

NO400000 8480

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐

PICK-UP

☐

WAIT

☐

MAIL

(Business Entity Name)

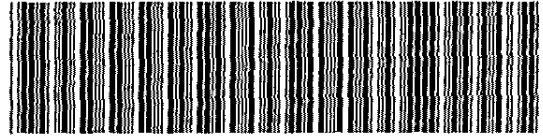
(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

(21)

Office Use Only



100040527661

08/30/04--01016--002 **78.75

FILED

04 AUG 30 PM 4: 06

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

TH 8/30/04

LIVINGSTON & LIVINGSTON

ATTORNEYS AND COUNSELORS AT LAW
445 S. COMMERCE AVENUE
SEBRING, FLORIDA 33870-3702

HOWARD G. LIVINGSTON 1907-1975
JAMES L. LIVINGSTON
ROBERT E. LIVINGSTON

TELEPHONE (863) 385-5156
FAX (863) 385-1161

August 28, 2004

Department of State
Division of Corporations
PO Box 6327
Tallahassee, FL 32314

RE: East Palmhurst Homeowners Association, Inc.
a non-profit Florida corporation

Dear Sir or Madaam:

Please find herein the Articles of Incorporation for the above referenced corporation and a check in the amount of \$78.75 for filing fee's and one certified copy. Upon filing please forward the originals to my office at the aforementioned address.

Very truly yours,



Jamie LaGrow, Paralegal to
Robert E. Livingston

JL/ds
enclosure/as

**ARTICLES OF INCORPORATION
OF
EAST PALMHURST HOMEOWNERS ASSOCIATION, Inc.
(a non-profit Florida corporation)**

In compliance with the requirements of Chapter 617, F.S. (Corporations Not For Profit), the undersigned, all of whom are residents of Florida, and all of whom are of full age, have this day voluntarily associated themselves together for the purpose of forming a corporation not for profit and do hereby certify.

**ARTICLE I.
NAME**

The name of the corporation shall be **East Palmhurst Homeowners Association, Inc.**, hereinafter called the "Association".

**ARTICLE II.
PRINCIPAL OFFICE**

The principal place of business and mailing address of the Association shall be 2653 N.W. 95th Terrace, Coral Springs, Florida 33065.

**ARTICLE III.
INITIAL REGISTERED AGENT AND STREET ADDRESS**

The name and Florida street address of the registered agent is: Robert E. Livingston, Esq., 445 South Commerce Avenue, Sebring, Florida 33870.

**ARTICLE IV.
PURPOSE**

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, preservation and architectural control of the residential lots and Common Areas within that certain tract of property described on Exhibit "A" attached hereto and made a part hereof, and 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 this 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 of Restrictions, hereinafter called the "Declaration", applicable to the property and recorded or to be recorded in the Public Records of Highlands County, Florida, and as same may be amended from time to time as therein provided said Declaration being incorporated herein as if set forth at length, and specifically including the power and authority to establish rules and regulations, sue (including

FILED
04 AUG 30 PM 4:06
CLERK OF DISTRICT COURT
TALLAHASSEE, FLORIDA

injunctive relief) and be sued, and further to contract for services to provide for operation and maintenance of the surface water management system facilities, if the association contemplates employing a maintenance company; and to further take any other action necessary for the purposes for which this association is organized;

(b) 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 all licenses, taxes or governmental charges levied or imposed against the 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 two-thirds (2/3) 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;

(e) Dedicate, sell or transfer all or any part of the Common Areas 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 or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of members, agreeing to such dedication, sale or transfer;

(f) Participate in mergers and consolidations with other non-profit 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 two-thirds (2/3) of members;

(g) Operate and maintain the Common Areas and the surface water management system facilities including all inlets, ditches, swales, culverts, water control structures, retention and detention ponds, lakes, flood plain compensation areas, wetlands and any associated buffer areas, and mitigation areas;

(h) 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 may have or exercise; and,

(i) Require all lot owners to be members of the Association.

ARTICLE V. **INITIAL DIRECTOR/MANNER OF ELECTION**

The affairs of this Association shall be managed by a Board of one (1) Director who needs not be a member of the Association. The number of Directors may be changed by amendment of the By-Laws

of the Association. The method of election of Directors shall be set forth in the By-Laws. The name and address of the person who is to act in the capacity of Director until the selection of his successor is:

Lester L. Black

2653 N.W. 95th Terrace, Coral Springs, FL 33065

ARTICLE VI. INCORPORATOR

The name and address of the Incorporator for the Association is:

Lester L. Black

2653 N.W. 95th Terrace, Coral Springs, FL 33065

ARTICLE VII. BY-LAWS

The By-Laws of the Association will be adopted by a two-thirds (2/3) majority of the Board of Directors, 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.

ARTICLE VIII. DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds of members as set forth in the Declaration of Restrictions. Upon dissolution of the Association other than incident to a merger or consolidation, the assets of the Association together with the control or right of access to property containing the surface water management system facility shall be conveyed or dedicated to an appropriate governmental unit or public utility to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such rights and assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization devoted to such similar purposes.

ARTICLE IX. DURATION

The corporation shall exist perpetually.

ARTICLE X. AMENDMENT

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

IN WITNESS WHEREOF, for the purposes of forming this corporation under the laws of the State of Florida, the undersigned, constituting the incorporator of this association, has executed these Articles of Incorporation this 9th day of August, 2004.

Lester L. Black

Lester L. Black

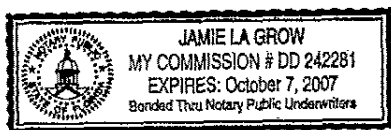
Having been named as registered agent to accept service of process for the above stated corporation at the place designated in this certificate, I am familiar with and accept the obligations of my appointment as registered agent and agree to act in this capacity.

Robert E. Livingston, Esq.

STATE OF FLORIDA
COUNTY OF HIGHLANDS

I HEREBY CERTIFY that on this day, before me a notary public duly authorized in the State and County above named to take acknowledgments, personally appeared Lester L. Black, who is personally known to me or who produced _____ as identification and who executed the foregoing Articles of Incorporation, and he acknowledged before me that he subscribed to these Articles of Incorporation.

Witness my hand and seal in the County and State aforesaid this 9th day of August, 2004.



Jamie La Grow
Notary Public

My Commission Expires _____

EXHIBIT A

Lot 6, Block 228, Lots 4, 5, and 6, Block 229, Lots 1, 3, 4, 5, and 6, Block 230, Lots 1 to 6, Block 231, Lots 1 to 6, Block 232, Lots 1 to 6, Block 233, Lots 1 to 5, Block 234 and Lots 1 to 5, Block 235, EAST PALMHURST, according to the map or plat thereof as recorded in Plat Book 1, Page(s) 72, Public Records of Highlands County, Florida, together with vacated portions of Ellana Street, Virginia Street, and Frances Street.