

No 10000004043



ACCOUNT NO. : 072100000032

REFERENCE : 979614 80493A

AUTHORIZATION :

COST LIMIT : \$ PREPAID

ORDER DATE : January 26, 2001

ORDER TIME : 1:57 PM

ORDER NO. : 979614-005

CUSTOMER NO: 80493A

CUSTOMER: Dorothy Hudson, Esq
Dorothy A. Hudson Attorney At
Law
2903 Cardinal Drive

Vero Beach, FL 32963

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RECEIVED

01 JAN 26 PM 2:39

DEPARTMENT OF STATE
DIVISION OF CORPORATIONS
TALLAHASSEE, FLORIDA

DOMESTIC FILING

NAME: WHITEGATE ESTATES COMMUNITY
ASSOCIATION, INC.

EFFECTIVE DATE:

XX ARTICLES OF INCORPORATION
CERTIFICATE OF LIMITED PARTNERSHIP
ARTICLES OF ORGANIZATION

PLEASE RETURN THE FOLLOWING AS PROOF OF FILING:

XX CERTIFIED COPY
PLAIN STAMPED COPY
CERTIFICATE OF GOOD STANDING

CONTACT PERSON: Sandra Mathis - EXT. 1165

EXAMINER'S INITIALS:

2295
w01-2056

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA
JAN 26 11 PM 1901

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FLORIDA DEPARTMENT OF STATE

Katherine Harris
Secretary of State

JAN 11 PM 4:16

TALLAHASSEE FLORIDA

January 26, 2001

RESUBMIT

CSC NETWORKS
1201 HAYS STREET
TALLAHASSEE, FL 32301

SUBJECT: WHITEGATE ESTATES COMMUNITY ASSOCIATION, INC.
Ref. Number: W01000002056

We have received your document for WHITEGATE ESTATES COMMUNITY ASSOCIATION, INC.. However, the document has not been filed and is being returned for the following:

Section 617.0803, Florida Statutes, requires that the board of directors never have fewer than three directors.

Please return the original and one copy of your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 487-6973.

Claretha Golden
Document Specialist

Letter Number: 001A00004564

*Claretha - Today's
file date is fine.
Thank so much!
Susie*

ARTICLES OF INCORPORATION
OF
WHITEGATE ESTATES COMMUNITY ASSOCIATION, INC.
(A corporation not for profit under Chapter 617,
Florida Statutes.)

2011 JUN 11 PM 4:16
TALLAHASSEE FL FLORIDA

ARTICLE I

The name of this corporation shall be WHITEGATE ESTATES COMMUNITY ASSOCIATION, INC. (hereinafter called the "Corporation").

ARTICLE II

Purpose

This Corporation does not contemplate pecuniary gain or profit to the members thereof. The specific purposes for which it is formed are to provide for maintenance and preservation of certain common areas within that certain tract of property located in Indian River County, Florida, known as Whitegate Estates, which tract may be expanded by the addition of adjacent or nearby tracts of property. To promote the recreation, general welfare, common benefit, and enjoyment of the residents within the above-described property and any additional property as may be brought within the jurisdiction of this Corporation. The Corporation shall have the authority to maintain and administer the community properties and facilities and to administer and enforce the Covenants and Restrictions as well as the collecting and disbursing of the assessments and charges hereinafter created. Further, the Corporation shall have the power:

(a) to exercise all of the powers and privileges and to perform all of the duties and obligations of the Whitegate Estates Community Association, Inc. as set forth in that certain Declaration of Covenants, Conditions and Restrictions for Whitegate Estates (hereinafter called the "Declaration"), applicable to the property and recorded or to be recorded in the Office of the Public Records of Indian River County and as the same may be amended from time to time as therein provided, said 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 Corporation, including all licenses, taxes or governmental charges levied or imposed against the property of the Corporation;

(c) to acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Corporation (including properties within Whitegate Estates);

(d) to borrow money, 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 to by the membership;

(f) to participate in mergers and consolidations with other not for profit corporations organized for the same purposes or annex additional residential property and Common Area as provided in the Declaration;

(g) to have and to exercise any and all powers rights and privileges which a corporation organized under the Florida Not for Profit Corporation Act by law may now or hereafter have or exercise;

(h) to contract with third parties to perform the functions of the Corporation;

(i) to manage, control, operate, maintain, repair, and improve property subject to the Declaration or any other property for which the Corporation by rule, regulation, Declaration, or contract has a right or duty to provide such services;

(j) to enforce covenants, conditions, or restrictions affecting any property to the extent the Corporation may be authorized to do so under the Declaration or By-Laws;

(k) to engage in activities which will foster, promote, and advance the common interests of owners of Units;

(l) to enter into, make, perform, or enforce contracts of every kind and description, and to do all other acts necessary, appropriate, or advisable in carrying out any purpose of the Corporation, with or in association with any other association, corporation, or other entity or agency, public or private;

(m) to act as agent, trustee, or other representative of other corporations, firms, or individuals, and as such to advance the business or ownership interests in such corporations, firms, or individuals;

(n) to adopt, alter, and amend or repeal such By-Laws as may be necessary or desirable for the property management of the affairs of the Corporation; provided, however, such By-Laws may not be inconsistent with or contrary to any provisions of the Declaration; and

(o) to provide any and all supplemental municipal services as may be necessary or proper.

(p) 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 no. 40-061-65303-1 requirements and applicable District rules, and shall assist in the enforcement of the Declaration of Covenants and Restrictions which relate to the surface water or stormwater management system.

q) to levy and collect adequate assessments against members of the Association for the cost of maintenance and operation of the surface water or stormwater management system.

The foregoing enumeration of powers shall not limit or restrict in any manner the exercise of other and further rights and powers which may now or hereafter be allowed or permitted by law; and the powers specified in each of the paragraphs of this Article II are independent powers, not to be restricted by reference to or inference from the terms of any other paragraph or provision of Article II.

ARTICLE III Membership

1. The Corporation shall be a membership corporation without certificates or shares of stock.

2. The owner of each Lot subject to the Declaration shall be a member of the Corporation and shall be entitled to vote in accordance with the provisions set forth in the Declaration. The manner of exercising voting rights shall be as set forth in the Declaration and the By-Laws.

3. Change of membership in the Corporation shall be established by recording in the public records of Indian River County, Florida, a deed or other instrument establishing record title to a lot subject to the Declaration. Written notice shall be given to

the Corporation of such change in title.

Upon such recordation, the owner designated by such instrument shall become a member of the Corporation and the membership of the prior owner shall be terminated.

4. The share of a member in the funds and assets of the Corporation cannot be assigned, hypothecated, or transferred in any manner, except as an appurtenance of the lot.

ARTICLE IV Term

The existence of the Corporation shall be perpetual unless it is terminated by law or the Declaration which describes conditions under which the Corporation shall be terminated.

ARTICLE V Name and Residence of Subscribers

The name of the Subscribers to these Articles of Incorporation are:

H. Wayne Klekamp	10305 U.S. 1 South Sebastian, FL 32958
Dianne M. Klekamp	10305 U.S. 1 South Vero Beach, FL 32958
Dorothy A. Hudson	2903 Cardinal Drive Vero Beach, FL 32963

ARTICLE VI Officers

The affairs of the Corporation shall be managed by its Board of Directors, who shall be elected at the annual meeting of the Corporation. The Officers of the Corporation shall be a President, Vice President, Secretary and Treasurer, and such other Officers as the Board of Directors may from time to time designate, which Officers shall be elected annually by the Board of Directors. The names of the Officers who are to serve until the first election or appointment are as follows:

H. Wayne Klekamp	President
Dianne M. Klekamp	Secretary/Treasurer

ARTICLE VII
Board of Directors

The affairs of the Corporation shall be conducted, managed, and controlled by a Board of Directors. The initial Board of Directors shall initially consist of three (3) directors. Subsequent to turning over of control to owners other than the developer or their assigns, the Board of Directors shall consist of not less than three (3) members nor more than five (5) members as determined from time to time by the Board of Directors. The Developer will have the right to appoint one (1) member to the Board of Directors as long as they own at least one (1) lot in the subdivision.

The names and addresses of the members of the initial Board of Directors, who shall hold office until their successors are elected and have qualified, or until removed, are as follows:

H. Wayne Klekamp	10305 U.S. 1 South Sebastian, FL 32958
Dianne M. Klekamp	10305 U.S. 1 South Sebastian, FL 32958
Dorothy A. Hudson, Esquire	2903 Cardinal Drive Vero Beach, FL 32963

ARTICLE VIII
By-Laws

The original By-Laws are to be made by the original Board of Directors. The same may thereafter be amended, altered or rescinded only in accordance with the provisions of such By-Laws.

ARTICLE IX
Amendment of Articles

Amendments to the Articles of Incorporation shall be made in the following manner:

(a) The Board of Directors shall adopt a resolution setting forth the proposed amendment and, if members have been admitted, directing that it be submitted to a vote of the members at either the annual or a special meeting. If no members have been admitted, the amendment shall be adopted by a vote of the majority of directors, and the provisions for adoption by members shall not apply.

(b) Written notice consistent with the By-Laws of the Corporation setting forth the proposed amendment or a summary

of the changes to be effected thereby shall be given to each member of record entitled to vote thereon. If the meeting is an annual meeting, the proposed amendment or such summary may be included in the notice of such annual meeting.

Any number of amendments may be submitted to the members and voted upon by them at one meeting.

If all of the directors and all of the members eligible to vote sign a written statement manifesting their intention that an amendment to the Articles of Incorporation be adopted, then the amendment shall be adopted as though the above Article IX, Sections (a) and (b) had been satisfied.

The members shall not amend the Articles of Incorporation without an act of the directors.

ARTICLE X Registered Office

The registered agent for the service of process within this State shall be: H. Wayne Klekamp, Inc., 10305 U.S. 1 South, Sebastian, FL 32958

ARTICLE XI Offices of the Association

The offices of the Association are located at 10305 U.S. 1 South, Sebastian, FL 32958.

ARTICLE XI Definitions

All terms used herein which are not defined shall have the same meaning provided in the Declaration.

ARTICLE XII Dissolution

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, F.A.C., and be approved by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.

IN WITNESS WHEREOF, the Board of Directors have affixed their signature this 6 day of June, 2001.

H. WAYNE KLEKAMP, INCORPORATOR

DIANNE M. KLEKAMP, INCORPORATOR

ACCEPTANCE OF DESIGNATION OF REGISTERED AGENT

The undersigned hereby accepts the designation of registered agent on behalf of WHITEGATE ESTATES COMMUNITY ASSOCIATION, INC.

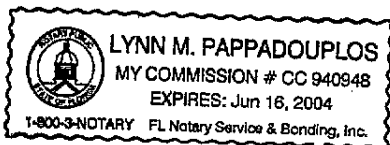
H. Wayne Klekamp, Inc.

H. Wayne Klekamp, President

STATE OF Florida
COUNTY OF Indian River

BEFORE ME, a Notary Public, personally appeared H. Wayne Klekamp and Dianne M. Klekamp, known to me who upon oath acknowledged before me that they executed the foregoing Articles of Incorporation for the purposes therein expressed.

SWORN TO AND SUBSCRIBED before me this 6 day of June, 2001. They are personally known to me or produced ad identification.



Lynn M. Pappadopoulos
Print Name: Lynn M. Pappadopoulos

Notary Public

My Commission Expires: 06-16-04

RECORDED
JUN 11 PM 12:15
CLERK OF COUNTY