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C.F. 2-2

# CAPITAL CONNECTION, INC.

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

Becca Estates Homeowners  
Association, Inc.

Signature \_\_\_\_\_

Requested by: \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

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**ARTICLES OF INCORPORATION**  
**OF**  
**BECCA ESTATES HOMEOWNERS' ASSOCIATION, INC.**

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TALLAHASSEE, FLORIDA

**(A Corporation Not For Profit)**

I, the undersigned, acting as incorporator of a nonprofit corporation under the Florida Statutes, do hereby adopt the following Articles of Incorporation for such corporation.

**ARTICLE I**

1.1 The name of the Corporation (hereinafter called Association) is BECCA ESTATE HOMEOWNERS' ASSOCIATION, INC. The address of the Corporation shall be 275 Grape Ave., St. Cloud, FL 34769.

**ARTICLE II**

2.1 The purposes for which the Association is formed are to provide the maintenance and preservation of common areas within a certain subdivided tract of real property described as BECCA ESTATES, a subdivision including the sign and entrance way greenery, and any replatted portions thereof in Polk County, Florida, and such additions thereto as may hereafter be brought within the jurisdiction of the Association for such purposes.

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

2.2(1) Perform, or contract for the performance of, all of the duties and obligations of the Association as set forth in a certain Declaration of Covenants, Conditions and Restrictions (the Declaration) applicable to the subdivision and to be recorded in the public records of Polk County, Florida;

2.2(2) Affix, levy and collect, and enforce payment by any lawful means of, all charges and assessments pursuant to the terms of the Declaration; and pay all expenses in connection therewith, and all office and other expenses incidental to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied on or imposed against the property of the Association.

2.2(3) Acquire (by gift, purchase or otherwise), own hold and improve, build upon, 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;

2.2(4) Dedicate, sell or transfer all or any part of the common areas to the county, any municipality, public agency, authority, or utility for such purposes and subject to such conditions as may be agreed upon by the members. No such dedication or transfer shall be effective unless an instrument has been signed by a majority of the members, agreeing to such dedication, sale, or transfer, excepting those done by the incorporator herein;

2.2(5) Participate in mergers and consolidations with other nonprofit corporations organized for the same purposes, or annex additional residential property or common areas, provided that any merger, consolidation or annexation shall have the sole assent by the Declarant or upon vote or written instrument of not less than two-thirds (2/3) of the members once the Association is relinquished to the members.

2.2(6) Have and exercise any and all powers, rights, and privileges that a nonprofit corporation organized under the Florida Statutes by law may now or hereafter have or exercise.

2.3 The Association is organized and shall be operated exclusively for the purposes set forth above. The activities of the Association will be financed by assessments against members as

provided in the Declaration, and all earnings of the Association shall inure to the benefit of the Association and its members.

### **ARTICLE III**

3.1 The members of this Corporation shall initially consist of the undersigned incorporator until control has been turned over to lot owners as provided in ARTICLE IX herein. Thereafter, every person or entity who is a record owner of a fee or undivided fee interest in any lot which is subject by covenants of record to assessment by the Association, including contract sellers, but excluding persons or entities holding title merely as security for performance of an obligation, shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of a lot that is subject to assessment by the Association.

### **ARTICLE IV**

4.1 The period of duration of the Association shall be perpetual.

### **ARTICLE V**

5.1 The name and residence address of the initial subscriber is:

REBECCA MILLS	275 Grape Ave
	St. Cloud, FL 34769

### **ARTICLE VI**

6.1 The affairs of the Association shall be managed by a Board of Directors, and a President, a Vice President, a Secretary and a Treasurer, and Secretary and Treasurer may be one person prior to turn over provided in Article IX, who shall at all times be members of the Board of Directors. Elections of such officers shall be held at the first meeting of the Board of Directors. Elections of such officers shall be held at the first meeting of the Board of Directors following each annual

meeting of members.

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

REBECCA MILLS – President, Secretary, Treasurer

#### **ARTICLE VII**

7.1 The number of persons constituting the first Board of Directors of the Association shall be three, but shall not be less than three, except that prior to turnover of control under Article IX, there shall be at least one director, and the name and address of the person who shall serve as director until the first election is:

REBECCA MILLS	275 Grape Ave
	St. Cloud, FL 34769

#### **ARTICLE VIII**

8.1 The bylaws of the Association may be made, altered, amended, or rescinded at any annual meeting of the Association, or at any special meeting duly called for such purpose, on the affirmative vote of not less than two-thirds (2/3) of the members existing at the time of and present at such meeting except that the initial bylaws of the Association shall be made and adopted by the Board of Directors.

#### **ARTICLE IX**

9.1 The membership in the Association and initial control thereof shall be as follows:

9.1(1) Notwithstanding any other provision of these Articles, in order to assure that the purposes of the Association are carried out while the subdivision development is being completed, the control of the Association, shall initially be in the sole and absolute control of the

Developer/Incorporator named above. The members consisting of lot owners shall take control of the Association from the Developer (i) immediately upon the recording of a Notice of Intent to Relinquish Control in the public records of Polk County, Florida, or (ii) Three (3) months after ninety percent (90%) of all lots in all completed phases of Becca Estates have been conveyed by the Developer.

9.1(2) Thereafter, every owner of a lot shall be a member of the Association; membership shall be appurtenant to and may not be separated from ownership of a lot. Members shall be entitled to one vote for each lot owned. When more than one person holds an interest in a given lot, such persons shall be members and the vote for such lot shall be exercised as they may determine among themselves and a written certificate shall be filed with the Association designating the person who shall vote for such lot.

## **ARTICLE X**

10.1 On dissolution, the assets of the Association shall 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 shall be granted, conveyed, and assigned to any nonprofit corporation, association, trust, or other organization organized and operated for such similar purposes, or to any governmental entity for a public purpose.

## **ARTICLE XI**

11.1 The street address of the initial registered office of this Corporation is 275 Grape Ave., St. Cloud, FL 34769, and the name of the initial registered agent of this Corporation at that address is REBECCA MILLS.

IN WITNESS WHEREOF, I, the undersigned subscribing incorporator, have hereunto set my hand and seal, this 16th day of Feb, 2006, for the purpose of forming this Corporation not for profit under the laws of the State of Florida.

Rebecca Ann Mills  
REBECCA MILLS

STATE OF FLORIDA  
COUNTY OF POLK

BEFORE ME, a Notary Public, duly authorized to take acknowledgments, personally appeared, REBECCA MILLS, to me known to be the person described as the subscriber in and who executed the foregoing Articles of Incorporation, and he acknowledged before me that he executed and subscribed to these Articles of Incorporation as his free act and deed, for and on behalf of the Partnership.

WITNESS my hand and official seal, this 16 day of Feb, 2006.

[Signature]  
Notary Public/State of Florida  
My Commission Expires: \_\_\_\_\_

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B. BOWLING  
MY COMMISSION # DD 338325  
EXPIRES: January 29, 2008  
Bonded Thru Budget Notary Services

ACCEPTANCE AS REGISTERED AGENT

I, REBECCA MILLS, accept the designation as registered agent at the registered address of  
275 Grape Ave., St. Cloud, FL 34769, as listed in Article XI of these Articles of Incorporation.

  
REBECCA MILLS

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