

No 4000011563

(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:

Office Use Only



700043017047

12/13/04--01002--005 \*\*78.75

DEPT. OF REVENUE  
DIVISION OF TAXATION  
TALLAHASSEE, FLORIDA

04 DEC 10 PM 1:20

RECEIVED

04 DEC 10 PM 3:16

FILED  
SECRETARY OF STATE  
DIVISION OF REGISTRATION

## CAPITAL CONNECTION, INC.

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

*Sweet Tree Homeowner's  
Association, Inc.*

Signature \_\_\_\_\_

Requested by: *WC*

Name \_\_\_\_\_

Date *12/10*

Time *5:00*

Walk-In \_\_\_\_\_

Will Pick Up \_\_\_\_\_

☒ 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 \_\_\_\_\_

ARTICLES OF INCORPORATION

OF

SWEET TREE HOMEOWNERS' ASSOCIATION, INC.

FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
04 DEC 10 PM 3:17

We, the undersigned, hereby associate ourselves together for the purpose of forming a corporation not-for-profit under the laws of the State of Florida.

ARTICLE I

NAME

The name of the corporation is SWEET TREE HOMEOWNERS' ASSOCIATION, INC.  
(the "Association").

ARTICLE II

LOCATION

The principal office of the Association is located in Polk County, Florida, at 6720 Lakeland Highland Road, Lakeland, Florida 33813.

ARTICLE III

PURPOSE AND POWERS

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to:

- i. Own and convey property;
- ii. Operate and maintain common property,
- iii. Establish Association rules and regulations;
- iv. Assess members for Association ordinary and extraordinary operating funds and enforce said assessments;
- v. Contract for services to provide for operation and maintenance if the Association

---

contemplates employing a maintenance company.

vi. Require all the homeowners, lot owners, property owners or unit owners to be members; and

vii. Take any legal action reasonably necessary to achieve the purposes for which the Association is organized, and to enforce and administer those private restrictions recorded at Official Record Book 04769 Page 0870 Public Records of Polk County, Florida, as amended from time to time, herein after referred to as "deed restrictions".

viii. Take any other action permitted by law.

#### ARTICLE IV

##### MEMBERSHIP

Every person, homeowner, lot owner, property owner or unit owner or entity who is a record owner of a fee or undivided fee interest which is subject to assessment by the Association, including vendee's interest in an Agreement for Deed, 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 ownership of any lot which is subject to assessment by the Association.

#### ARTICLE V

##### VOTING RIGHTS

Members shall be entitled to one vote for each lot owned by the member. For purposes of voting all joint owners of a single lot shall be considered a single member (one vote).

#### ARTICLE VI

##### SUBSCRIBERS

The names and residence addresses of each subscriber (incorporator) to these Articles of Incorporation are:

Raymond G. Edenfield  
6720 Lakeland Highland Rd  
Lakeland, Florida 33813

Betty C. Edenfield  
6720 Lakeland Highland Rd  
Lakeland, Florida 33813

David E. Bridges  
6744 Lakelands Rd  
Lakeland, Florida 33813

## ARTICLE VII

### MANAGEMENT

The affairs and business of the Association shall be managed by a Board of Directors and by the following officers: President, Vice President, Secretary and Treasurer, and such other officers as the Board shall appoint. These officers shall be elected by the Board at the first meeting of the Board following the annual meeting of the Association. The President shall be a director but no other officer need be a director. The same person may hold two offices, the duties of which are not incompatible, provided however, the office of President and Vice President shall not be held by the same person, nor shall the office of President and Secretary or Assistant Secretary be held by the same person.

## ARTICLE VIII

### INITIAL OFFICERS

The names of the officers who are to serve until the first election of officers by the Board are:

David E. Bridges	President
Raymond G. Edenfield	Vice President
Betty C. Edenfield	Secretary/Treasurer

## ARTICLE IX

### DIRECTORS

- 9.1 The Association shall have three directors.
- 9.2 The names and addresses of the persons who are to serve on the first Board are:

Raymond G. Edenfield  
6720 Lakeland Highland Road  
Lakeland, Florida 33813

Betty C. Edenfield  
6720 Lakeland Highland Road  
Lakeland, Florida 33813

David E. Bridges  
6744 Lakelands Rd.  
Lakeland, Florida 33813

9.3 The initial directors will serve until the first annual meeting of the Association members held after January 1, 2005.

9.4 Until control of the Association is turned over to the members by the Declarant (or Declarant's assigns), the Declarant (defined as those persons signing the private restrictions creating this Association) shall appoint the three members of the Board who shall serve at the pleasure of the Declarant. At the first Association meeting after January 1, 2005, such directors shall be elected to terms so that each year for the following three (3) years the term of one-third of directors shall expire. Thereafter, all directors shall serve for terms of three (3) years. It is the intent of this paragraph that following the expiration of the power of appointment by the Declarant and the election of a full Board, each year the term of one-third of the directors will expire.

9.5 If there is a removal, resignation, death, or other vacancy of a director the vacancy shall be filled by the Declarant if such director had been appointed by the Declarant, otherwise it shall be filled by the Board. A replacement director shall serve the remainder of the term of his predecessor.

9.6 No member of the Board or any committee of the Association or any officer of the Association, or the Declarant, or any employee of the Association, shall be personally liable to any member of the Association, or to any other party, including the Association, for any damage,

loss or prejudice suffered or claimed on account of any act, omission, error, or negligence of such person or group, provided that such person or group has, upon the basis of such information as may be possessed by him, acted in good faith, without willful or intentional misconduct.

9.7 The Board of Directors shall determine the amounts of normal and special assessments in accordance with the provisions of the Deed Restrictions. Where there are multiple owners of a Lot such owners shall be jointly and severally liable for the payment of the assessments. In establishing the amount of the assessments, the Board may not provide that a member shall pay no assessments. *The Declarants shall not be liable at anytime for lot assessments on vacant lots.* The assessments shall be fixed by the Board annually and shall be based upon the costs and expenses expected to be incurred and to cover deficiencies from the previous year; or, at the end of each year the Board, as an alternate to increasing the coming year's assessments, may make a special assessment above and beyond the annual assessment if the costs and expenses of owning, operating, maintaining, and improving Association properties in that year exceeded the amount of the normal assessment and other income received by the Association. Special assessments for matters or activities deemed appropriate by the Board may be made at any time in accordance with the provisions of the Deed Restrictions.

9.8 The Declarant shall turn over control of the Association to the members on *the schedule set forth in the Deed Restrictions.*

## ARTICLE X

### DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than the owners of three fourths (3/4) of the lots subject to deed restrictions. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be conveyed or dedicated to an appropriate public agency to be used for purposes similar to those

for which this Association was created. If a suitable public agency refuses to accept the dedication, the assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization formed and operated for similar purposes.

#### ARTICLE XI

##### DURATION

The corporation shall have perpetual existence. Provided, however, that if the Association is ever dissolved, the common areas shall be conveyed to an appropriate agency of local government, and that if not accepted, then to a similar non-profit corporation;

#### ARTICLE XII

##### BYLAWS

The First Bylaws of the Association shall be adopted by the Board of Directors and may be altered, amended, or rescinded in the manner provided in the Bylaws.

#### ARTICLE XIII

##### AMENDMENTS

Amendments to the Articles of Incorporation shall be approved by the Board of Directors, proposed by them to the members and approved at any meeting by a vote of seventy five percent (75%) of the members of the Association, provided that not less than thirty (30) days notice by mail shall have been given to all of the members, setting forth the proposed amendment.

#### ARTICLE XIV

##### DESIGNATION OF REGISTERED AGENT

The street address of the corporation's initial registered office is c/o Wendel & Chritton, Chartered, 5300 South Florida Avenue, Lakeland, Florida 33813, and the name of its initial registered agent at that address is Charles P. Chritton.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals at



Lakeland, Florida, this 2nd day of December, 2004.

Raymond G. Edenfield  
RAYMOND G. EDENFIELD

Betty C. Edenfield  
BETTY C. EDENFIELD

David E. Bridges  
DAVID E. BRIDGES

STATE OF FLORIDA

COUNTY OF POLK

The foregoing instrument was acknowledged before me this 2nd day of December, 2004,  
by RAYMOND G. EDENFIELD and BETTY C. EDENFIELD who are personally known to me or  
who have produced \_\_\_\_\_ as identification.



Kathleen M. Kent  
MY COMMISSION # DD050438 EXPIRES  
November 5, 2005  
BONDED THRU TROY FAIR INSURANCE, INC.

(Affix notarial seal)

Kathleen M. Kent  
Notary Public KATHLEEN M. KENT

My Commission Expires: 11/05/2005

STATE OF FLORIDA

COUNTY OF POLK

The foregoing instrument was acknowledged before me this 3rd day of Dec, 2004,  
by DAVID E. BRIDGES who is personally known to me or who has produced  
\_\_\_\_\_ as identification.

Cherie L. Oberg  
Notary Public

(Affix notarial seal)

My Commission Expires:

 Cherie L. Oberg  
Commission # DD34292  
Expires August 2, 2008  
Bonded Troy Fair Insurance, Inc. 800-288-1111

ACCEPTANCE OF DESIGNATION AS REGISTERED AGENT

I, CHARLES P. CHRITTON, having been named to serve as Registered Agent for SWEET TREE HOMEOWNERS' ASSOCIATION, INC., do hereby accept such office and agree to conduct myself therein according to law. I am familiar with, and accept the obligations of such office.

DATED this 6 day of December, A.D. 2004.

  
\_\_\_\_\_  
CHARLES P. CHRITTON

FILED STATE  
SECRETARY OF REGISTRATION  
DIVISION 17  
DEC 10 PM 3:17