

NO1000001928

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²⁶
June 22, 2001

Secretary of State
Corporations Divisions
Post Office Box 6327
Tallahassee, FL 32314

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-06/28/01--01052--009
*****78.75 *****78.75

43.75

Re: LAS VILLAS DE YBOR HOMEOWNERS' ASSOCIATION, INC.

Dear Sir/Madam:

Enclosed please find the original and one copy of AMENDED Articles of Incorporation for the above-named corporation and our firm's check in the sum of \$78.50 representing the following incorporation fees:

Filing Fee with Certificate of Resident Agent	70.00
Certified Copy of Articles	8.75
Total	\$78.75

Upon registration of this corporation please return certified copies of the articles of incorporation to our office. Your prompt attention and consideration in this matter will be greatly appreciated.

Very truly yours,

Michael D. LaBarbera

Amend + Restate Arts
7-6-01
MKS

MLB:dsa
Enclosures

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

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AMENDED AND RESTATED ARTICLES OF INCORPORATION

OF

LAS VILLAS DE YBOR HOMEOWNERS' ASSOCIATION, INC.

Pursuant to unanimous vote of the Board of Directors at a Special Meeting held on June 1, 2001 and pursuant to the provisions of Florida Statutes 617.1002, 617.1006 and 617.1007 (2000) the Board of Directors hereby states that there are no members of the Association and pursuant to such votes has and does hereby amend and restate the Article of Incorporation of LAS VILLAS DE YBOR HOMEOWNERS' ASSOCIATION, INC as follows:

ARTICLE I
NAME

The name of this corporation shall be:

LAS VILLAS DE YBOR HOMEOWNERS' ASSOCIATION, INC.

hereafter called "Association"

ARTICLE II
POWERS AND PURPOSES

The Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purpose for which it is formed thus for the enforcement of deed restrictions, declarations and covenants, the promotion of the community welfare, the maintenance of quality standards and otherwise act as a Homeowners' Association for Las Villas De Ybor, a townhouse community in Hillsborough County, Florida.

The Association shall have, in addition to the power set forth by law, the following specific powers:

a. To fix, levy, collect and enforce payment by all lawful means, all charges or assessments pursuant to the buy-laws of the corporation and declarations, covenants and restrictions recorded of record, to pay for all expenses in connection with the operation of the Association and all offices or other expenses incident to the conduct of the business of the Association, including licenses, taxes or governmental charges levied or imposed against the property of the Association.

b. Acquire "by gift, purchase or otherwise," own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise and dispose of real or personal property in connection with the affairs of the Association.

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c. Borrow money with the assent of the two-thirds (2/3) votes of the members of the Association, including the mortgaging, pledging, or hypothecating of any or all the real or personal property of the Association as security for the money borrowed or debts incurred.

d. Participate in mergers or consolidation with other non-profit organizations organized for the same or similar purposes provided such consolidation merger shall require the assent of two-thirds (2/3) of the votes of the members of the Association.

e. Have and exercise any and all the powers, privileges, which a non-profit corporation organized under the laws of the State of Florida may now have or hereafter have or for which homeowners associations governed by the State of Florida may have.

f. To suspend, for a reasonable time, the rights of any member or member's tenants, guests, invitees, or both to use of common areas or facilities and levy fines not to exceed \$100.00 per violation against any member, or tenant, guest, or invitee for each day of continuing violation up to a maximum of \$1,000.00, in accordance with the provisions of Florida Statute 617.305 (1999) or any future modifications thereof. The monetary amount of said fine may be increased or decreased as provided for by the laws of the State of Florida. Any fine levied hereunder may become a lien and enforced in the same manner as assessments.

g. To suspend the voting rights of a member for non-payment of homeowners' associations assessments that are delinquent in excess of 90 days.

h. Sue and be sued

i. To operate and maintain the surface water management system facilities, including all inlets, ditches, swales, culverts, water control structures, retention and detention areas, ponds, lakes, floodplain compensation areas, wetlands and any associated buffer areas, and wetland mitigation areas. To contract for services to provide for operation and maintenance of the surface water management system facilities if the association contemplates employing a maintenance company. To exist in perpetuity, however the articles of incorporation shall provide that if the association is dissolved, the control or right of access to the property containing the surface water management system facilities shall be conveyed or dedicated to an appropriate governmental unit.

j. All other powers authorized by Florida Law or necessary in order to exercise the power of this corporation as a Homeowners Association under the laws of the State of Florida.

ARTICLE III

TERM OF EXISTENCE

The duration of this corporation is to be perpetual from the date of acceptance of these Articles by the Secretary of the State of Florida.

ARTICLE IV
VOTING RIGHTS AND MEMBERSHIP

The Association shall have one class of membership and each member shall be entitled to vote. The membership of the Association shall consist of the current lot owners of Las Villas de Ybor Townhomes per the map or plat thereof as recorded in the public records of Hillsborough County, Florida. For each lot owned, the member shall be entitled to one vote per lot.

ARTICLE V
INITIAL REGISTERED OFFICE AND AGENT

The street address of the initial registered office of this corporation is 924 East Busch Boulevard, Tampa, Florida 33612.

The name of the initial registered agent of this corporation at that address is Wayne Fernandez.

The principal office and mailing address of the corporation is 924 East Busch Boulevard, Tampa, Florida 33612.

ARTICLE VI
INITIAL BOARD OF DIRECTORS

This corporation shall have three directors initially. The number of directors may be either increased or decreased from time to time by the bylaws, but shall never be less than three (3). The name and address of the initial directors of this corporation are:

<u>NAME</u>	<u>ADDRESS</u>
Wayne J. Fernandez, Chairman	924 East Busch Boulevard Tampa, Florida 33612
Stephanie D. Gaines	1213 East 6 th Avenue Tampa, Florida 33605
J. C. DeLotto	924 East Busch Boulevard Tampa, Florida 33612

Other than the initial directors, directors shall be elected by the members of the Association by plurality votes and shall hold terms as set forth in the By-laws. All members of the Association are eligible to serve on the Board, but a Board member need to be a member of the Association.

ARTICLE VII
OFFICERS

The initial officers of this corporation shall be as follows:

<u>OFFICE</u>	<u>NAME</u>	<u>ADDRESS</u>
President	Wayne J. Fernandez	924 East Busch Boulevard Tampa, Florida 33612
Vice President	None	
Secretary	J. C. DeLotto	924 East Busch Boulevard Tampa, Florida 33612
Treasurer	J. C. DeLotto	924 East Busch Boulevard Tampa, Florida 33612

The Board of Directors shall have the authority to elect or appoint officers as may be determined by the bylaws of the corporation and resolutions of the Board of Directors.

ARTICLE VIII
INCORPORATORS

The names and addresses of the persons signing these articles are:

<u>NAME</u>	<u>ADDRESS</u>
Wayne J. Fernandez	924 East Busch Boulevard Tampa, Florida 33612

ARTICLE IX
ASSESSMENTS, CHARGES AND EXPENSES

Except as authorized by Florida Statute 720.308 (2000) or any subsequent modifications thereto, all members of the Association shall share expenses and costs of the Association proportionate to the total amount of units or lots in the Association community. Annual or special assessments may only be assessed in the members' proportional share of expenses. Any fines levied as authorized by law or these Articles of By-law shall be in addition to such assessments. The amount of the assessments shall be as determined by the Association in accordance with the By-laws and Declarations of Covenants and Restrictions recorded in the Public Records that relate to this Association.

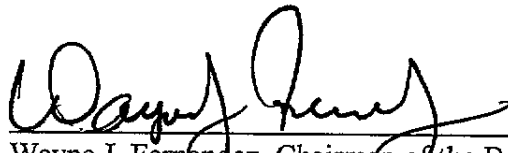
ARTICLE X
INTERESTED DIRECTORS OR OFFICERS

No contract, act or transaction of the corporation with any person or persons, firm or corporation, in the absence of fraud, shall be effected or invalidated by the fact that any officer or officers, director or directors of the corporation is a party to or are the parties to or interested in such contract, act or transaction, or in any way connected with such person or persons, firm or corporation and each and every person who may become a director or an officer of the corporation is hereby relieved from any liability that might otherwise exist from thus contracting with the corporation for the benefit of himself or any firm, association or corporation in which he may be in anyway interested.

ARTICLE XI
BYLAWS



The power to adopt, alter, amend or repeal bylaws shall be vested in the board of directors and the members.

IN WITNESS WHEREOF, the undersigned being the incorporator of this corporation, executes these articles of incorporation and certifies to the truth of the facts stated herein the date acknowledged below.


Wayne J. Fernandez, Chairman of the Board

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

THIS INSTRUMENT ACKNOWLEDGED before me this 18th day of June, 2001 by Wayne J. Fernandez, who is personally known to me or who produced N/A as identification.


Notary Public
Printed Name: Ingrid Roskay
 My Commission CC792138
Expires December 28 2002

My Commission Expires: