appointed fiduciary, by that fiduciary.)

DAVID C. STRUVE
(Typed or printed name of person signing)

PRESIDENT
(Title of person signing)

FILING FEE: \$35