

N02000007252

CAPITAL CONNECTION, INC.

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

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02 SEP 23 PM 3:10

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

Nesmith Estates Homeowners

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- ☒ 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 \_\_\_\_\_  
☐ Officer Search \_\_\_\_\_  
☐ Fictitious Search \_\_\_\_\_  
☐ Fictitious Owner Search \_\_\_\_\_  
☐ Vehicle Search \_\_\_\_\_  
☐ Driving Record \_\_\_\_\_  
☐ UCC 1 or 3 File \_\_\_\_\_  
☐ UCC 11 Search \_\_\_\_\_  
☐ UCC 11 Retrieval \_\_\_\_\_  
☐ Courier \_\_\_\_\_

Signature \_\_\_\_\_

Requested by: LW 9/23

Name \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Walk-In \_\_\_\_\_ Will Pick Up \_\_\_\_\_

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ARTICLES OF INCORPORATION

OF

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

NESMITH ESTATES HOMEOWNERS ASSOCIATION, INC.

The undersigned incorporators to these Articles of Incorporation, each a natural person competent to contract, hereby associate themselves together to form a corporation not-for-profit under Chapter 617 of the laws of the State of Florida.

ARTICLE I

NAME

The name of this corporation is NESMITH ESTATES HOMEOWNERS ASSOCIATION, INC.

ARTICLE II

PURPOSE

This corporation is organized as a corporation not-for-profit under Chapter 617, Florida Statutes, for the purpose of maintenance of the drainage easement and surface water management system ("system") which is a part of NESMITH ESTATES, a platted subdivision recorded in Plat Book 93 at page 77 of the public records of Hillsborough County, Florida; to improve, maintain and repair such easements, and the facilities located therein or thereon, which may be acquired or conveyed to the Corporation, and which are a part of NESMITH ESTATES; and to carry out its responsibilities with regard to the "system", to protect the rights of association members without unduly impairing the ability of such association to perform its functions; and to impose assessments for

Association purposes that, if unpaid, may become a lien on the lot or parcel of the subject owner.

The corporation is authorized to acquire by purchase, gift, devise, bequest, lease or otherwise, land or interest in lands; to own, hold, improve, develop and manage any land so acquired, and such land, being a part of NESMITH ESTATES, for maintenance and repair purposes set forth above, without regard to whether such land is owned by the Association, for the purpose of renting, leasing, and letting such lands, whether improved or unimproved, for the conduct of any lawful business, trade or occupation, customarily associated with the operation of a community such as NESMITH ESTATES; to own, hold, rent, lease, manage, mortgage, encumber, improve, exchange, buy and sell real property, collect rents and to do the general real estate business; and in general to have and exercise all powers, rights and privileges necessary or incident to carrying out properly the objects above mentioned.

The corporation shall have such other powers and authority as permitted by the laws of the State of Florida.

This corporation is organized exclusively as a corporation not-for-profit and its activities shall be conducted for such purposes in such a manner that no part of its net earnings shall inure to the benefit of any member, director, officer or individual. In addition, the corporation shall be authorized to exercise the powers permitted non-profit corporations under Chapter 617, Florida Statutes, as same may be amended. All of the assets and earnings of the corporation shall be used exclusively for the

purposes hereinabove set forth, including the payment of expenses incidental thereto and all of the powers of the corporation shall be exercised exclusively for such purposes. No part of its activities shall inure to the benefit of any individual and no part of its activities shall be for the carrying on of a program of propaganda or otherwise attempt to influence legislation nor shall it participate in any political campaign on behalf of any candidate for public office.

### ARTICLE III

#### MEMBERSHIP QUALIFICATION

The membership of this corporation shall constitute all parcel or lot owners, or their agents, in NESMITH ESTATES, or a combination thereof, which said membership is a mandatory condition of parcel or lot ownership. Voting by the members shall be in the manner provided in the By-laws.

### ARTICLE IV

#### TERM OF EXISTENCE

This corporation shall have a perpetual existence unless sooner dissolved according to law. Upon any dissolution, however, the corporation shall convey and transfer its rights and obligations related to the surface water management system in NESMITH ESTATES, a platted subdivision, recorded in Plat Book 93, Page 77, public records of Hillsborough County, Florida, including without limitation the drainage easement and ingress and egress rights related to the Surface Water Management System, to the governmental entity having jurisdiction, presently Hillsborough

County, Florida, a political subdivision of the State of Florida. If such governmental entity shall not accept the transfer, then such rights shall be transferred to a similar non-profit entity acceptable to Southwest Florida Water Management District, or its successors.

#### ARTICLE V

##### ADDRESS

The initial address of the principal office of this Corporation in the State of Florida is: 703 South Hitchcock Street, Plant City, Florida 33566. The mailing address of the Corporation in the State of Florida is Post Office Box 4199, Plant City, Florida 33564. The Board of Directors from time to time may move the principal office to any other address in Florida.

#### ARTICLE VI

##### INCORPORATORS

The names and addresses of the incorporators to these Articles of Incorporation are as follows:

<u>NAME</u>	<u>ADDRESSES</u>
KIMBALL W. WETHERINGTON	2107 E. Trapnell Road Plant City, FL 33566
JEFF M. HUGHES	3625 Gentry Road Plant City, FL 33566
GARY W. KNIGHT	1011 East Sparkman Road Plant City, FL 33566

#### ARTICLE VII

##### OFFICERS

Section 1. The officers of the corporation shall be a

President, a Vice-President, a Secretary, and a Treasurer, and such other officers as may be provided in the by-laws.

Section 2. The names of the persons who are to serve as officers of the corporation until the first annual election of officers are as follows:

<u>NAME</u>	<u>TITLE</u>
KIMBALL W. WETHERINGTON	President
JEFF M. HUGHES	Vice President
GARY W. KNIGHT	Secretary
GARY W. KNIGHT	Treasurer

Section 3. The officers shall be elected by the Board of Directors.

#### ARTICLE VIII

##### BOARD OF DIRECTORS

Section 1. The business affairs of this corporation shall be managed by the Board of Directors. This corporation shall have three (3) members of the Board of Directors initially. The number of members of the Board of Directors may be increased or decreased from time to time by the by-laws, but shall never be less than three (3).

Section 2. Members of the Board of Directors shall be elected by the members and hold office in accordance with the by-laws.

Section 3. Members of the Board of Directors are not required to be members of the Association.

Section 4. The names and addresses of the persons who are to serve as members of the Board of Directors for the ensuing year, or until the first annual meeting of the Corporation are:

<u>NAME</u>	<u>ADDRESS</u>
KIMBALL W. WETHERINGTON	2107 E. Trapnell Road Plant City, FL 33566
JEFF M. HUGHES	3625 Gentry Road Plant City, FL 33566
GARY W. KNIGHT	1011 East Sparkman Road Plant City, FL 33566

#### ARTICLE IX

##### BY-LAWS

Initial By-laws of the corporation shall be adopted by the Board of Directors. Thereafter the By-laws shall be altered, amended or rescinded by the members of the corporation at any regular meeting or any special meeting called for that purpose, so long as they are not inconsistent with the provisions of these Articles of Incorporation.

#### ARTICLE X

##### AMENDMENTS

Section 1. These Articles of Incorporation may be amended at a special meeting of the membership called for that purpose, by a three-fourths vote of those present.

Section 2. Amendments may also be made at a regular meeting of the membership upon notice given, as provided by the By-laws of intention to submit such amendments.

ARTICLE XI

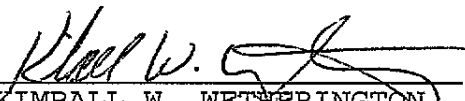
PRINCIPAL OFFICE AND REGISTERED AGENT

The street address of the initial registered office of this corporation is 703 South Hitchcock Street, Plant City, Florida 33566, and the name of the initial registered agent of this corporation at that address is KIMBALL W. WETHERINGTON. The Board of Directors may from time to time move the registered office to any other address.

ARTICLE XII

CERTIFICATION

The undersigned incorporators to these Articles of Incorporation, each a natural person competent to contract, hereby form a corporation not for profit under the laws of the State of Florida, and do make and file this certificate hereby declaring and certifying that the facts set forth herein are true, and have accordingly set our hands and seals at Plant City, Hillsborough County, Florida, this 16 day of September, 2002.

  
KIMBALL W. WETHERINGTON

  
JEFF M. HUGHES

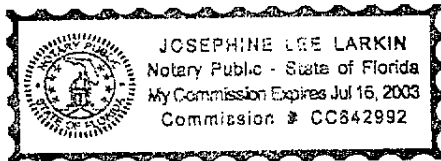
  
GARY W. KNIGHT

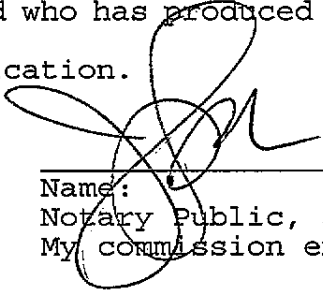
STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this

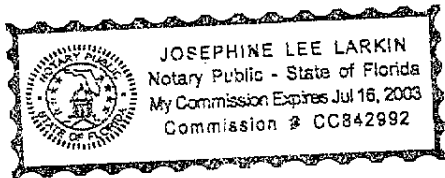


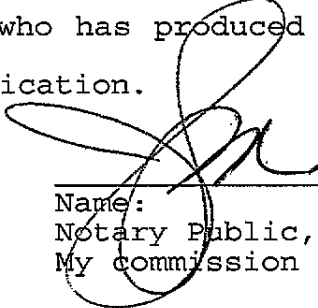
day of September 16, 2002, by KIMBALL W. WETHERINGTON, named as one of the Incorporators in the above Articles of Incorporation, who declared his identity and who has produced his Florida Driver's License as personal identification.



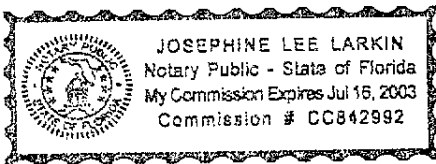
  
Name: \_\_\_\_\_  
Notary Public, State of Florida  
My commission expires: \_\_\_\_\_

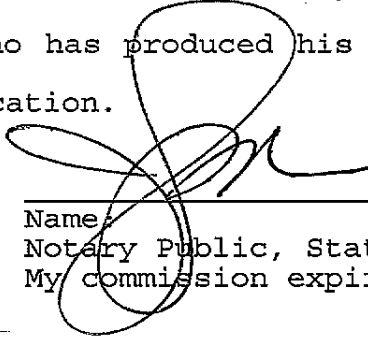
The foregoing instrument was acknowledged before me this day of September 16, 2002, by JEFF M. HUGHES, named as one of the Incorporators in the above Articles of Incorporation, who declared his identity and who has produced his Florida Driver's License as personal identification.



  
Name: \_\_\_\_\_  
Notary Public, State of Florida  
My commission expires: \_\_\_\_\_

The foregoing instrument was acknowledged before me this day of September 16, 2002, by GARY W. KNIGHT, named as one of the Incorporators in the above Articles of Incorporation, who declared his identity and who has produced his Florida Driver's License as personal identification.

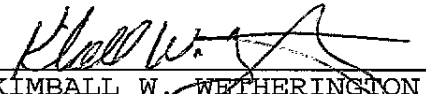


  
Name: \_\_\_\_\_  
Notary Public, State of Florida  
My commission expires: \_\_\_\_\_

ACKNOWLEDGMENT:

Having been named as registered agent of the foregoing NESMITH ESTATES HOMEOWNERS ASSOCIATION, INC., I hereby accept and agree to

act in this capacity and agree to comply with the laws of the State  
of Florida in all respects.

  
KIMBALL W. WETHERINGTON

**FILED**  
02 SEP 23 PM 3:10  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA