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TALLAHASSEE FLORIDA  
04 DEC 23 PM 2:01

10/22

**TRANSMITTAL LETTER**

Department of State  
Division of Corporations  
P. O. Box 6327  
Tallahassee, FL 32314

**SUBJECT:** THE OAKS OF MAITLAND, FIRST ADDITION, HOMEOWNERS' ASSOCIATION, INC.  
**(PROPOSED CORPORATE NAME - MUST INCLUDE SUFFIX)**

Enclosed is an original and one(1) copy of the Articles of Incorporation and a check for :

\$70.00  
Filing Fee

\$78.75  
Filing Fee &  
Certificate of  
Status

\$78.75  
Filing Fee  
& Certified Copy

\$87.50  
Filing Fee,  
Certified Copy  
& Certificate

**ADDITIONAL COPY REQUIRED**

FROM: Pushpa Seth  
Name (Printed or typed)

1641 Indian Dance Court  
Address

Maitland, Florida 32751  
City, State & Zip

407-740-7384  
Daytime Telephone number

**NOTE: Please provide the original and one copy of the articles.**



FLORIDA DEPARTMENT OF STATE

Glenda E. Hood  
Secretary of State

October 22, 2004

PUSHPA SETH  
1641 INDIAN DANCE COURT  
MAITLAND, FL 32751

SUBJECT: THE OAKS OF MAITLAND, FIRST ADDITION, HOMEOWNERS'  
ASSOCIATION, INC.  
Ref. Number: W04000039044

We have received your document for THE OAKS OF MAITLAND, FIRST ADDITION, HOMEOWNERS' ASSOCIATION, INC. and your check(s) totaling \$70.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

- ✓ You must list the corporation's principal office and/or a mailing address in the document.
- ✓ Please return the original and one copy of 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) 245-6067.

Neysa Culligan  
Document Specialist  
New Filings Section

Letter Number: 204A00061016

FLORIDA DEPARTMENT OF STATE  
CORPORATION REGISTRATION  
DIVISION

04 DEC 23 PM 3:52

RECEIVED

FILED  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

04 DEC 23 PM 2:01

**ARTICLES OF INCORPORATION  
OF  
THE OAKS OF MAITLAND, FIRST ADDITION,  
HOMEOWNERS' ASSOCIATION, INC.**  
In Compliance with Chapter 617, F.S., (Not for Profit)

**ARTICLE I NAME**

The name of the corporation shall be THE OAKS OF MAITLAND, FIRST ADDITION, HOMEOWNERS' ASSOCIATION, INC. For the convenience, the corporation shall be referred to in this instrument as the Association.

**ARTICLE II PRINCIPAL PLACE OF BUSINESS**

The Associations principal place of business and mailing address shall be 813 Suwanee Court, Maitland, Florida 32751.

**ARTICLE III PURPOSE**

The purpose for which the corporation is organized is to provide an entity to own and operate certain lands located in Orange County, Florida, which lands are to be used in common by all of the members of the Association, which membership shall consist of all of the property owners at The Oaks of Maitland, First Addition. The Association shall be responsible for the management of The Oaks of Maitland, First Addition, in keeping with the terms and conditions as set forth in these Articles of Incorporation and the By-laws of the corporation and for the enforcement of such provisions.

**ARTICLE IV POWERS**

The powers of the Association shall include and be governed by the following provisions:

A. The Association shall have all of the common law and statutory powers of a corporation not for profit which are not in conflict with the terms of these Articles.

B. The Association shall have all of the powers and duties set forth in The Oaks of Maitland, First Addition, except as limited by these Articles, and all of the powers and duties reasonably necessary to operate The Oaks of Maitland, First Addition property, including, but not limited to the following:

1. To make and collect assessments against homeowners to defray the cost and expenses of The Oaks of Maitland, First Addition, property

2. To use the proceeds of assessments in the exercise of its powers and duties.

3. To maintain, repair, replace and operate the property of the Association, including particularly the median located at Mayo Avenue and Indian Dance Court.

4. To make and collect assessments against homeowners to purchase insurance upon the property of the Association and its members.

5. Interest; application of payments. Assessments and installments on such assessments paid on or before thirty (30) days after the date when due shall not bear interest, but all sums not paid on or before thirty (30) days after the due date when due shall bear interest at the rate of twelve (12%) percent per annum from the date when due until paid. All payments upon account shall be first applied to interest and then to the assessment payment first due. The Association shall have the right to file a lien against the property of such homeowner who shall fail to make his required assessment payments. The lien for unpaid assessments shall also secure reasonable attorneys' fees incurred by the Association incident to the collection of such assessments or enforcement of such lien.

6. To reconstruct the improvements after casualty and to further improve the property.

7. To make and amend reasonable regulations regarding the use of the property of the Association, provided, however, that all such regulations and their amendments shall be approved by not less than seventy-five (75%) percent of the votes of the entire membership of the Association before such shall become effective.

8. To contract for the management of the Association property and to delegate to such contractors all powers and duties of the Association except such as are specifically required to have the approval of the Board of directors of the membership of the Association.

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

C. The Association shall not have the power to purchase a home at The Oaks of Maitland, First Addition, except at sales in foreclosure of liens for assessments for common expenses, at which sales the Association shall bid not more than the amount secured by its lien.

D. All funds and the titles of all properties acquired by the Association and their proceeds shall be held in trust for the members in accordance with the provisions of these Articles of Incorporation and the By-laws.

#### **ARTICLE V MEMBERS**

A. The members of the Association shall consist of all of the record owners of homes at The Oaks of Maitland, First Addition.

B. Change of membership in the Association shall be established by recording in the Public Records of Orange County, Florida a deed or other instrument establishing a record title to a home in The Oaks of Maitland, First Addition, and delivery to the Association of a certified copy of such instrument. The owner designated by such instrument thus becomes a member of the Association and the membership of the prior owner is terminated.

C. The share of member in the funds and assets of the Association cannot be assigned, hypothecated or transferred in any manner except as an appurtenance to his home.

D. The owner of each home shall be entitled to one vote as a member of the Association. The exact number of votes to be cast by owners of a home and the manner of exercising voting rights shall be determined by the By-laws of the Association.

#### **ARTICLE VI DIRECTORS**

A. The affairs of the Association will be managed by a Board consisting of the number of directors as determined by the By-laws, but not less than three (3) directors and in the absence of such determination shall consist of at least three, but not more than five directors. Directors need not be members of the Association.

B. Directors of the Association shall be elected at the annual meeting of the members in the manner determined by the By-laws. Directors may be removed and vacancies on the board of Directors shall be filled in the manner provided by the By-laws.

C. The directors named in these Articles shall serve until the first election of directors, and any vacancies in their number occurring before the first election shall be filled by the remaining directors.

D. The names and addresses of the members of the Board of Directors who shall hold office until their successors are elected and have qualified, or until removed, are as follows:

Tony Maihan	Director	1611 Indian Dance Court Maitland, Florida 32751
John Chase	Director	813 Suwanee Court Maitland, Florida 32751
Stuart Brodtkin	Director	1600 Indian Dance Court Maitland, Florida 32751
Michael Bowers	Director	1525 Indian Dance Court Maitland, Florida 32751

#### **ARTICLE VII OFFICERS**

The affairs of the Association shall be administered by the officers designated in the By-laws. The officers shall be elected by the Board of Directors at its first meeting following the annual meeting of the members of the Association and shall serve at the pleasure of the Board of Directors. The names and addresses of the officers who shall serve until their successors are designated by the Board of Directors are as follows:

Tony Maihan	President	1611 Indian Dance Court Maitland, Florida 32751
Stuart Brodtkin	Vice President	1600 Indian Dance Court Maitland, Florida 32751

John Chase

Treasurer

813 Suwanee Court  
Maitland, Florida 32751

Michael Bowers

Secretary

1525 Indian Dance Court  
Maitland, Florida 32751

#### **ARTICLE VIII INDEMNIFICATION**

Every director and every officer of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonably incurred by or imposed upon him in connection with any proceedings or any settlement of any proceeding to which he may be a party of in which he may become involved by reason of his being or having been a director or officer at the time such expenses are incurred, except when the director or officer is adjudged guilty of willful misfeasance or malfeasance in the performance of his duties; provided that in the event of a settlement the indemnification shall be in addition to and not exclusive of all other rights to which such director or officer may be entitled.

#### **ARTICLE IX BY-LAWS**

The first By-laws of the Association shall be adopted by the Board of Directors and may be altered, amended or rescinded in the manner provided by the By-laws.

#### **ARTICLE X AMENDMENTS**

Amendments to the Articles of Incorporation shall be proposed and adopted in the following manner:

A. Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting at which a proposed amendment is considered.

B. A resolution for the adoption of a proposed amendment may be proposed either by the Board of Directors or by the members of the Association. Directors and members not present in person or by proxy at the meeting considering the amendment may express their approval in writing, provided such approval is delivered to the secretary at or prior to the meeting. Except as elsewhere provided,

1. Such approvals must be by not less than 75% of the entire membership of the Board of Directors and by not less than 75% of the votes of the entire membership of the Association; or

2. By not less than 80% of the votes of the entire membership of the Association.

C. Provided, however, that no amendment shall make any changes in the qualifications for membership nor the voting rights of members.

#### **ARTICLE XI TERM**

The term of the Association shall be perpetual.

