

N05000002492

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐

PICK-UP

☐

WAIT

☐

MAIL

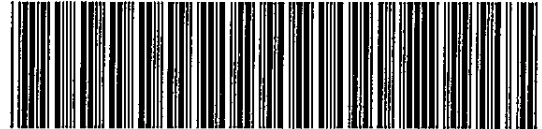
(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

Office Use Only



500047212595

03/03/05--01021--006 **78.75

FILED
05/11/05 PM 1:34
TALLAHASSEE, FLORIDA

**ARTICLES OF INCORPORATION
OF
RADHA DESHA ADDITION HOMEOWNERS ASSOCIATION, INC.
and ACCEPTANCE OF REGISTERED AGENT**

The undersigned, for the purpose of forming a Corporation Not For Profit under Florida Statutes Chapter 617, does hereby make and adopt the following Articles of Incorporation:

**ARTICLE I
NAME & ADDRESS**

The name of the corporation shall be: **RADHA DESHA ADDITION Homeowners Association, Inc.** (Hereinafter the "Association")

The principal place of business of this corporation will be **10505 N. W. SR-235, Alachua, Florida 32615**. The mailing address for the corporation is **P. O. Box 2362, Alachua, Florida 32616-2362**.

**ARTICLE II
TERM OF EXISTENCE**

The existence of the Association will commence upon filing of these Articles with the Department of State of the State of Florida and shall continue thereafter in perpetuity.

**ARTICLE III
PURPOSE**

The Association is organized for the purpose of enforcing the Declaration of Covenants, Conditions and Restrictions for, and adopting and promulgating rules and regulations pertaining to the use of the easements and lots in **RADHA DESHA ADDITION**, a rural agricultural subdivision of Alachua County, Florida, and for the management, maintenance, operation and care of real and personal property, including but without limitation, all common areas, roads, roadways, culverts, ditches, canals, buffers, retention or detention areas, drainage, and other surfacewater management works, which are owned or controlled by the Association or the owners in common in a manner consistent with the permit issued by the Suwannee River Management District and the operation and maintenance plan attached thereto.

The Association shall operate, maintain and manage the Surface Water or Storm Water Management System(s) in a manner consistent with Suwannee River Water Management District ("District") permit No. ERP 040215 and applicable District rules, and shall assist in the enforcement of the Declaration of Covenants and Restrictions which related to the Surface Water or Storm Water Management System(s).

FILED
MAR -3 PM 1:34
CLERK OF DISTRICT
SOUTHERN FLORIDA

The Association shall levy and collect adequate assessments against the Members of the Association for the costs of maintenance and operation of the Surface Water or Storm Water Management System(s).

Further and in accordance with the Declarations of Covenants, Conditions and Restrictions for **RADHA DESHA ADDITION**, a rural agricultural subdivison, Alachua County, Florida, (hereinafter the "Declaration").

- A. To fix, make and collect assessments;
- B. To borrow money;
- C. To use and expend the proceeds of assessments and borrowings in a manner consistent with the purpose for which this Association is formed;
- D. To purchase and maintain insurance;
- E. To make, amend, impose, and enforce by any lawful means, reasonable rules and regulations of use of any lot, common areas, easements and Association property;
- F. To contract for services with others;
- G. To do and perform anything required by these Articles, the Bylaws, or the Declaration to be done by the owner, but if not done by the Owner 30 days after notice, at the expense of Owner;
- H. To do and perform any obligations imposed upon the Association by the Declaration or by any permit or authorization from any unit of local, regional, state, or the federal government and to enforce by any legal means the provisions of these Articles, the Bylaws and the Declaration.

The foregoing specific duties and responsibilities are not construed in any way as limiting the powers of the Association. Rather, the Association will have and exercise all the powers conferred upon Associations so formed.

ARTICLE IV MEMBERSHIP

Every person or entity who is, from time to time, the record owner of a lot in **RADHA DESHA ADDITION**, shall be a member of the Association. Membership will be appurtenant to, and may not be separated from the ownership of a lot in **RADHA DESHA ADDITION**. For all Association purposes, each lot shall be entitled to only one vote, regardless of the number of owners.

ARTICLE V
INITIAL CONTROL BY DEVELOPER

Notwithstanding the other provisions contained in these Articles to the contrary, **Thomas Hopke and Joan Hopke**, or their successors in interest ("DEVELOPER") shall have the control of the Association and its affairs until three (3) months after ninety percent (90%) of the Lots within **RADHA DESHA ADDITION** have been conveyed to owners, other than developer. The developer, prior to relinquishing control of the Association or otherwise allowing control to transfer to the directors of the Association, shall provide at least 30 days written notice to the Suwannee River Water Management District that all terms and conditions placed upon the developer by permits or authorizations from the Suwannee River Water Management District have been satisfied in full and that transfer is proposed to occur on a specific date.

ARTICLE VI
ASSESSMENTS

The Association shall have the authority to set, collect and expend assessments in accordance with the Declaration.

ARTICLE VII
SUBSCRIBER

The name and street address of the Subscribers to these Articles of Incorporation is: **Thomas Hopke and Joan Hopke, 10505 N. W. SR-235, Alachua, Florida 32615.**

ARTICLE VIII
BYLAWS AND AMENDMENT OF ARTICLES

The bylaws for this corporation will be adopted and may be amended, as may these Articles of Incorporation, by the Directors or members, consistent with these Articles and the Declaration, by a two-thirds (2/3) majority vote of the Directors or members of the Association. Amendments to Articles or Bylaws which directly or indirectly impact operation and maintenance of the surfacewater management system, including but without limitation, all lakes, ditches, canals, retention or detention areas, drainage, other surfacewater management works, and preservation or conservation areas, wetlands and wetland mitigation areas which are owned or controlled by the Association or the owners in common, may be made after approval by the Suwannee River Water Management District. Such approval shall be in the form of a modification to any and all permits issued by the Suwannee River Water Management District under the lawfully adopted rules of the Suwannee River Water Management District in effect at the time of application for such modification. Amendments to the Articles or the bylaws which do not impact operation or maintenance of the system may be made without authorization of the Suwannee River Water Management District; however, copies of any such amendments shall be forwarded to the District within 30 days of approval.

ARTICLE IX CONFLICTS

Should a conflict exist or arise between any of the provisions of the Articles of Incorporation and the provisions of the bylaws, the provisions of the Articles of Incorporation shall control.

ARTICLE X REGISTERED AGENT AND OFFICE

The address of the initial Registered Office of the Association is and the name of its initial Registered Agent at that address is: **Thomas Hopke, 10505 N. W. SR-235, Alachua, Florida 32615.**

ARTICLE XI INDEMNIFICATION OF OFFICERS AND DIRECTORS

Each person who has served as an officer or director of this corporation shall be indemnified by the corporation against liability and against expenses (including attorney's fees) reasonably incurred by him in connection with any action, suit or proceeding by reason of his being or having been an officer or director of the corporation, except in relation to matters as to which he shall be finally adjudged in such action, suit or proceeding not to have acted in good faith in the reasonable belief that his action or failure to act was in the best interests of the corporation. This right of indemnity shall also inure to the benefit of the person's legal representative or successor. The directors shall have the power to indemnify other employees of the corporation upon the same terms. Each such person, whether officer, director or employee, shall be entitled to the full extent of the indemnification provided pursuant to applicable statutes in the State of Florida for a corporation such as this corporation.

ARTICLE XII DIRECTORS

The maximum number of Directors which this Association is authorized to have is six (6). The minimum number of Directors which this corporation is authorized to have is three (3). The method of election of the Directors of the corporation is set forth in the By-Laws.

ARTICLE XIII DISSOLUTION OF ASSOCIATION SURFACE WATER MANAGEMENT SYSTEM

Prior to dissolution of this Association, all property, interest in property, whether real, personal, or mixed, which is directly or indirectly related to the surfacewater management system, including but without limitation, all lakes, ditches, canals, retention or detention areas, drainage, other surfacewater management works, and preservation or conservation areas, wetlands, and wetland mitigation areas which are owned or controlled by the Association or the owners in common, will be dedicated to and accepted for maintenance by the appropriate unit of government or otherwise transferred to and accepted for maintenance by an approved entity. Dedication or approval must be authorized by the Suwannee River Water Management District through modification of any and all permits or authorizations issued by the Suwannee River Water Management District. Such modification shall be made under the lawfully adopted rules of the Suwannee River Water Management District in effect at the time of application for such modification.

IN WITNESS WHEREOF, the undersigned has signed those Articles of Incorporation on the 10 day of Aug., 2004.

Thomas Hopke
Thomas Hopke

Joan Hopke
Joan Hopke

STATE OF FLORIDA
COUNTY OF ALACHUA

SWORN TO, SUBSCRIBED and ACKNOWLEDGED before me this 10 day of Aug., 2004, by **Thomas Hopke and Joan Hopke**, who are ☒ personally known to me or who has ☐ produced his Florida Drivers' License as identification.

Jewell G. Worthington
NOTARY PUBLIC
State of Florida

My commission expires:



Jewell G. Worthington
MY COMMISSION # CC967476 EXPIRES
October 1, 2004
BONDED THRU TROY FAIN INSURANCE, INC.

FILED
05MIR-3 PM 1:34
STATE OF FLORIDA
TALLAHASSEE, FLORIDA

ACCEPTANCE OF REGISTERED AGENT

The undersigned hereby accepts appointment as Registered Agent of **RADHA DESHA ADDITION Homeowners Association, Inc.**, which is contained in the foregoing Articles of Incorporation.

Dated this 10 day of AUG., 2004.

Thomas Hopke
Thomas Hopke