

NO00000000442

TERRY T. NEAL, P.A.
ATTORNEY AT LAW

January 11, 2000

Corporate Records Bureau
Division of Corporations
Department of State
Post Office Box 6327
Tallahassee, Florida 32314

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-01/13/00--01080--034
*****78.75 *****78.75

Re: **PIEDMONT POINT HOMEOWNERS' ASSOCIATION, INC.**

Gentlemen:

Enclosed for filing please find the original and one copy of the Articles of Incorporation for the above referenced non-profit corporation.

Also enclosed is check number 1242 from Max Stumborg dated October 20, 1999, in the amount of \$78.75 which represents the filing fee for this non-profit corporation, resident agent fee and fee for one certified copy of the Articles of Incorporation.

If you have any questions concerning the enclosures, please do not hesitate to contact me by collect telephone call at 352/323-8000.

Thank you for your attention herein.

Sincerely,


TERRY T. NEAL

TTN/als
Enclosures
CC: Mr. & Mrs. Max Stumborg
Corporations\SecretaryState\Letter

FILED
00 JAN 13 PM 5:11
TALLAHASSEE, FLORIDA

ExN	37.00	ExN	105.00
Rec	5.00	Rec	13.50
TF		TF	
Doc		Doc	
Int		Int	
CC		CC	
	42.00		118.50

FILED
00 JUN 13 PM 5:11
CLERK OF DISTRICT COURT
SUNTER CO, FL

**ARTICLES OF INCORPORATION
OF
PIEDMONT POINT HOMEOWNERS' ASSOCIATION, INC.
(A non-profit Florida corporation)**

We, the undersigned incorporators, hereby associate ourselves together and make, subscribe, and acknowledge these Articles of Incorporation for the purpose of becoming incorporated in accordance with and under the laws of the State of Florida as a corporation not for profit.

ARTICLE I - NAME

The name of this corporation shall be **PIEDMONT POINT HOMEOWNERS' ASSOCIATION, INC.**

ARTICLE II - TERM OF EXISTENCE

This corporation shall have perpetual existence.

ARTICLE III - PURPOSES

The general purposes for which this corporation is organized are as follows:

- A. To provide for the orderly enjoyment of **PIEDMONT POINT**, a residential subdivision in **Sumter County, Florida**, as per plat or map thereof recorded in Plat Book 5 Page 31, Public Records of Sumter County, Florida, and any additions or phases thereto.

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COURT INST#: 2000
CLERK CIRCUIT COURT
SUMTER CO, FL, GLORIA HAYWARD - CLERK CIRCUIT COURT INST#: 1999 20063

Re-Record to include By-Laws

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Prepared by:
Terry T. Neal, F.A.
P.O. Box 490327
Leesburg, FL 34749

B. To promote the health, safety, and welfare of the members of this corporation and to oversee the proper maintenance by members of this corporation of the property in PIEDMONT POINT.

C. To enforce the terms, covenants, conditions, and restrictions appertaining to PIEDMONT POINT which are to be recorded in the Public Records of Sumter County, Florida.

D. To maintain, manage, and operate any rights of way and any common areas pertaining to PIEDMONT POINT.

E. To exercise all of the powers and privileges and to perform all of the duties, purposes, and obligations of the Homeowners' association for PIEDMONT POINT (hereafter referred to as "Association") as established in the Declaration of Covenants and Restrictions as the same may be amended from time to time as provided herein, said Declaration being incorporated herein as if set forth at length (including definitions).

F. To provide for the maintenance, preservation, and architectural control of any Common Areas within PIEDMONT POINT, including, but not limited to, any water retention areas, decorative pavement, median pavement, roads, drainage areas, and entrance areas.

G. To establish, levy and collect assessments from members as appropriate and authorized by the by-laws and to enforce such assessments, if necessary.

H. To acquire and maintain such personal and real property in connection with the affairs of this corporation and to provide from the proceeds of the assessments for

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the operation, administration, maintenance, repair and improvements, replacements, insurance and utilities for other property as may be acquired or maintained by the corporation.

I. To operate, maintain, and manage the Surface Water or Stormwater management System in a manner consistent with the Southwest Florida Water Management District Permit Number 44-015-929.00 ("SWFWMD Permit") requirements and applicable District rules, and assist in the enforcement of the Declaration of Covenants, Conditions and Restrictions and the SWFWMD Permit conditions which relate to the Surface Water or Stormwater management System. For a period of two (2) years from the date of recording these Articles of Incorporation, the Association shall have the responsibility to operate or manage the roadside swales located parallel and adjacent to county rights-of-way on the internal subdivision streets and for the maintenance and repairs of such streets. Upon the expiration of the two (2) years' period, all such operation, repairs and maintenance shall be the responsibility of Sumter County and shall be maintained as part of the county's road system. The Association shall levy and collect assessments for the costs of maintenance and operation of the Surface Water or Stormwater Management System.

ARTICLE IV - POWERS

The corporation shall have all of the common law and statutory powers permissible under the laws of the State of Florida for a corporation not for profit now

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existing or as henceforth may exist, and all powers reasonably necessary to implement and effectuate the purposes of the corporation, including, but not limited to the power:

- A. to acquire by any means real and personal property;
- B. to enforce assessments by suit;
- C. to enforce any covenant, condition or restriction by suit;
- D. to sell, convey, mortgage, pledge, lease, exchange, transfer or otherwise dispose of all or any part of the property and assets.

ARTICLE V – MEMBERSHIP

Any owner of a lot as those terms are defined in the Declaration of Covenants, Conditions and Restrictions for PIEDMONT POINT shall automatically become a member of the Association upon the acquisition of an ownership interest in any lot of said subdivision. Membership in the Association automatically terminates upon divestment of said ownership regardless of the means of divestment.

The Association shall have two classes of voting membership as follows:

- A. Class A members shall be all members, other than the Developer of PIEDMONT POINT, and such members shall be entitled to one (1) vote for each lot owned in PIEDMONT POINT as provided herein. 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 the Co-Owners determine, but in no event shall more than one vote be cast with respect to any one Lot.

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B. Class B members shall be the Developer of PIEDMONT POINT which shall be entitled to two (2) votes for each lot owned by the Developer. Class B membership shall cease and be converted to Class A membership no later than the date in which the Developer has sold seventy-five percent (75%) of the lots in PIEDMONT POINT to third party purchasers or on January 5, 2005, whichever shall first occur.

So long as there shall be Class B membership, Class A members shall not be entitled to vote. When Class B membership is converted to Class A membership, then the Developer of PIEDMONT POINT shall be entitled to vote as a Class A member on a one lot/one vote basis.

ARTICLE VI - SUBSCRIBERS

The names and residence of the subscribers to these Articles of Incorporation are: Max Stumborg and Minnie Ruth Stumborg, 4895 C.R. 134-B, Wildwood, FL 34785, and their mailing address is P. O. Box 681, Wildwood, FL 34785.

ARTICLE VII - INITIAL REGISTERED OFFICE & AGENT

The street address of the initial registered office of this corporation is 4895 C.R. 134-B, Wildwood, FL 34785, and the name of the initial registered agent of this corporation at that address is Max Stumborg.

ARTICLE VIII - MANAGEMENT

The business affairs of the Association shall be managed by a Board of Directors composed of not less than 3 members, which number may be increased from time to

time as provided in the By-laws. The Directors of the Association shall be elected as provided in the By-laws by the membership entitled to vote at the regular annual meeting of the members of the Association. The names and address of the Board of Directors who shall hold office until their successors are elected and have qualified are: Max Stumborg and Minnie Ruth Stumborg, 4895 C.R. 134-B, P. O. Box 681, Wildwood, FL 34785, and Mona C. Oliver, 4905 CR 134-B, Wildwood, FL 34785.

ARTICLE IX – OFFICERS & PRINCIPAL ADDRESS

The officers of the Association shall consist of a President, Vice-President, and Secretary-Treasurer who are elected in accordance with the By-laws of the Association. The names of the officers who shall serve until the first election are as follows:

President: Max Stumborg

Vice President: Max Stumborg

Secretary-Treasurer: Minnie Ruth Stumborg

and the principal address of the corporation 4895 County Road 134-B, Wildwood, FL 34785.

ARTICLE X – AMENDMENTS

Amendments to the Articles of Incorporation may be proposed by any member to the Board of Directors at any regular or special meeting of the Board of Directors. Any proposed amendment shall be first adopted by the Board of Directors upon a majority vote of the Board of Directors and proposed to the membership by the Board of

Directors at any regular or special meeting of the membership called in accordance with the By-laws. The amendment will be finally adopted upon the affirmative vote of two-thirds (2/3rds) of the qualified voting members.

ARTICLE XI - BY-LAWS

The By-laws of the corporation shall be adopted by the affirmative vote of two-thirds (2/3rds) of the qualified voting members and thereafter may be altered, amended, or rescinded by two-thirds (2/3rds) vote of the qualified voting members at a regular or special meeting called in accordance with the By-laws.

ARTICLE XII – DISSOLUTION

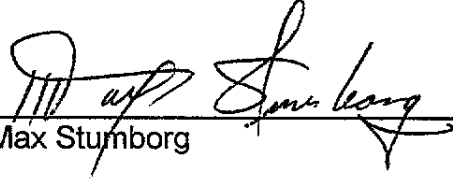
The Association may be dissolved with the assent given in writing and signed by Members entitled to vote not less than two-thirds (2/3rds) of the votes of each class of Members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association is created. In the event such dedication is refused, such assets shall be granted, conveyed, and assigned to any non-profit corporation, association, trust, or other organization to be devoted to such similar purposes.

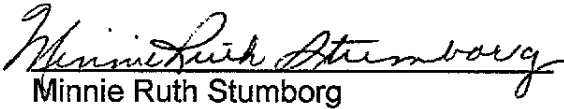
In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the Surface Water or Stormwater Management System must be transferred to and accepted by an entity which would

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comply with Section 40C-42.027, F.A.C., and be approved by the Southwest Florida Water Management District prior to such termination, dissolution, or liquidation.

IN WITNESS WHEREOF, we have hereunto set our hands and seals and have acknowledged and filed the foregoing Articles of Incorporation under the laws of the State of Florida this 18th day of NOVEMBER, 1999.

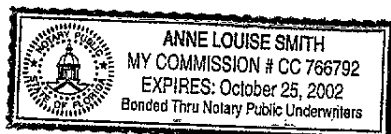

Max Stumborg

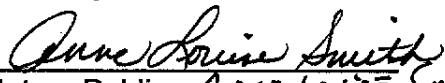

Minnie Ruth Stumborg

STATE OF FLORIDA
COUNTY OF LAKE

I HEREBY CERTIFY that before me, this 18th day of NOVEMBER, 1999, personally appeared MAX STUMBORG AND MINNIE RUTH STUMBORG, personally known to me or who produced _____ as identification, who executed the foregoing Articles of Incorporation and acknowledged the execution of these Articles of Incorporation for the uses and purposes therein stated and that they were natural persons competent to contract.

WITNESS my hand and official seal in the County and State last aforesaid this 18th day of NOVEMBER, 1999.




Notary Public ANNE LOUISE SMITH
My Commission exp: _____

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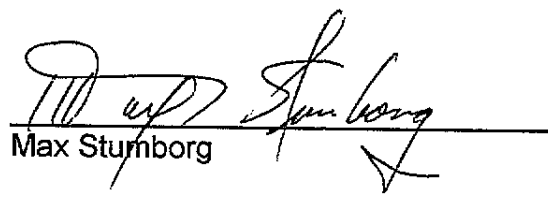
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ACCEPTANCE OF DESIGNATION OF REGISTERED AGENT AND OFFICE

I, the undersigned person, having been named as registered agent to accept service of process for the above-stated corporation at the place designated in this statement, hereby accept the appointment as Registered Agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties and I am familiar with and accept the obligations of my position as Registered Agent.

Dated this 18th day of NOVEMBER, 1999.


Max Stumborg