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TALLAHASSEE, FLORIDA

FLORIDA PROFIT CORPORATION OR P.A.

Saddle Creek Village Owners Association, Inc.

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Department of State 5/1/2003 9:40 PAGE 1/1 RightFAX

TO 27758#95000#3600 P.02



FLORIDA DEPARTMENT OF STATE

Glenda E. Hood
Secretary of State

May 1, 2003

JAM MARK LIMITED

SUBJECT: SADDLE CREEK VILLAGE OWNERS ASSOCIATION, INC.
REF: W03000012407

We received your electronically transmitted document. However, the document has not been filed. Please make the following corrections and refax the complete document, including the electronic filing cover sheet.

Section 617.0202(d), Florida Statutes, requires the manner in which directors are elected or appointed be contained in the articles of incorporation or a statement that the method of election of directors is as stated in the bylaws.

If you have any further questions concerning your document, please call (850) 245-6973.

Claretha Golden
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**ARTICLES OF INCORPORATION
OF**

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

**SADDLE CREEK VILLAGE OWNERS ASSOCIATION, INC.
a Florida non profit corporation**

I. NAME AND ADDRESS

The name of this corporation shall be SADDLE CREEK VILLAGE OWNERS ASSOCIATION, INC. (sometimes hereinafter referred to as the "Association"). The mailing address of the Association shall be: 2905 Jacque Lee Lane, Lakeland, Florida 33803, or such other address as the Association may hereafter select.

II. PURPOSES

The general nature, objects and purposes for which the Association has been organized are as follows:

A. To provide an entity for the furtherance of the interests of the Owners of property within Saddle Creek Village.

B. To own, lease, operate, manage, repair, maintain, reconstruct, restore, renovate, rebuild, replace, improve and alter the Common Areas in or benefiting Saddle Creek or any portion thereof, and to procure and maintain insurance which the Board determines is necessary or appropriate relating to such Common Areas, and to pay all taxes, assessments and utility charges relating thereto.

C. To provide or provide for such services which the Association may periodically determine are necessary or desirable to further the interests of the

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Owners of property within Saddle Creek, together with the capital improvements, equipment and personnel pertaining to the providing of such services.

D. To provide, purchase, lease, acquire, replace, improve, maintain and repair such private and public real property, buildings, structures, street lights and other structures, landscaping, paving and equipment, both real and personal, related to the furtherance of the interests and convenience of the Members of the Association, as the Board in its discretion determines necessary, appropriate, and convenient.

E. To perform all the functions, duties and obligations contemplated of the Association in the Declaration of Restrictive Covenants, Conditions and Restrictions, as amended (hereinafter referred to as the "Declaration").

F. To operate the Association without profit for the benefit of its Members and Saddle Creek.

G. To do, perform or provide any other acts, services or matters whatsoever that are not in conflict with these Articles or the By-Laws and that may be allowed by Chapter 617, Florida Statutes or any successor statute thereto.

III. GENERAL POWERS

The general powers that the Association shall have are as follows:

A. To hold funds for the benefit of the Members for purposes set forth in these Articles and in the By-Laws and Declaration.

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B. To promulgate and enforce rules, regulations, by-laws, covenants, restrictions and agreements to effectuate the purposes for which the Association is organized and to further the interests of the Owners and other Persons, including, without limitation, the promulgation and enforcement of rules and regulations limiting or regulating the hours of use, the entry and exit points and the speed of all types of vehicles traveling upon the private streets, roadways, alleys and other paved areas within the Property.

C. To establish procedures and policies relating to the governance and operation of the Association and the Common Areas.

D. To enter into contracts with such Persons as the Board deems necessary or appropriate to provide for the administration, operation and/or management of the Association.

E. To delegate power or powers where-such is deemed in the interest of the Association.

F. To purchase, lease, hold, sell, mortgage or otherwise acquire or dispose of, any interest in real or personal property, except to the extent restricted hereby.

G. To own, operate, manage, repair, maintain, reconstruct, restore, renovate, rebuild, replace, improve and alter the Common Areas.

H. To enter into, make, perform or carry out contracts and agreements of every kind with any Person.

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I. To fix regular or special dues, charges, fees and assessments to be levied upon the Owners of Parcels or other parcels of property in Saddle Creek Village and against such Parcels or other property to defray the costs, fees, and capital and non-capital expenditures of the Association and to effectuate the objectives and purposes of the Association, and to fix fines and other charges for the nonpayment of such dues, charges, fees or assessments or for the violation of the Articles, By-Laws, or Declaration, and to authorize the Board, in its discretion, to enter into, perform and carry out contracts or agreements with such Persons as are selected by the Board from time to time to provide for the collection of such dues, charges, fees and assessments.

J. To (i) commence actions, suits or proceedings to restrain, prevent, terminate or enjoin any breach or threatened breach of the Declaration, the Articles or By-Laws of the Association, (ii) enforce, by mandatory injunction or otherwise, the provisions of the Declaration or the Articles or By-Laws of the Association, and (iii) to collect any assessment, fee, dues, fine, charge or other amount due to the Association from any owner of property in Saddle Creek Village or any person or entity claiming by or through such owner.

K. To enter into agreements with Persons to provide the following services on behalf of the Association: legal, accounting, insurance, engineering, managerial, appraisal, architectural, landscape design and such other services as the Board deems necessary or desirable.

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L. To create reserves to provide for the deferred maintenance, renovation, rebuilding, reconstruction, replacement, improvement or alteration of any portion of the Common Areas.

M. To enter upon any Parcel for the purpose of ascertaining whether the Owner thereof is in compliance with the Declaration, these Articles and the By-Laws and to undertake such actions as the Association in its discretion determines is necessary or appropriate to insure full, complete and continuing compliance with the Declaration, these Articles and the By-Laws.

N. To separately charge any Owner of property within Saddle Creek Village for services rendered by the Association to any such Owner or those claiming by or through any such Owner and to separately charge any user of Association property when such separate charge is deemed appropriate by the Board.

O. To pay taxes, assessments, utilities and other charges, if any, levied or assessed on or against property owned, leased or maintained by the Association.

P. To establish procedures and requirements for membership in the Association.

Q. To do any and all acts necessary or expedient for carrying on or accomplishing any and all of the purposes for which the Association has been formed and for effectuating all of the powers and objectives set forth in these

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Articles and in the Declaration which are not forbidden by the laws of the State of Florida.

R. To have, in general, all powers conferred upon a not for profit corporation by the laws of the State of Florida, except, as prohibited herein, which are necessary or convenient to accomplish any of the objects and purposes for which the-Association is organized.

IV. MEMBERS

A. Each Owner of fee simple title to any Parcel within Saddle Creek Village shall automatically become a Member of the Association for so long as such ownership continues. Association membership shall be an interest which is appurtenant to fee simple title of a Parcel within Saddle Creek Village and shall not be divisible or transferable separate and apart from ownership of any such Parcel; provided, however, that in the event an Owner of a Parcel executes a ground lease relating to such Parcel with any other Person for an initial term of twenty (20) years or more, the Owner and such Person may, upon written notice to the Association, enter into a written agreement pursuant to which the Owner assigns to such Person all or any part of the rights and privileges the Owner is entitled to exercise under these Articles or under the Declaration or By-Laws, including the Owner's right to vote. Such assignment of the Owner's rights and privileges shall automatically terminate upon the termination of the lease with such Person. In no event shall the assignment of all or any part of the Owner's rights and privileges

relieve the Owner of any of the duties or obligations set forth herein or in the Declaration or By-Laws.

B. The voting rights of Members shall be set forth in the By-Laws.

C. The By-Laws or Declaration may include terms and provisions which permit the Board, in its discretion, to suspend or terminate certain of the rights, interests and privileges of Members under the circumstances described therein.

D. The rights, duties, privileges and obligations of each Member of the Association shall be those set forth herein and in the Declaration and By-Laws, and all such rights, duties, privileges and obligations shall be exercised in accordance with the terms, provisions, covenants, restrictions and conditions set forth herein and in the Declaration and By-Laws of the Association.

V. BOARD OF DIRECTORS

The affairs of the Association shall be managed and directed by a Board of Directors and only individuals may serve as Directors. The corporation shall have three (3) directors initially, and the method of election of Directors is as stated in the Bylaws. The number of directors may be either increased or diminished from time to time, as provided in the bylaws, but shall never be less than three.

The name and street address of the initial directors:

Jerard A. Kent 2905 Jacque Lee Lane, Lakeland, Florida 33803

Shirley W. Kent 2905 Jacque Lee Lane, Lakeland, Florida 33803

Robert F. Green 1880 North Crystal Lake Dr. #32, Lakeland, FL 33801

VI. OFFICERS

The officers of the Association shall be a President, a Vice President, a Secretary and a Treasurer, and such other officers as the Board may from time to time by resolution create. One (1) person may concurrently hold two (2) or more offices. Officers shall be elected by a majority vote of the Board in accordance with the procedures set forth in the By-Laws. The By-Laws shall provide the manner in which (i) the duties of each officer are to be determined, (ii) officers are to be appointed or elected, (iii) vacancies in any position are to be filled, and (iv) the manner in which officers may be removed from office.

VII. REGISTERED OFFICE AND REGISTERED AGENT

The street address of the initial registered office of the corporation is Suite 3000, 701 Brickell Avenue, Miami, Florida 33131, and the name of the corporation's initial registered agent at that address is Intrastate Registered Agent Corporation. The corporation shall keep the Department of State of the State of Florida informed of the current city, town, or village and street address of said registered office together with the name of the registered agent.

VIII. CORPORATE EXISTENCE

The Association shall have perpetual existence unless sooner dissolved in accordance with the laws of the State of Florida.

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IX. BY-LAWS

A. The Board shall adopt By-Laws consistent with these Articles. The Association reserves to the Board the right to modify, amend or rescind the By-Laws from time to time in whole or in part only by a majority vote of the Directors present at any duly called and convened meeting of the Board at which a quorum is present.

B. All rights, interests and privileges conferred upon any Member of the Association by these Articles or the By-Laws shall be subject to and subordinate to the reservation set forth above in the paragraph above.

X. AMENDMENT TO ARTICLES

A. Until the Turnover Date (as defined in the Declaration), these Articles may be altered and amended by the Declarant without the need of the consent of the Directors or Members. In addition, these Articles may be altered, amended or rescinded after a majority of the Directors present at a duly called and convened meeting has adopted a resolution approving the proposed alteration, amendment or rescission, and the proposed alteration, amendment or rescission is submitted to a vote of the Members at either an annual or special meeting and is approved by a majority of the Members present at the duly called and convened meeting at which a Quorum of the Members is present.

B. The rights, interests and privileges conferred upon any Member of the Association by these Articles are subject to the right of the Association to alter, amend or rescind these Articles.

XI. INCORPORATOR

The name and residence address of the incorporator is:

Name

Address

Jerard A. Kent

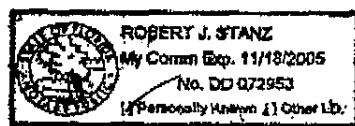
2905 Jacque Lee Lane
Lakeland, Florida, 33803

IN WITNESS WHEREOF, the undersigned incorporator has executed the foregoing Articles of Incorporation this 25th day of March, 2003.


Name: Jerard A. Kent

STATE OF FLORIDA
COUNTY OF POLK

The foregoing Articles of Incorporation were acknowledged before me this 25th day of March, 2003 by Jerard A. Kent, who ☒ is personally known to me OR ☐ has produced _____ as identification.




Name: Robert J. Stanz

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REGISTERED AGENT CERTIFICATE

That **SADDLE CREEK VILLAGE OWNERS ASSOCIATION, INC.** desiring to organize under the laws of the State of Florida with its initial registered office, as indicated in the Articles of Incorporation, at Suite 3000, 701 Brickell Avenue, Miami, State of Florida, has named Intrastate Registered Agent Corporation, as its agent to accept service of process within this state.

ACKNOWLEDGMENT:

Having been named to accept service of process for the above state corporation, I hereby accept appointment as its agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

**INTRASTATE REGISTERED
AGENT CORPORATION**

By: 

Sandy Sheets

LAK1 #245304 v1

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03 MAY -1 PM 12:02
SECRETARY OF STATE
TALLAHASSEE, FLORIDA