

ND1000006001  
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August 15, 2001

Registration Section  
Division of Corporations  
409 East Gaines Street  
Tallahassee, FL 32399

800004546838--8  
-08/21/01--01039--002  
\*\*\*\*\*87.50 \*\*\*\*\*87.50

Re: Lukas Estates Homeowner's Association, Inc.

To Whom It May Concern:

I have enclosed the original and a copy of the Articles of Incorporation of Lukas Estates Homeowner's Association, Inc. along with our check in the amount of \$87.50 for the following filing fees:

- |                                           |          |
|-------------------------------------------|----------|
| • Filing fee for Articles of Organization | \$ 35.00 |
| • Designation of Registered Agent         | \$ 35.00 |
| • Certified Copy                          | \$ 8.75  |
| • Certificate of Status                   | \$ 8.75  |

Please return the certified copy and certificate of status to our office at the address above.

Thank you for your attention to this matter.

Yours very truly,

*Tonya Berger*  
Tonya Berger  
Legal Secretary

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FILED  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

TB:nn  
Enclosures: as noted

PS  
8/22/01

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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

ARTICLES OF INCORPORATION

OF

LUKAS ESTATES HOMEOWNERS' ASSOCIATION, INC.

In compliance with the requirements of Florida Statutes, Chapter 617, the undersigned, for the purpose of forming a corporation, not for profit, do hereby certify:

ARTICLE I

Name

The name of the corporation is Lukas Estates Homeowners' Association, Inc. (hereafter called the "Association").

ARTICLE II

Office

The principal office of the Association is located at 100 Lake Mills Island Point, Chuluota, Florida 32766.

ARTICLE III

Registered Agent

Jonathan S. Lukas, whose address is 100 Lake Mills Island Point, Chuluota, Florida 32766 is hereby appointed, as the initial registered agent of this Association.

ARTICLE IV

Definitions

Section 1. "Articles of Incorporation" shall mean and refer to the Articles of Incorporation for Lukas Estates Homeowners' Association, Inc., as they may be amended from time to time.

Section 2. "Association" shall mean and refer to Lukas Estates Homeowners' Association, Inc., its successors and assigns.

Section 3. "Board of Directors" shall mean and refer to the board of directors for the Association.

Section 4. "Common Property" shall have the meaning assigned to it in the Declaration.

Section 5. "Declarant" shall have the meaning assigned to it in the Declaration.

Section 6. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions for Lukas Estates recorded in the public records of Orange County, Florida and applicable to the Lots 1 through 27 of Lukas Estates as recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, Public Records of Orange County, Florida.

Section 7. "Parcel" shall have the meaning assigned to it in the Declaration.

Section 8. "Member" shall have the meaning assigned to it in the Declaration.

Section 9. "Owner" or "Homeowner" shall have the meaning assigned to it in the Declaration.

Section 10. "Parcel" shall have the meaning assigned to it in the Declaration.

Section 11. "Properties" shall have the meaning assigned to it in the Declaration.

## ARTICLE V

### 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 and preservation of the Common Property and architectural control of the Parcels and Common Property within the Properties and other real property annexed into the Association, and to promote the health, safety and welfare of the owners of the Properties and any additions thereto as may hereafter be brought within the jurisdiction of the Association for this purpose to:

(a) Exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in that certain Declaration applicable to the Properties and recorded (or to be recorded) in the Office of the Clerk of the Court for Orange County, Florida, as the same may be amended from time to time as therein provided;

(b) Fix, levy, collect and enforce payment by any lawful means of all charges and 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 of governmental charges levied or imposed against property of the Association;

(c) 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) Borrow money, and with the assent of members who are entitled to vote at least two-thirds (2/3) of all of the votes of the membership, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property of the Association as security for the money borrowed or debts incurred;

(e) Dedicate, sell or transfer all or any part of the Common Property to any public agency, authority or utility for such purposes and subject to such conditions as may be agreed to by the Members. No such dedication shall be effective unless an instrument has been signed by Members who are entitled to vote at least two-thirds (2/3) of all of the votes of the membership agreeing to such dedication, sale or transfer;

(f) Participate in mergers and consolidations with other nonprofit corporations organized for the same purposes provided that such merger or consolidation shall have the assent of Members who are entitled to vote at least two-thirds (2/3) of all of the votes of the membership;

(g) Operate, maintain and manage the surface water or stormwater management system(s) in a manner consistent with the St. Johns River Water Management District ("District") permit no. 40-095-57286-1 requirements and applicable District rules, and assist in the enforcement of the restrictions and covenants contained herein;

(h) Levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the surface water or stormwater management system; and

(i) Have and exercise any and all powers, rights and privileges which a corporation organized under the nonprofit corporation law of the State of Florida by law may now or hereafter have or exercise.

## ARTICLE VI

### Membership

Every person or entity who is a record owner of a fee or undivided fee interest in any Parcel which is subject to the Declaration, and thus to assessment by the Association, 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 parcel which is subject to assessment by the Association.

## ARTICLE VII

### Voting Rights

All Owners of each parcel which is subject to the Declaration shall be entitled to cast only one (1) vote for each parcel owned by such Owner(s), for so long as it or they own a Parcel, except that the Declarant shall be entitled to cast nine (9) votes for each parcel owned by Declarant, for so long as Declarant owns a Parcel.

## ARTICLE VIII

### Board of Directors

The affairs of this Association shall be managed by a Board of not less than three (3) Directors, who shall either be Members of the Association or the designated officer, director, or other representative of the Declarant. The number of directors may be changed by amendment to the Bylaws of the Association. 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>
Jonathan S. Lukas	100 Lake Mills Island Point, Chuluota, Florida 32766
David E. Axel	600 Lake Mills Road, Chuluota, Florida 32766
Louis P. Tulp	P. O. Box 621024, Oviedo, Florida 32762

At the first annual meeting, the Members shall elect one of the directors for a term of three years and two of the directors for a term of four years, and at each annual meeting thereafter the Members shall elect directors for a term of four years to replace the director whose term is expiring. Thereafter, if the number of Directors is enlarged, Members shall elect the additional directors for four year terms.

## ARTICLE IX

### Dissolution

The Association may be dissolved with the unanimous consent of all Members (with the understanding that multiple members or Owners of any Parcel are entitled to cast only one vote on behalf of each such Parcel). Upon dissolution of the Association, other than

incident to a merger or consolidation, the assets of the Association shall be dedicated to any nonprofit corporation, association, trust or other organization to be devoted to such similar purposes or to all Members in equal shares. Notwithstanding the foregoing, in the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance to the surface water or stormwater management system must be transferred to an accepted by an entity which would comply with Section 40C-42.027, F.A.C., or its successor rule, and be approved by the St. Johns Water Management District prior to such termination, dissolution or liquidation.

## ARTICLE X

### Duration

The existence of the Association shall commence upon the filing of these Articles of Incorporation with the Secretary of State and shall exist perpetually.

## ARTICLE XI

### Indemnification

The Association shall indemnify any incorporator, officer or director, or any former incorporator, officer or director, to the full extent permitted by law, against all losses and liabilities related to their actions on behalf of the Association.

## ARTICLE XII

### Incorporator

The name and address of the incorporator is as follows:

Jonathan S. Lukas  
100 Lake Mills Island Point  
Chuluota, Florida 32766

## ARTICLE XIII

### Amendments

Amendment of these Articles shall require the assent of Members who are entitled to vote at least two-thirds (2/3) of all of the votes of the membership.

IN WITNESS WHEREOF, the Declarant has caused these presents to be executed in its name and its seal to be affixed hereto as of the day and year first above written.

Signed, sealed and delivered  
in the presence of:

Tonya Berger  
Witness

Jonathan S. Lukas  
Jonathan S. Lukas

Tonya Berger  
Print or type name

[Signature]  
Witness

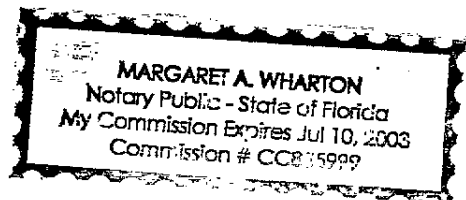
MARGARET A. WHARTON  
Print or type name

STATE OF FLORIDA     )  
                                  )     SS.  
COUNTY OF SEMINOLE )

2<sup>nd</sup> The foregoing instrument was acknowledged before me this day of April, 2001, by Jonathan S. Lukas, who is personally known to me or ~~provided~~ for identification.

(NOTARY SEAL)

[Signature]  
NOTARY PUBLIC  
My Commission Expires:



FILED

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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

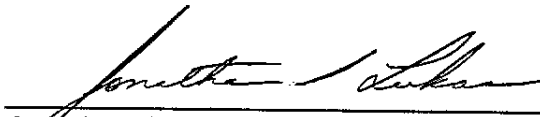
REGISTERED AGENT CERTIFICATE

Pursuant to the Florida General Corporation Act, the following is submitted, in compliance with said statute.

That Lukas Estates Homeowners' Association, Inc., desiring to organize under the laws of the State of Florida, with its registered office as indicated in the Articles of Incorporation at Seminole, State of Florida, has named Jonathan S. Lukas, located at 100 Lake Mills Island Point, Chuluota, Florida 32766 as said registered office, as its registered agent to accept service of process and perform such other duties as are required in the State.

ACKNOWLEDGMENT:

Having been named to accept service of process and serve as registered agency for the above-stated Corporation, at the place designated in this Certificate, the undersigned, hereby accepts to act in this capacity, and agrees to comply with the provision of said statute relative in keeping open said office, and further states it is familiar with 607.0505, Florida Statutes.

  
Jonathan S. Lukas

Dated: 4-2-01