

Karla S. Owens, Esquire
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April 14, 2000

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

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-04/20/00-01087--004
*****70.00 *****70.00

Re: Articles of Incorporation - Mt. Curley Estates
Homeowners' Association, Inc.

Dear Sir/Madam:

Please find attached for filing with the Department of State Articles of Incorporation for Mt. Curley Estates Homeowners' Association, Inc., their Registered Agent Acceptance, and a check in the amount of \$70.00 for the filing fee.

Thank you for your cooperation with this matter. If you have any questions regarding this matter, please feel free to call me.

Sincerely yours,

Karla S. Owens

Karla S. Owens, Esquire

KSO:tb

Attachments

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

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**ARTICLES OF INCORPORATION
MT. CURLEY ESTATES HOMEOWNERS' ASSOCIATION, INC.,
A NOT-FOR-PROFIT CORPORATION**

We, the undersigned, acting as incorporators of a non-profit corporation under Chapter 617, Florida Statutes, do hereby adopt the following Articles of Incorporation for such corporation.

ARTICLE I

The name of the corporation (hereinafter called the "Association") is MT. CURLEY ESTATES HOMEOWNERS' ASSOCIATION, INC.

ARTICLE II

The specific primary purposes for which the Association is formed are to provide for ownership, maintenance and preservation of the "common areas" and other commonly enjoyed improvements and areas as defined in the Declaration of Covenants, Conditions and Restrictions within the tract of real property described as follows:

See Attached Exhibit "A"

and to promote the health, safety, and welfare of the residents within the above-described subdivision and such additions thereto as may hereafter be brought within the jurisdiction of the Association for such purpose. In furtherance of such purposes, the Association shall have the power to:

1. Perform all of the duties and obligations of the Association as set forth in a certain Declaration of Covenants, Conditions and Restrictions (the Declaration) applicable to the subdivision and to be recorded in the Public Records of Pasco County, Florida.
2. Affix, levy, collect, and enforce payment by any lawful means, all charges and assessments pursuant to the terms of the Declaration, and pay all expenses in connection therewith, and all office and other expenses incidental to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied on or imposed against the property of the Association.

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3. Acquire (by gift, purchase, or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate to public use, or otherwise dispose of real and personal property in connection with the affairs of the Association.
4. Establish rules and regulations governing members' responsibility.
5. Sue and be sued.
6. Contract for services, such as to provide for operation and maintenance if the Association contemplates employing a maintenance company.
7. Require all the homeowners, lot owners, property owners or unit owners to be members of the Association.
8. Exist in perpetuity, however, if the Association is dissolved, any property consisting of a surface water management system shall be conveyed to an appropriate agency of local government and, if not accepted, then the surface water management system shall be dedicated to a similar non-profit corporation.
9. Operate and maintain common property, including any surface water management system as permitted by the Southwest Florida Water Management District, and all lakes, retention areas, water management areas, ditches, culverts, structures and related appurtenances.
10. Borrow money and, subject to the consent by vote or written instrument of two-thirds (2/3) of each class of members, mortgage, pledge, convey by deed of trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred.
11. Dedicate, sell, or transfer all of any part of the common areas to any municipality, public agency, authority, or utility for such purposes and subject to such conditions as may be agreed upon by the members. No such dedication or transfer shall be effective unless an instrument has been

signed by two-thirds (2/3) of each class of members, agreeing to such dedication, sale, or transfer.

12. Participate in mergers and consolidations with other non-profit corporations organized for the same purpose, or annex additional residential property or common area, provided that any merger, consolidation, or annexation shall have the assent by vote or written instrument of two-thirds (2/3) of each class of members.

13. Have and exercise any and all powers, rights, and privileges that a non-profit corporation organized under Chapter 617, Florida Statutes, by law may now or hereafter have or exercise.

14. Take any other action necessary for the purposes for which the Association is organized.

The Association is organized and shall be operated exclusively for the purposes set forth above. The activities of the Association will be financed by assessments against members as provided in the Declaration, and no profit or any net earnings of the Association will inure to the benefit of any member.

ARTICLE III

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, but excluding persons or entities holding title merely as a security for performance of an obligation, shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of a lot which is subject to assessment by the Association.

ARTICLE IV

The period of duration of the Association shall be perpetual.

ARTICLE V

Every owner of a lot shall be a member of the Association; membership shall be appurtenant to and may not be separated from ownership of a lot. The Association shall have two (2) classes of voting members as follows:

Class A. Class A members shall be all owners with the exception of Declarant, his successors or assigns, and shall be entitled to one (1) vote for each lot owned. When more than one (1) person holds an interest in a given lot, all such persons shall be members and the vote for such lot shall be exercised as they may determine among themselves. In no event shall more than one (1) vote be cast with respect to any lot owned by Class A members.

Class B. The Class B members shall be Declarant, who shall be entitled to exercise four (4) votes for each lot owned. Class B membership shall cease and be converted to Class A membership on the happening of either of the following events: (A) the number of Class A members exceeds the number of votes held by Class B members; or (B) on March 1, 2001.

ARTICLE VI

The affairs and property of this corporation shall be managed and governed by a Board of Directors composed of not less than three (3) persons who must be members of the Association. The first Board of Directors shall have three (3) members, and in the future, that number will be determined from time to time in accordance with the provisions of the By-Laws. The names and addresses of the persons who are to act initially in the capacity of directors until the selection of their successors are:

1. Ara Eloian, 7211 North Dale Mabry, Suite 206, Tampa, FL 33614
2. John Eloian, 7211 North Dale Mabry, Suite 206, Tampa, FL 33614
3. Tina Eloian Mesropian, 7211 North Dale Mabry, Suite 206, Tampa, FL 33614

ARTICLE VII

1. The officers of the Association shall be a President, one or more Vice-Presidents, if determined necessary by the Board, a Secretary and a Treasurer.
2. The names of the persons who are to serve as officers of the Association until the first annual meeting of the Board are:

OFFICE	NAME
President	John Eloian
Vice-President	Ara Eloian
Secretary	Tina Eloian Mesropian
Treasurer	Tina Eloian Mesropian

3. The officers shall be elected at each annual meeting of the Board or as provided in the By-Laws, and each shall serve until a successor is chosen and qualified, or until his resignation, disqualification, removal or death.
4. The officers shall have duties, responsibilities and powers as provided in the By-Laws and the Florida Statutes.

ARTICLE VIII

These Articles of Incorporation may be amended as set forth in the Florida Statutes, as amended.

ARTICLE IX

The By-Laws of the Association may be made, altered or rescinded at any annual meeting of the Association, or at any regular or special meeting duly called for such purpose, on the affirmative vote of not less than fifty-one percent (51%) of all the members existing at the time of any such meeting and present at the meeting in person or by proxy, except that the initial By-Laws of the Association shall be made, adopted and amended by the initial Board of Directors.

ARTICLE X

The name and residence address of the incorporator is as follows: Ara Eloian, 7211 North Dale Mabry, Suite 206, Tampa, Florida 33614

ARTICLE XI

The street address of the principal office of the Homeowners Association is: 7211 North Dale Mabry, Suite 206, Tampa, Florida 33614.

ARTICLE XII

In the event of 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 the purposes similar to those for which this Association was created. In the event such dedication is refused acceptance, 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, or distributed to the members as appurtenances (if real property or any interest therein) to the members' lots, subject to any and all applicable loans. These Articles are subject to provisions of Chapter 617, Florida Statutes.

ARTICLE XIII

Proposals for the alteration, amendment or rescission of these Articles of Incorporation may be made by not less than two-thirds of the total number of votes of each class membership voting in person or by proxy at a special or regular meeting of the members.

ARTICLE IV

The name and address of the initial registered agent of the Association shall be: Ara Eloian, 7211 North Dale Mabry, Suite 206, Tampa, FL 33614.

IN WITNESS WHEREOF, the undersigned executed these Articles of Incorporation at Dade City, Pasco County, Florida on this 13th day of April, 2000.

By: _____

ARA ELOIAN

**STATE OF FLORIDA)
COUNTY OF PASCO)**

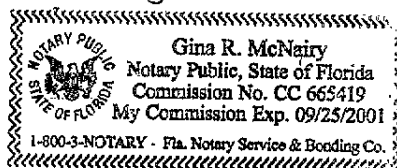
I **HEREBY CERTIFY** that on this day, before me, an officer duly authorized to administer oaths and take acknowledgements, personally appeared ARA ELOIAN, as Incorporator, known to me to be the person described in and who executed the foregoing instrument, and who acknowledged before me that he executed the same, that I relied upon the following forms of identification of the above-named person:

WITNESS my hand and seal this _____ day of _____, 2000.

By: _____

Notary Public

Printed Name:
Commission No.:
Commission Expires:



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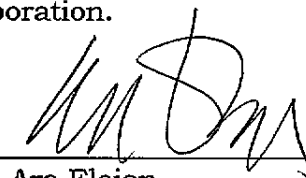
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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

ACCEPTANCE

I hereby accept to act as Registered Agent for Mt. Curley Estates Homeowner's Association, Inc., as stated in these Articles of Incorporation.

BY: _____



Ara Eloian
7211 North Dale Mabry Hwy.
Suite 206
Tampa, Florida 33614

EXHIBIT "A"

DESCRIPTION

A tract of land in the Southeast 1/4 of Section 14, Township 25 South, Range 20 East, Pasco County, Florida, described as follows: Commence at the Southwest corner of the Southeast 1/4 of said Section 14, thence N89°30'40"E, (an assumed bearing) along the south boundary of the Southeast 1/4, a distance of 37.50 feet (deed) 36.74 feet (field) to the east right of way line of State Road No. 577 and the Point of Beginning; thence continue N89°30'40"E along the south boundary of the Southeast 1/4 of said Section 14, a distance of 675.25 feet; thence N00°16'16"E, a distance of 1300.00 feet to a point 723.75 feet east of the west boundary of said Southeast 1/4; thence N89°58'21"W, a distance of 687.40 feet to the east right of way line of State Road No. 577; thence S00°01'41"W along said east right of way line, a distance of 373.10 feet to a (P.I.) point of intersection; thence S00°21'43"E, along said right of way line, a distance of 932.94 feet to the Point of Beginning, containing 20.40 acres more or less.