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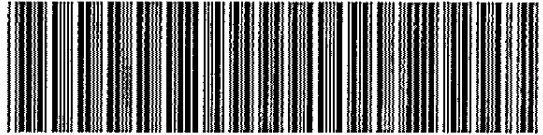
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CORPORATION SERVICE COMPANY

ACCOUNT NO. : 072100000032

REFERENCE : 126791 80989A

AUTHORIZATION :

COST LIMIT : \$ 70.00

*Patricia Pigute*

ORDER DATE : January 6, 2005

ORDER TIME : 10:09 AM

ORDER NO. : 126791-005

CUSTOMER NO: 80989A

CUSTOMER: Stephen L. Evans, Esq  
Stephen L. Evans, Esq

104 North Thomas Street

Plant City, FL 33563

DOMESTIC FILING

NAME: HOMEOWNERS ASSOCIATION OF  
WINDING CREEK, INC.

EFFECTIVE DATE:

XX ARTICLES OF INCORPORATION

PLEASE RETURN THE FOLLOWING AS PROOF OF FILING:

XX PLAIN STAMPED COPY

CONTACT PERSON: Justin Cheshire - EXT. 2909

EXAMINER'S INITIALS: \_\_\_\_\_

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**ARTICLES OF INCORPORATION  
OF  
HOMEOWNERS ASSOCIATION OF WINDING CREEK, INC.**

We, the undersigned natural persons competent to contract, acting as incorporators of a corporation not for profit under Chapter 617 of the Florida Statutes, hereby adopt the following articles of incorporation.

**Article I - Name**

The name and address of this corporation is:  
Homcowners Association of Winding Creek, Inc.

**Article II - Purposes**

The purposes and objects of the corporation are such as are authorized under Chapter 617 of the Florida Statutes and include providing for the maintenance, preservation, administration, and management of Winding Creek Subdivision

The corporation is organized and operated solely for administrative and managerial purposes. It is not intended that the corporation show any net earnings, but no part of any net earnings that do occur shall inure to the benefit of any private member. If, in any taxable year, the net income of the corporation from all sources other than casualty insurance proceeds and other nonrecurring items exceeds the sum of (1) total common expenses for which payment has been made or liability incurred within the taxable year, and (2) reasonable reserves for common expenses and other liabilities in the next succeeding taxable year, such excess shall be held by the corporation and used to reduce the amount of assessments that would otherwise be required in the following year. For such purposes, each unit owner will be credited with the portion of any excess that is proportionate to his or her interest in the common elements of the subdivision.

**Article III - Members**

Each subdivision unit shall have appurtenant thereto a membership in the corporation, which membership shall be held by the person or entity, or in common by the persons or entities owning such unit, except that no person or entity holding title to a unit as security for performance of an obligation shall acquire the membership appurtenant to such unit by virtue of such title ownership. In no event may any membership be severed from the unit to which it is appurtenant.

Each membership in the corporation shall entitle the holder or holders thereof to exercise that proportion of the total voting power of the corporation corresponding to the proportionate undivided interest in the common elements appurtenant to the unit to which such membership corresponds, as established in the declaration.

#### **Article IV - Initial Registered Office And Agent**

The name of the initial registered agent and the street address of the initial registered office of the corporation is:

Stephen L. Evans  
104 North Thomas Street  
Plant City, Florida 33563

#### **Article V - Incorporators**

The name and residence of the incorporator of the corporation are as follows:

David W. Council  
602 133<sup>rd</sup> Street East  
Bradenton, Florida 34212

#### **Article VI - Directors**

The board of directors shall consist no less than three (3) members. The names and addresses of the directors who are to serve until the first annual meeting of the members or until their successors are elected and qualified are:

David W. Council  
602 133<sup>rd</sup> Street East  
Bradenton, Florida 34212

Alan E. Jones  
7623 Alister MacKenzie Drive  
Sarasota, Florida 34240

Lynwood Simmons  
13540 Highway 92  
Dover, Florida 33527

#### **Article VII - Powers of Corporation**

To promote the health, safety, and welfare of the residents of Winding Creek Subdivision, the corporation may:

(1) Exercise all of the powers and perform all of the duties of the association as set forth in the declaration of subdivision and in the bylaws, as those documents may from time to time be amended.

(2) Determine, levy, collect, and enforce payment by any lawful means of all assessments for common charges, and pay such common charges as the same become due.

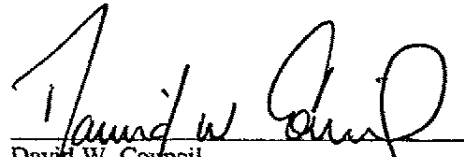
(3) Have and exercise any and all rights, privileges and powers which may be held or exercised by corporations not for profit generally under Chapter 617 of the Florida Statutes, or by associations of unit owners under the Subdivision.

#### **Article VIII - Dissolution**

This corporation may be dissolved at any time with the written consent of all the members *ereto*. On dissolution, the assets of the corporation shall be dedicated to an appropriate municipality, public agency or authority to be used for purposes similar to those for which the corporation is organized. In the event such dedication is not accepted, such assets shall be conveyed or assigned to any nonprofit corporation, association, or


other organization devoted to purposes similar to those for which this corporation is organized.

In witness whereof, we, the undersigned, being the incorporators of this corporation, have, for the purpose of forming this nonprofit corporation under the laws of the State of Florida, executed these articles of incorporation on January 5, 2005.

  
David W. Council

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

BEFORE ME, a Notary Public, personally appeared David W. Council, known to be the person described as Incorporator and who executed the foregoing Articles of Incorporation, and acknowledged before me that he subscribed to these Articles of Incorporation on January 5, 2005.

  
Stephen L. Evans  
Notary Public, State of Florida at Large



STEPHEN L. EVANS  
MY COMMISSION # DD 112168  
EXPIRES: June 17, 2006  
Banded Thru Budget Notary Services

**Certificate Designating Place of Business or Domicile  
for the Service of Process Within This State,  
Naming Agent Upon Whom Process May be Served**

In compliance with Section 48.091, Section 617.0501, and Section 617.0202, Florida Statutes, the following is submitted:

That Homeowners Association of Winding Creek, Inc., desiring to organize under the laws of the State of Florida, with its principal office, as indicated in the Articles of Incorporation at 602 133<sup>rd</sup> Street East, Bradenton, Florida 34212, County of Hillsborough, State of Florida, has named Stephen L. Evans, located at 104 North Thomas Street, Plant City, 33563, County of Hillsborough, State of Florida, as its agent to accept service of process within this state.

**ACKNOWLEDGMENT:**

Having been named to accept service of process for the above-named Corporation, at the place designated in this certificate, the undersigned agrees to act in this capacity, and agrees to comply with the provisions of Florida law relative to keeping the designated office open.



Stephen L. Evans - Registered Agent

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