

CAPITAL CONNECTION, INC.

417 E. Virginia Street, Suite 1 • Tallahassee, Florida 32301
(850) 224-8870 • 1-800-342-8062 • Fax (850) 222-1222

NO1000005557

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Summerlin Preserve
Homeowners Association,
Inc.

- RECEIVED
DEPARTMENT OF STATE
DIVISION OF CORPORATIONS
2001 AUG -7 AM 11:31
NOT INTENDED
TO ACKNOWLEDGE
SUFFICIENCY OF FILING
- ☒ Art of Inc. File
 - ☐ LTD Partnership File
 - ☐ Foreign Corp. File
 - ☐ L.C. File
 - ☐ Fictitious Name File
 - ☐ Trade/Service Mark
 - ☐ Merger File
 - ☐ Art. of Amend. File
 - ☐ RA Resignation
 - ☐ Dissolution / Withdrawal
 - ☐ Annual Report / Reinstatement
 - ☒ Cert. Copy
 - ☐ Photo Copy
 - ☐ Certificate of Good Standing
 - ☐ Certificate of Status
 - ☐ Certificate of Fictitious Name
 - ☐ Corp Record Search
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 - ☐ Fictitious Search
 - ☐ Fictitious Owner Search
 - ☐ Vehicle Search
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Signature _____

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

ARTICLES OF INCORPORATION
OF
SUMMERLIN PRESERVE HOMEOWNERS ASSOCIATION, INC.

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

ARTICLE I
CORPORATE NAME

The name of this corporation (hereinafter called Association) is SUMMERLIN PRESERVE HOMEOWNERS ASSOCIATION, INC.

ARTICLE II
TERM OF EXISTENCE

The existence of the Association will commence upon the filing of these Articles with the Department of State of the State of Florida and shall continue thereafter in perpetuity.

ARTICLE III
PRINCIPAL OFFICE

The principal office of the Association is located at 8660 College Parkway, Suite 160, Fort Myers, Florida 33919 and the mailing address is the same.

ARTICLE IV
PURPOSE AND POWERS 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 single family dwelling site, and such other products as Developer may choose to incorporate in the development in the future (collectively known as "Lots") and common elements, now and hereinafter included within that certain tract of real property located in Lee County, Florida, which is known as "**SUMMERLIN PRESERVE**" development.

ARTICLE V
DIRECTORS

The affairs of the Association will be managed by a Board of Directors consisting of three (3) members, initially. The number of members constituting the Board of Directors may, from time to time, be increased or decreased by the members, as may be provided in the Bylaws, but will never be less than three (3).

(a) **TERMS OF OFFICE.** Directors will generally serve a term of one (1) year each and shall be elected at the annual meeting of the membership. However, the members of the Board of Directors will serve until their successors are elected and qualify and may be re-elected for additional terms. In the case of a vacancy upon the Board of Directors, whether occasioned by the resignation or removal of a member or the creation of a new Directorship, the vacancy will be filled

by the person elected by the remaining Board of Directors and the newly appointed member will serve until the next election of Directors.

(b) ELECTION BY MEMBERS. Members of the Board of Directors will be elected by the membership (including the Developer, as an Owner and as a member of the Corporation, by reason of being an Owner). Every Director elected will be either a member of the corporation, or, in the case of an entity member, an Officer, general partner or trustee of that member, as the case may be. All elections will be by plurality of votes, and the member of the Board of Directors receiving the largest number of votes shall be the Chairman of the Board of Directors.

(c) INITIAL CONTROL BY DEVELOPERS. Notwithstanding the other provisions contained in these Articles to the contrary, Developer will determine the number of Directors (which will not be less than three) and appoint the members of the Board of Directors, whether or not such appointees are Owners, until the Developer either relinquishes that right, or there ceases to be Class B Members.

(d) The names and addresses of the persons who shall serve as Directors until the first election are:

<u>Name</u>	<u>Address</u>
Randy Thibaut	8660 College Parkway, Suite 160 Fort Myers, Florida 33919
Janet Allison	8660 College Parkway, Suite 160 Fort Myers, Florida 33919
Gail Lynn	8660 College Parkway, Suite 160 Fort Myers, Florida 33919

ARTICLE VI DECLARATION OF INTENTION.

The Incorporator and the Developer intend that the Association be eligible for treatment as a tax-exempt organization described in Section 528 of the Internal Revenue Code, as amended, or in the corresponding provisions of any subsequent legislation ("HOMEOWNERS ASSOCIATION").

(a) RESTRICTIONS ON ASSOCIATION'S ACTIVITIES. Notwithstanding any other provisions contained in these Articles, the Association may only engage in those activities, matters and things which Homeowners Associations so exempt from taxation are permitted to engage in.

(b) INTERPRETATION. The Articles of Incorporation of the Association will be construed and interpreted in a manner consistent with the requirements for Homeowners Associations to be tax-exempt. By way of illustration, Article XII will be construed and interpreted as prohibiting and not otherwise permitting any part of the net earnings of the Association to inure to the benefit of any private person other than as a direct result of the Association engaging in one or more exempt functions, as required by Treasury Regulation §1.528-7.

ARTICLE VII
SUBSCRIBER

The name and address of the subscriber of these Articles of Incorporation is as follows:


<u>Name</u>	<u>Address</u>
Janet Allison	8660 College Parkway, Suite 160 Fort Myers, Florida 33919

ARTICLE VIII
REGISTERED AGENT & OFFICE.

The name of the Association's initial registered agent and its initial registered office is as follows:

Peter J. Gravina	1833 Hendry Street Fort Myers, FL 33901
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IN WITNESS WHEREOF, the said subscriber has hereto set his hand and seal this 3rd day of August, 2001.

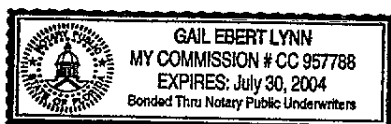

Janet Allison

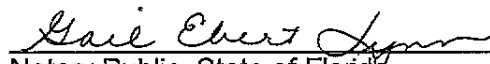
STATE OF FLORIDA
COUNTY OF LEE

Before me, a Notary Public duly authorized in the state and county named above to take acknowledgments, personally appeared JANET ALLISON, to me known to be the person described as incorporator in and who executed the foregoing Articles of Incorporation, and he acknowledged before me that he executed and subscribed to these Articles of Incorporation.

Witness my hand and official seal in the county and state named above this 3rd day of August, 2001.

(Notary Seal)





Notary Public, State of Florida
My commission no. is: CC 957788
My commission expires: 7/30/04

In pursuance of Chapter 48.091, Florida Statutes, the following is submitted, in compliance, with said Act:

That SUMMERLIN PRESERVE HOMEOWNERS ASSOCIATION, INC. desiring to organize under the laws of the State of Florida, with its principal office, as indicated in the Articles of Incorporation, at City of Fort Myers, County of Lee, State of Florida, has named PETER J. GRAVINA, located at 1833 Hendry Street, City of Fort Myers, County Lee, State of Florida 33901, as its agent to accept service of process within this State.

ACKNOWLEDGMENTS:

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.



Peter J. Gravina, Registered Agent

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA