

N6000007136

FILINGS, INC. TERESA ROMAN

(Requestor's Name)

2805 LITTLE DEAL ROAD

(Address)

TALLAHASSEE, FLORIDA 32308

385-6735

(City, State, Zip)

(Phone #)

OFFICE USE ONLY

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-10/25/00--01066--021
*****78.75 *****78.75

CORPORATION NAME(S) & DOCUMENT NUMBER(S) (if known):

1. Horse shoe Lake & Creek Homeowners Association, Inc
(Corporation Name) (Document #)

2. _____
(Corporation Name) (Document #)

3. _____
(Corporation Name) (Document #)

4. _____
(Corporation Name) (Document #)

☒ Walk in ☐ Pick up time _____

☒ Certified Copy

☐ Mail out ☐ Will wait

☐ Photocopy

☐ Certificate of Status

RECEIVED
00 OCT 25 PM 3:06
DIVISION OF CORPORATION

NEW FILINGS	
<input type="checkbox"/>	Profit
<input checked="" type="checkbox"/>	NonProfit
<input type="checkbox"/>	Limited Liability
<input type="checkbox"/>	Domestication
<input type="checkbox"/>	Other

AMENDMENTS	
<input type="checkbox"/>	Amendment
<input type="checkbox"/>	Resignation of R.A., Officer/Director
<input type="checkbox"/>	Change of Registered Agent
<input type="checkbox"/>	Dissolution/Withdrawal
<input type="checkbox"/>	Merger

OTHER FILINGS	
<input type="checkbox"/>	Annual Report
<input type="checkbox"/>	Fictitious Name
<input type="checkbox"/>	Name Reservation

REGISTRATION/ QUALIFICATION	
<input type="checkbox"/>	Foreign
<input type="checkbox"/>	Limited Partnership
<input type="checkbox"/>	Reinstatement
<input type="checkbox"/>	Trademark
<input type="checkbox"/>	Other

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00 OCT 25 PM 3:17
SECRETARY OF STATE
TALLAHASSEE FLORIDA

Examiner's Initials

ARTICLES OF INCORPORATION
OF
HORSESHOE LAKE & CREEK HOMEOWNERS ASSOCIATION, INC.
(a corporation not-for-profit)

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TALLAHASSEE FLORIDA
SECRETARY OF STATE

ARTICLE I - NAME OF CORPORATION

The name of this corporation shall be HORSESHOE LAKE & CREEK HOMEOWNERS ASSOCIATION, INC., a corporation not-for-profit under the provisions of the laws of the State of Florida (hereinafter referred to as "Association").

ARTICLE II - DEFINITIONS

Unless defined in these Articles of Incorporation (the "Articles") or the Bylaws of the Association ("Bylaws"), all terms used in the Articles and Bylaws shall have the same meanings as used in the Declaration of Easements, Covenants, Conditions and Restrictions for Horseshoe Lake & Creek (the "Declaration").

ARTICLE III - PRINCIPAL PLACE OF BUSINESS

The principal office of the Association is located at 200 W. First Street, Ste. 22, Sanford, FL 32771.

ARTICLE IV - INITIAL REGISTERED AGENT

William L. Colbert, whose address is 200 W. First Street, Ste. 22, Sanford, FL 32771, is hereby appointed the initial registered agent of this Association.

ARTICLE V - INCORPORATOR

The name and street address of the Incorporator is Carl Rose, whose address is 200 W. First Street, Ste. 22, Sanford, FL 32771.

ARTICLE VI - PURPOSE AND POWER OF THE ASSOCIATION

This Association does not contemplate pecuniary gain or profit to the Members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the residence Lots and Common Area within that certain tract of property described in the plat of Horseshoe Lake & Creek to be recorded in the public records of Seminole County, Florida, and to promote the health, safety and welfare of the residents within the Property and any additions thereto as may hereafter be brought within the jurisdiction of this Association for this purpose to:

(a) To exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in the Declaration, applicable to the Property and recorded or to be recorded in the office of the Clerk of the Circuit Court, Seminole County, Florida, and as the same may be amended from time to time as

therein provided, the Declaration being incorporated herein as if set forth at length;

(b) To fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes, or governmental charges levied or imposed against the real or personal property of the Association;

(c) To acquire (by gift, purchase, or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use, or otherwise dispose of real or personal property in connection with the affairs of the Association;

(d) To borrow money, and with the assent of two-thirds (2/3) of each class Members, to mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(e) To dedicate, sell or transfer all or any part of the Common Area to any 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;

(f) To participate in members and consolidations with other non-profit corporation, organized for the same purposes or annex additional residential property and Common Areas, provided that any such merger, consolidation, or annexation shall have the assent of two-thirds (2/3) of each class of Members.

(g) To have and to exercise to the fullest extent under the law, any and all powers, rights, and privileges which a corporation organized under the not-for-profit, organized under the law of the State of Florida, may now or hereafter have or exercise;

(h) To 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 (or permits as may be applicable) requirements and applicable District rules, and assist in the enforcement of the restrictions and covenants contained therein. The Association shall levy and collect adequate assessments against Members of the Association for the maintenance and repair of the Surface Water or Stormwater Management Systems including but not limited to work within retention areas, drainage structures and drainage easements; and

(i) To operate, maintain and manage the Mitigation and Conservation Areas, if required as a permit condition and applicable herein, in a manner consistent with the St. Johns River Water Management District permit (or permits as applicable) requirements and all applicable District rules, and shall assist in the enforcement of the restrictions and covenants contained therein. The Association shall be required to monitor and exercise practices which shall provide drainage, water storage, conveyance, survival and growth of installed aquatic plant material or other Surface Water or Storm Water Management requirements as permitted by the St. Johns River Water Management District.

ARTICLE VII - MEMBERSHIP

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, shall be a Member of the Association. The foregoing is not intended to include persons or entities who 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 assessments 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: Class B Members shall be the Declarant and shall be entitled to three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership on the happening of the earlier of the two following events:

- (a) When the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership, or
- (b) On the date exactly four years from the recording of the Declaration.

ARTICLE IX - BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board consisting of no less than three (3) and no more than five (5) Directors, who need not be members of the Association. The initial number of Directors shall be four (4) and may be changed by amendment of the Bylaws. The names and addresses of the persons who are to act in the capacity of Directors until the selection of their successors are:

<u>NAME</u>	<u>ADDRESS</u>
Carl Rose	200 W. First Street, Ste. 22 Sanford, FL 32771
Marie Rose	200 W. First Street, Ste. 22 Sanford, FL 32771
Jeff Nelson	200 W. First Street, Ste. 22 Sanford, FL 32771
Karen Nelson	200 W. First Street, Ste. 22 Sanford, FL 32771

At the first annual meeting of the Members shall elect one Director for a term of one year, one Director for a term of two years and one Director for a term of three years; and at each annual meeting thereafter the Members shall elect one Director for a term of three years. In the event the number of Directors is more than three, additional Directors shall be elected for a term of three years.

ARTICLE X - INDEMNIFICATION

The Directors and Officers of the Association shall be indemnified by the Association to the fullest extent now or hereafter permitted by law and shall not be personally liable for any act, debt, liability or other obligation of the Association. Similarly, Members are not personally liable for any act, debt, liability or obligation of the Association. A Member may become liable to the Association for dues, assessments or fees as provided by law.

ARTICLE XI - BYLAWS

Bylaws of the Association shall be hereinafter adopted at the first meeting of the Board of Directors. Such Bylaws may be amended or repealed, in whole or in part, at a regular or special meeting of the Members, by a vote of a majority of a quorum of Members present in person or by proxy, except that the Federal Housing Administration ("FHA") or the Veterans Administration ("VA") shall have the right to veto amendments while there is a Class B membership.

ARTICLE XII - DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of the entire 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 was created. In the event that 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.

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, Florida Administrative Code, and be approved by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.

ARTICLE XIII - DURATION

The duration of this Association shall be perpetual.

ARTICLE XIV - AMENDMENTS

Amendment of these Articles shall require the consent of seventy-five percent (75%) of the entire membership of the Association.

ARTICLE XV - CONFLICT

In the event that any provision of these Articles conflicts with any provision of Declaration, the provision of Declaration in conflict therewith shall control. If any provision of these Articles conflicts with any provision of the Bylaws, the provision of the Articles shall control.

ARTICLE XVI - FHAVA APPROVAL

Upon Horseshoe Lake & Creek receiving FHAVA approval, and as long as a Class B membership exists, the following actions require the prior approval of the FHAVA: annexation of additional properties, mergers and consolidations, mortgaging of the Common Areas, dedication of Common Areas, dissolution of the Association or amendment of these Articles or the Bylaws of the Association.

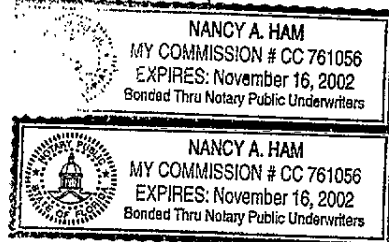
IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, we the undersigned, constituting the Incorporators of this Association, have executed these Articles of Incorporation, this 23 day of October, 2000.

Carl Rose
Carl Rose

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this 23 day of Oct., 2000, by CARL ROSE, (check one) ☐ who is personally known to me or ☒ who produced a Florida drivers license as identification.

Nancy A. Ham
Notary Public - State of Florida
Print Name: _____
My Commission Expires: _____



CERTIFICATE DESIGNATING RESIDENT AGENT

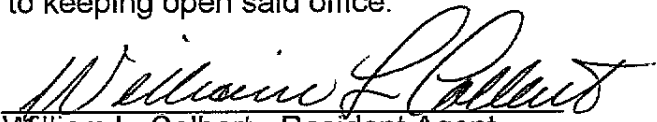
In pursuance to Section 617.0501, Florida Statutes, HORSESHOE LAKE & CREEK HOMEOWNERS ASSOCIATION, INC., desiring to organize under the laws of the State of Florida with its principal office as indicated on the Articles of Incorporation at the City of Sanford, County of Seminole, State of Florida, has named William L. Colbert located at 200 W. First Street, Ste. 22, Sanford, FL 32771, County of Seminole, State of Florida, as its agent to accept service of process within this state.



Carl Rose - President

ACKNOWLEDGMENT:

Having been named to accept service of process for the above-stated corporation, at place designated in this certificate, I hereby accept to act in this capacity, and agree to comply with the provision of said Act relative to keeping open said office.



William L. Colbert - Resident Agent

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