

NOZ000003827

DIANA BERTRAN  
COLONIAL VILLAGE HOA  
3110 COLONIAL DR  
CLEARWATER FL 33759-4469

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP ☐ WAIT ☐ MAIL

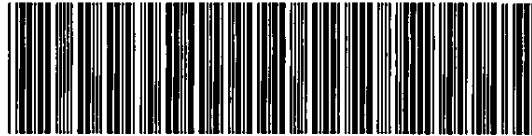
(Business Entity Name)

(Document Number)

Certified Copies ☒ Certificates of Status ☐

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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

2007 SEP 19 PM 12:03

FILED

# **Colonial Village Homeowners' Association**

3110 Colonial Dr. Clearwater, FL 33759

September 7, 2007

Thelma Lewis c/o  
Florida Department of State  
Division of Corporations  
PO Box 6327  
Tallahassee, FL 32314


Dear Ms Lewis:

Thank you for talking with me last week. I have enclosed the following to reinstate our Homeowner's Association and rename it to Colonial Village Homeowners' Association, Inc. You have received our check for \$43.75 which will be applied towards renaming the association.

- Your August 24, 2007 letter
- Amended and Restated Articles of Incorporation of Colonial Village Park Homeowners' Association
- A check for \$428.75 which includes \$420 for reinstatement and \$8.75 for a certificate.

If you have any questions, please contact me at 727-797-7320.

Sincerely,



Diana Bertran  
Vice President



FLORIDA DEPARTMENT OF STATE  
Division of Corporations

August 24, 2007

DIANA BERTRAN  
COLONIAL VILLAGE HOA  
3110 COLONIAL DRIVE  
CLEARWATER, FL 33759-4469

SUBJECT: COLONIAL VILLAGE PARK HOMEOWNERS' ASSOCIATION, INC.  
Ref. Number: N02000003827

We have received your document for COLONIAL VILLAGE PARK HOMEOWNERS' ASSOCIATION, INC. and your check(s) totaling \$43.75. However, the enclosed document has not been filed and is being returned for the following correction(s):

In order to file your document, the subject entity must first be reinstated.

The above listed corporation was administratively dissolved or its certificate of authority was revoked for failure to file its 2004 corporate annual report form. To reinstate, the corporation must submit a completed reinstatement application or annual report and the appropriate fees.

The fees to reinstate the corporation are as follows: \$175 reinstatement fee, \$61.25 filing fee per year.

Therefore, the total amount due to reinstate the corporation is \$420.00. Add an additional \$8.75 for each certificate of status requested.

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) 245-6905.

Thelma Lewis  
Document Specialist Supervisor

Letter Number: 607A00051205

**FILED**

**AMENDED AND RESTATED ARTICLES OF INCORPORATION  
OF**

**2007 SEP 19 PM 12:03**

**COLONIAL VILLAGE PARK  
HOMEOWNERS' ASSOCIATION, INC.**

**SECRETARY OF STATE  
TALLAHASSEE, FLORIDA**

**1 CORPORATE NAME** - The name of the corporation shall be:

**COLONIAL VILLAGE HOMEOWNERS' ASSOCIATION, INC.**

and shall hereinafter be referred to as the Association.

**2 ADDRESS** - The mailing address of the Association shall be c/o Diana Bertran, 3110 Colonial Drive, Clearwater, FL 33759. The principal office of the Association shall be located at the mailing address or at such other place as may be subsequently designated by the members of the Association.

**3 REGISTERED AGENT** - The Association's registered agent shall be:  
Diana Bertran, 3110 Colonial Drive, Clearwater, FL 33759.

**4 PURPOSES AND POWERS** - The specific purposes for which the Association is formed are:

4.1 To provide for the maintenance, preservation and architectural control of the residential lots, common areas and improvements [as defined in the Declaration of Covenants and Restrictions, hereinafter referred to as the Declaration] according to the provisions of the Declaration, relative to that certain plat recorded among the public records of Pinellas County, Florida, to wit:

LOTS 1 through 6, COLONIAL VILLAGE PARK, as recorded in Plat Book 124, Pages 41 and 42, of the Public Records of Pinellas County, Florida;

4.2 To promote the health, safety and welfare of the residents within the above described property and any additions thereto as may hereafter be brought within the jurisdiction of the Association for these purposes.

4.3 In carrying out these purposes, the Association shall hold and exercise all of the authority granted to nonprofit corporations under Florida law as it may from time to time exist, including, but not limited to, the following specific powers:

4.3.1 To exercise all of the common law and statutory powers of a corporation not for profit organized under the laws of the State of Florida that are not in conflict with the terms of the Declaration, these Articles or the Bylaws of the Association.

4.3.2 To exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in the Declaration, as the same may be amended from time to time as therein provided, the Declaration being incorporated herein by reference as if set forth in its entirety.

4.3.3 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 other expenses incident to the conduct of the business of Association, including but not limited to all licenses, taxes or governmental charges levied or imposed against the property of the Association.

4.3.4 To maintain, repair and operate the property of the Association.

4.3.5 To purchase insurance upon the property of the Association and insurance for the protection of the Association and its members as Lot Owners.

4.3.6 To reconstruct improvements after casualty and make further improvements upon the property.

4.3.7 To enforce by legal means the provisions of the Declaration, and the Articles of Incorporation and Bylaws of the Association, and the rules and regulations adopted pursuant thereto.

4.3.8 To employ personnel to perform the services required for proper operation of the Association.

4.3.9 To 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.

4.3.10 To borrow money, and with the assent of Eighty percent (80%) of the 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.

4.3.11 To dedicate, sell or transfer all or any part of the common areas, if any, to any public agency, authority, or utility for such purposes and subject to such conditions as may be provided in the Declaration. No such dedication or transfer shall be effective unless an instrument has been signed by Eighty percent (80%) of the members, agreeing to such dedication, sale or transfer.

4.3.12 To participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and common areas, provided that any such merger, consolidation or annexation shall have the assent of Eighty percent (80%) of the members.

4.4 The foregoing notwithstanding, the Association is not formed for the pecuniary gain or profit of, and neither its net earnings nor any part thereof shall be distributable to its members, trustees, officers, or other individuals; nor shall it engage in any activity which is not permitted to be carried on by a corporation which is exempt from federal income taxes under Section 501(c)(4) of the Internal Revenue Code of 1986 as amended or any other provision of federal income tax laws and/or regulations of the Internal Revenue Service.

**5 MEMBERSHIP** - The qualifications for members and the manner of their admission shall be as follows:

**5.1 GENERALLY** - Every person or entity who is a record owner of a fee or undivided fee interest in any lot or dwelling unit within *Colonial Village* shall be a member of the Association. No person except an owner is entitled to membership in the Association.

**5.2 MEMBERSHIP** - Every owner who holds record title to a lot that is subject to assessment under the Declaration shall be a member of the Association. Each membership shall be appurtenant to the lot and shall be transferred automatically by a conveyance of record title to such lot. An owner of more than one lot is entitled to one membership for each lot to which such owner holds record title. If more than one person holds an interest in any lot, those persons shall be regarded as one (1) member and as holding one (1) membership. Only one (1) vote shall be cast with respect to any one lot.

**6 GOVERNANCE BY MEMBERS** - The governance of the Association shall be vested in the members, and shall be carried out in accordance with bylaws to be adopted, from time to time, by the affirmative vote of the Members.

**7 OFFICERS** - The affairs of the Association shall be administered by a President, a Secretary, a Treasurer/Vice President and such other officers as may be designated from time to time. The Officers shall be elected every two (2) years at the annual meeting of the members of the Association. The names of Officers who shall serve until their successors are elected are: **GREGORY J. ANDREWS, PRESIDENT; ROGER TWIGG, SECRETARY; and DIANA BERTRAN, TREASURER/VICE PRESIDENT.**

**8 INDEMNIFICATION OF OFFICERS AND MEMBERS** - The Members shall authorize the Association to pay or reimburse any present or former officer or member of the Association any judgments, fines, penalties, costs, or expenses actually and necessarily incurred in any action, suit, or proceeding to which he or she is made a party by reason of holding such position if he or she acted in good faith and in a manner reasonably believed to be in, and not opposed to, the best interests of the Association; provided, however, that there shall be no such indemnification if he or she is finally adjudicated therein to be liable for negligence or misconduct in the performance of his duty to the Association. The indemnification herein provided shall also extend to good faith expenditures incurred in anticipation of or preparation for threatened or proposed litigation. The Members may, in proper cases, extend the indemnification to cover the good faith settlement of any such action, suit, or proceeding, whether formally instituted or not. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which such officer or member serving the Association may be entitled.

**9 BYLAWS** - The bylaws of the Association may be adopted by the Members and may be altered, amended or rescinded, at a duly called regular or special meeting of the members, by an affirmative vote of a majority of all the members present in person or by proxy.

**10 DISSOLUTION** - The Association may be dissolved upon written assent signed by not less than Eighty percent (80%) of the members. Upon the dissolution of the Association, other than incident to a merger or consolidation, 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 or public utility and, if not accepted, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or organization to be devoted to similar purposes.

**11 POWER TO ACT** - The Association shall have the power to take any other action necessary for the purposes for which the association is organized.

**12 TERM** - The term of the Association shall be perpetual.

**13 AMENDMENTS** - These Articles may only be amended in the following manner:

13.1 **NOTICE:** Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting at which a proposed amendment is to be considered.

13.2 **VOTE:** A resolution for the adoption of an amendment may be proposed by the members of the Association. Members not present in person or by proxy at the meeting considering the amendment may express their approval in writing, providing such approval is delivered to the Secretary at or prior to the meeting. Except as elsewhere provided, such resolutions must be adopted by not less than Eighty percent (80%) of the members.

13.3 **LIMIT ON AMENDMENTS:** No amendment shall make any changes in the qualifications for membership, nor in the voting rights of members, without the unanimous written approval of the members of the Association.

13.4 **CERTIFICATION:** A copy of each amendment shall be certified by the Secretary of State.

**14 MEMBERS** - The names and addresses of the members, who have unanimously adopted this Amended and Restated Articles of Incorporation are:

GREGORY J. ANDREWS and MICHAEL R. LYDON - 3107 Colonial Drive, Clearwater, FL  
MICHAEL L. PARRY and JENNY A. PARRY, 3112 Colonial Drive, Clearwater, FL  
CHRIS PEGG and JANELLE PEGG, 3101 Colonial Drive, Clearwater, FL  
ROGER TWIGG and KIM TWIGG, 3100 Colonial Drive, Clearwater, FL  
JOSEPH G. WORTMAN, 3106 Colonial Drive, Clearwater, FL  
DIANA BERTRAN, 3110 Colonial Drive, Clearwater, FL

IN WITNESS WHEREOF, the above-named members, acting for and on behalf of the Association, have hereunto subscribed their names on August 16, 2007.

Gregory Andrews  
Janelle Pegg  
Print/Type Name of Witness

GREGORY J. ANDREWS  
*President*

Chris Pegg  
Print/Type Name of Witness

MICHAEL R. LYDON

Michael Lydon  
Janelle Pegg  
Print/Type Name of Witness

MICHAEL L. PARRY

Chris Pegg  
Print/Type Name of Witness

Michael L. Parry  
Sergio A. Diaz  
Print/Type Name of Witness

JENNY A. PARRY

Liliana Bako  
Print/Type Name of Witness

Jenny A. Parry  
Sergio A. Diaz  
Print/Type Name of Witness

CHRIS PEGG

Liliana Bako  
Print/Type Name of Witness

Gregory Andrews  
Print/Type Name of Witness

JANELLE PEGG

Michael Lydon  
Print/Type Name of Witness

Janelle Pegg  
Gregory Andrews  
Print/Type Name of Witness

Michael Lydon  
Print/Type Name of Witness



Rm Twigg

ROGER TWIGG

Jenny A. Parry  
JENNY A. PARRY

Print/Type Name of Witness

Michael L. Parry  
MICHAEL L. PARRY

Print/Type Name of Witness

Kevin Twigg  
Jenny A. Parry

KIM TWIGG

Print/Type Name of Witness

Michael L. Parry  
MICHAEL L. PARRY

Print/Type Name of Witness

Joseph G. Wortman  
JOSEPH G. WORTMAN

JOSEPH G. WORTMAN

Personal Known  
Jenny A. Parry

Gregory J. Andrews  
GREGORY J. ANDREWS

Print/Type Name of Witness

Jenny A. Parry  
JENNY A. PARRY

Print/Type Name of Witness

Diana Bertran  
Diana Bertran

DIANA BERTRAN

Gregory J. Andrews  
Gregory J. Andrews

Print/Type Name of Witness

Michael L. Parry  
MICHAEL L. PARRY

Print/Type Name of Witness

STATE OF Florida  
COUNTY OF Pinellas

The foregoing instrument was acknowledged before me this 14 day of August, 2007, by  
Joseph G. Wortman

who is personally known to me or who has produced Personal Known as identification.

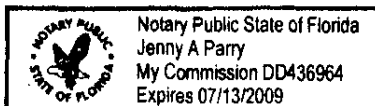
NOTARY PUBLIC

sign Jenny A. Parry

print Jenny A. PARRY

STATE OF Florida

My Commission Expires: 7/13/09  
My Commission Number is: DD 436964



STATE OF Florida  
COUNTY OF Pinellas

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of August, 2007, by  
Jenny and Michael Parry  
who is personally known to me or who has produced \_\_\_\_\_ as identification.

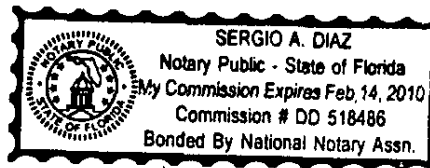
NOTARY PUBLIC

sign [Signature]

print Sergio A. Diaz

STATE OF Florida

My Commission Expires:  
My Commission Number is:



STATE OF Florida  
COUNTY OF Pinellas

The foregoing instrument was acknowledged before me this 16 day of August, 2007, by  
GREGORY J. ANDREWS, MICHAEL R. LYDON, CHRIS + Janelle PERRY  
who is personally known to me or who has produced personally known as identification.

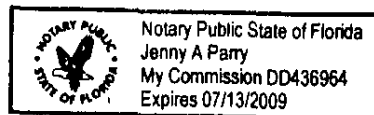
NOTARY PUBLIC

sign [Signature]

print Jenny A. Parry

STATE OF Florida

My Commission Expires:  
My Commission Number is:



STATE OF Florida  
COUNTY OF Pinellas

The foregoing instrument was acknowledged before me this 16 day of August, 2007, by  
Roger + Kim Twigg, DIANA BERTAN  
who is personally known to me or who has produced personally known as identification.

NOTARY PUBLIC

sign [Signature]

print Jenny A. Parry

STATE OF Florida

My Commission Expires:  
My Commission Number is:

