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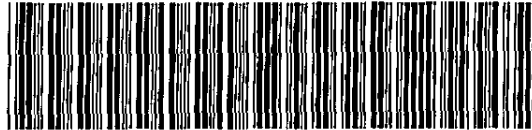
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FILED  
05 OCT 25 AM 10:00  
TALLAHASSEE, FLORIDA

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LAW OFFICES OF  
**CHARLES D. WALLER**  
PROFESSIONAL ASSOCIATION  
ATTORNEY AT LAW

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POST OFFICE BOX 1668  
DADE CITY, FLORIDA 33526-1668  
charleswallerpa@earthlink.net

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(352) 567-4690  
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October 21, 2005

Division of Corporations  
Secretary of State  
Post Office Box 6327  
The Capitol  
Tallahassee, FL 32304

RE: Kumquat Landing Homeowners Association, Inc.

Dear Sirs:

Enclosed is the signed original and one signed copy of the Articles of Incorporation for the above corporation. I have also enclosed a check in the amount of \$35.00 for the filing and certified copy fees.

*NO money rec'd .... (19)*

Please process this at your earliest opportunity and return the certified copies of the Articles of Incorporation to this office.

Thank you for your assistance. If you have any questions, please do not hesitate to call me.

Very truly yours,

The Law Office of  
CHARLES D. WALLER, P.A.  
Attorney at Law

*Charles D. Waller*  
*CDW*

CDW/srh  
Enclosures

Amended  
Articles of Incorporation  
of  
KUMQUAT LANDING HOMEOWNERS ASSOCIATION, INC.  
A Nonprofit Corporation

FILED  
05 OCT 25 AM 11:00  
CLERK OF THE CIRCUIT COURT  
TALLAHASSEE, FLORIDA

We, the undersigned acting as incorporators of a non-profit corporation under Chapter 617 of the Florida Statutes, hereby adopt the following articles of incorporation:

**Article I.**

The name of the corporation is KUMQUAT LANDING HOMEOWNERS ASSOCIATION, INC., referred to hereinafter as the "Association".

**Article II.**

The Association is a nonprofit corporation.

**Article III.**

The period of the Association's duration is perpetual.

**Article IV.**

The Association is formed for the primary purpose of providing for the maintenance, preservation, and architectural control of the residence lots and common areas within a certain subdivided tract of real property described as follows:

The Northeast ¼ of the Southwest ¼ of the  
Northeast ¼ and the North ½ of the Northwest ¼ of  
the Southwest ¼ of the Northeast ¼; all in Section  
35, Township 24 South, Range 20 East, Pasco  
County, Florida,

and to promote the health, safety, and welfare of the residents within the above-described subdivision and such additions thereto as may hereafter be brought within the jurisdiction of the association for such purpose.

In furtherance of such purposes, the Association will have the power to:

- (a) perform all of the duties and obligations of the Association as set forth in a certain Declaration of Covenants and Restrictions (the "Declaration") applicable to the subdivision and recorded in the public records of Pasco County, Florida;
- (b) affix, levy, and collect all charges and assessments pursuant to the terms of the Declaration, and enforce payment thereof by any lawful means; and 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 on the property of the association;
- (c) acquire (by gift, purchase, or otherwise), own, hold, improve, build on, operate, maintain, convey, sell, lease, transfer, dedicate to public use, or otherwise dispose of real and personal property in connection with the affairs of the Association;
- (d) Establish rules and regulations governing members responsibility;
- (e) Require all the homeowners, lot owners, property owners or unit owners to be members of the association.
- (f) exist in perpetuity, however, if the Association is dissolved, the property consisting of the surface water management systems shall be conveyed to an appropriate agency of local government and that if not accepted, then the surface water management system shall be dedicated to a similar non-profit corporation;
- (g) operate and maintain common property, specifically the surface water management system as permitted by the Southwest Florida Water Management District including all lakes, retention areas, water management areas, ditches, culverts, structures, and related appurtenances;
- (h) borrow money and, subject to the consent by vote or written instrument of two-thirds of it's members,

- mortgage, pledge, convey by deed of trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;
- (i) dedicate, sell, or transfer all or any part of the common areas to any municipality, public agency, authority, or utility for such purposes and subject to such conditions as may be agreed on by the members. No such dedication or transfer will be effective unless an instrument has been signed by two-thirds of the members, agreeing to such dedication, sale, or transfer;
- (j) sue and be sued;
- (k) contract for services, such as to provide for operation and maintenance if the Association contemplates employing a maintenance company;
- (l) participate in mergers and consolidations with other nonprofit corporations organized for the same purposes, or annex additional residential property and common areas, provided that any merger, consolidation, or annexation must have the consent by vote or written instrument of two-thirds of the members;
- (m) take on any other action necessary for the purposes for which the Association is organized;
- (n) have and exercise all powers, rights and privileges that a corporation organized under Chapter 617 of the Florida Statutes by law may now or hereafter have or exercise.

The Association is organized and will be operated exclusively for the above purposes. The activities of the Association will be financed by assessments on members as provided in the Declaration, and no part of any net earnings will inure to the benefit of any member.

#### **Article V.**

The street address of the initial registered office of the Association is 36011 Lodgepole Pine Drive, Dade City, Fl. 33525, and the name of its initial registered agent at that address is James S. Stalnaker.

#### **Article VI.**

Every person or entity who/which is a record owner of a fee or undivided fee interest in any lot which is subject by covenants of record to assessments by the Association, including contract sellers, but excluding persons holding title merely as security for performance of an obligation, will be a member of the Association. Membership will be appurtenant to and may not be separated from ownership of a lot that is subject to assessment by the Association.

#### **Article VII.**

The Association will have one class of voting members, which are defined as follows:

Members will include all owners with the exception of the declarant, as that term is defined in the Declaration. Members will be entitled to one vote for each lot owned. When more than one person holds an interest in any lot, all of those persons will be members. The vote for such lot will be exercised as such members determine among themselves, but in no event will more than one vote be cast with respect to any lot owned by Members.

#### **Article VIII.**

The number of directors constituting the initial board of directors of the Association is 1, and the name and address of the person who is to serve as the initial directors is:

Name	Address
James S. Stalnaker	36011 Lodgepole Pine Drive Dade City, Florida 33525

#### **Article IX.**

On dissolution, the assets of the Association will be distributed to an appropriate public agency to be used for purposes similar to those for which the association was created. In the event such distribution is refused

acceptance, such assets will be granted, conveyed, and assigned to any nonprofit corporation, association, trust, or other organization organized and operated for such similar purposes.

**Article X.**

The name and street address of each incorporator is:

James Stalnaker

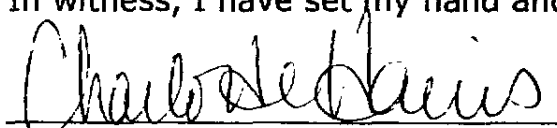
36011 Lodgepole Pine Drive  
Dade City, Florida 33525

Executed at the Law Office of Charles D. Waller, P.A. on this 19<sup>th</sup> day  
of ~~August~~ October, 2005.

  
James Stalnaker, Incorporator

State of Florida  
County of Pasco

I, CHARLOTTE HARRIS, a notary public, certify that on ~~July~~ October 19<sup>th</sup>, 2005,  
James Stalnaker, being first duly sworn, personally appeared before me and  
declared that he is the person who signed the foregoing document as an  
incorporator, and that the statements contained therein are true.  
In witness, I have set my hand and on the date first above-written.

  
CHARLOTTE HARRIS  
Notary Public in and for  
County, Florida  
My commission expires:



Charlotte Harris  
MY COMMISSION # DD207324 EXPIRES  
July 23, 2007  
BONDED THRU TROY FAIN INSURANCE, INC.

(Seal)