

N020000000613

RICE ROSE & SNELL

A PROFESSIONAL ASSOCIATION
www.RiceRoseSnell.com

PAUL E. RICE, JR.
JAMES L. ROSE
GREGORY D. SNELL

MAIN OFFICE
222 SEABREEZE BLVD.
DAYTONA BEACH, FL 32118
TELEPHONE (386) 257-1222
FAX (386) 258-9694
janicerose@riceroseandsnell.com

FLAGLER OFFICE
1 FLORIDA PARK DRIVE SOUTH
SUITE 301
PALM COAST, FL 32137
TELEPHONE (386) 445-9007

MAILING ADDRESS
POST OFFICE BOX 2599
DAYTONA BEACH, FL 32115

June 19, 2002

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*****35.00 *****35.00

Florida Department of State
Division of Corporations
P. O. Box 6327
Tallahassee, FL 32314

Re: Unatin Subdivision Phase IV Homeowners Association, Inc.

Dear Sir or Madam:

Enclosed you will find a check for \$35.00 to file Amended Articles of Incorporation for the above homeowners association. Also enclosed is the confirmation letter referencing the original filing for your information.

Please send me a confirmation letter of filing the amended articles. Thank you for your

assistance,

Sincerely,

Janice C. Rose

Janice C. Rose

Enclosures - 3

FILED
02 JUL 10 AM 11:29
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

LAW OFFICES
RICE ROSE & SNELL

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DAYTONA BEACH, FL 32115

FLAGLER OFFICE
1 FLORIDA PARK DRIVE SOUTH
SUITE 301
PALM COAST, FL 32137
TELEPHONE (386) 445-9007

July 8, 2002

Florida Department of State
Division of Corporations
P. O. Box 6327
Tallahassee, FL 32314

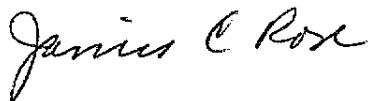
Re: Unatin Subdivision Phase IV Homeowners Association, Inc.
Ref Number: N02000000613

Dear Sir or Madam:

Enclosed you will find a certificate signed by the incorporator/director as requested to accompany the Amended Articles of Incorporation to be filed. Also enclosed is a copy of your most recent correspondence.

Please send me a confirmation letter of filing the amended articles. Thank you for your assistance,

Sincerely,



Janice C. Rose

Enclosures



FLORIDA DEPARTMENT OF STATE

Katherine Harris
Secretary of State

June 27, 2002

JANICE C. ROSE
RICE ROSE & SNELL
P.O. BOX 2599
DAYTONA BEACH, FL 32115

SUBJECT: UNATIN SUBDIVISION PHASE IV HOMEOWNERS ASSOCIATION,
INC.

Ref. Number: N02000000613

We have received your document for UNATIN SUBDIVISION PHASE IV HOMEOWNERS ASSOCIATION, INC. and your check(s) totaling \$35.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

A certificate must accompany the Restated Articles of Incorporation setting forth one of the following statements: (1) The restatement was adopted by the board of directors and does not contain any amendments requiring member approval; OR (2) If the restatement contains an amendment requiring member approval, the date of adoption of the amendment by the members and a statement that the number of votes cast for the amendment was sufficient for approval.

Please return 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) 245-6869.

Teresa Brown
Corporate Specialist

Letter Number: 402A00041147

RECEIVED
02 JUL 10 AM 11:22
DIVISION OF CORPORATIONS

Division of Corporations - P.O. BOX 6327 -Tallahassee, Florida 32314

CERTIFICATE

FILED
02 JUL 10 AM 11:29
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

I, Steven Unatin, hereby certify that the enclosed Amended Articles of
Incorporation of the Unatin Subdivision Phase IV Homeowners Association, Inc.
dated March 7, 2002, were adopted by the Board of Directors and do not contain
any amendments requiring member approval.

7-3-2002
Date

Steven Unatin Director
Steven Unatin, Director

AMENDED ARTICLES OF INCORPORATION

of

UNATIN SUBDIVISION PHASE IV HOMEOWNERS ASSOCIATION, INC.,

a Nonprofit Corporation

FILED
02 JUL 10 AM 11:29
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

In compliance with the requirements of Non Profit Corporation Law of the State of Florida, the undersigned, all of whom are of full age residents of the State of Florida, have this day voluntarily associated themselves together for the purpose of forming a Corporation not for profit and do hereby swear:

ARTICLE I

The name of this corporation is Unatin Subdivision Phase IV Homeowners Association, Inc (hereinafter "Association").

ARTICLE II

The principal office of the Association is located at 767 South Nova Road, Ormond

Beach, Florida 32174.

ARTICLE III

James L. Rose, whose address is 222 Seabreeze Blvd., Daytona Beach, FL 32118, is hereby appointed the initial Registered Agent of this Association.

ARTICLE IV

The general nature of the business to be transacted is as follows:

A. To enforce the terms, covenants, conditions and restrictions appertaining to Unatin Subdivision Phase IV Homeowners Association, Inc., as recorded in the Public Records of Volusia County, Florida.

B. The Association shall 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. 4-127-29630-2 requirements and applicable District rules, and shall assist in the enforcement of the Declaration of Covenants, Conditions and Restrictions which relate to the surface water of stormwater management system.

C. To accomplish the foregoing purposes the corporation shall have all corporate powers permitted under Florida law; by way of example, and not limitation, the Corporation is authorized to:

1. 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 of Covenants, Conditions and Restrictions, hereinafter called the "Declaration," applicable to the property and recorded or to be recorded in the Office of the Clerk of the Circuit Court, in and for Volusia County, Florida, and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth in length;

2. 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 the costs of maintenance and operation of the surface water or stormwater management system, all licenses, taxes or governmental charges levied or imposed against the property of the Association;

3. 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;

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

5. dedicate, sell or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes as shown on the plat of Unatin Subdivision Phase IV and subject to such conditions as may be agreed to by the members and subject to the approval of the City of Port Orange. 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;

6. participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and Common Area, provided that any such merger, consolidation or annexation shall have the assent of two thirds (2/3) of each class of members;

7. have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Florida by law may now or hereafter have or exercise.

ARTICLE V

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 membership of any Lot which is subject to assessment by the Association.

ARTICLE VI

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 one or more persons 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. The Class B member(s) shall be the Declarant (as defined in the Declaration), and all be entitled to three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership at the happening of either of the following events, whichever occurs earlier:

- 1) When the total votes outstanding in the Class A membership equal the

total votes outstanding in the Class B membership; or

2) on December 31, 2005.

ARTICLE VII

The affairs of this Association shall be managed by a Board of three (3) Directors. The number of Directors may be changed by amendment of the By-Laws 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:

Jerome H. Unatin

767 South Nova Road
Ormond Beach, FL 32174

Steven I. Unatin

767 South Nova Road
Ormond Beach, FL 32174

Mary I. Unatin

767 South Nova Road
Ormond Beach, FL 32174

The Directors named herein as the first Board of Directors are appointed by the Incorporator and shall hold office until the first meeting of members at which time an election of Directors shall be held.

ARTICLE VIII

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each 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

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.

ARTICLE IX

Existence of the Association shall commence with the filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The Corporation shall exist perpetually.

ARTICLE X

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

ARTICLE XI

The name and address of the subscriber to these Amended Articles of Incorporation is:

Steven I. Unatin

767 South Nova Road
Ormond Beach, FL 32174

I, the undersigned, being the Subscriber and Incorporator of this corporation, for the purpose of forming this nonprofit corporation under the laws of the State of Florida, have executed these Articles of Incorporation, this 7 day of March, 2002.

WITNESSED BY:

Jessie C. Rose
Cheryl E. Johnson

Steven Unatin
STEVEN UNATIN, Subscriber

Having been named to accept service of process for the above stated corporation, at the place designated in these Articles, I hereby agree to act in this capacity, and I further agree to comply with the provisions of all Statutes relative to the proper and complete performance of my duties.

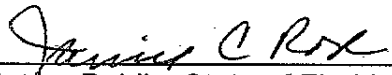


James L. Rose Registered Agent

STATE OF FLORIDA
COUNTY OF VOLUSIA

BEFORE ME, the undersigned authority, personally appeared Steven I. Unatin to me known to be the person who executed the foregoing Articles of Incorporation and he acknowledged to and before me that he executed such instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 7 day of March, 2002.



Notary Public, State of Florida
My Commission Expires:

