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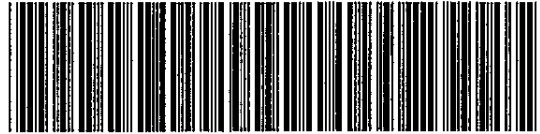
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FILED  
MAR 3 2006  
COURT OF THE DISTRICT OF COLUMBIA

100068940661  
MAR 3 2006

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ELIZABETH A. LANHAM-PATRIE  
ROBYN SEVERS BRAUN  
RICHARD M. COLN  
NGOZI C. ACHOLONU**

March 27, 2006

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

Re: Lake View Estates of Mascotte Homeowners' Association, Inc.

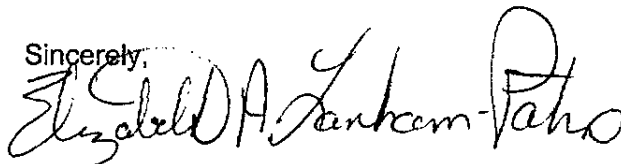
To Whom It May Concern:

Enclosed, please find the original and one copy of the Articles of Incorporation for Lake View Estates of Mascotte Homeowners' Association, Inc., along with a check in the amount of \$87.50 payable to the Department of State.

Please file the original Articles of Incorporation and return a certified copy and certificate to our office via the self-addressed stamped envelope.

Should you have any questions or concerns, please do not hesitate to contact our office.

Sincerely,



Elizabeth A. Lanham-Patrie

ELP/mnr

Enclosures as stated above.

cc: PSM, LLC Lakeview Estates of Mascotte

Psm001 ltr2

FILED  
MAR 30 2006  
TALLAHASSEE, FLORIDA

This instrument was prepared by and to be  
Returned to:

Elizabeth A. Lanham-Patrie, Esq.  
TAYLOR & CARLS, P.A.  
850 Concourse Parkway South  
Suite 105,  
Maitland, FL 32751  
(407) 660-1040

**ARTICLES OF INCORPORATION  
FOR**

**LAKE VIEW ESTATES OF MASCOTTE HOMEOWNERS' ASSOCIATION, INC.**

The undersigned incorporator, for the purpose of forming a not-for-profit corporation under the laws of the State of Florida, hereby adopts the following Articles of Incorporation:

**ARTICLE I  
NAME AND ADDRESS**

The name of the corporation shall be LAKE VIEW ESTATES OF MASCOTTE HOMEOWNERS' ASSOCIATION, INC. The principal address of the corporation is 2003 Elmhurst Lane, Mascotte, Florida 34753. For convenience, the corporation shall be referred to in this instrument as the "Association," the Declaration of Covenants and Restrictions for Lake View Estates as the "Declaration," these Articles of Incorporation as the "Articles," and the By-Laws of the Association as the "By-Laws."

**ARTICLE 2  
PURPOSE**

The purpose for which the Association is organized is to provide an entity to promote the health, safety and welfare of the members of the Association and to provide for those objects and purposes as are authorized by the Declaration, to be recorded in the Public Records of Lake County, Florida, as hereafter amended from time to time. The further purpose of the Association is to preserve the values and amenities within the Property, to operate, administer, maintain and repair portions of the Common Areas thereof for the benefit of the Owners, their family members, guests and tenants, and to enforce the covenants and restrictions contained in the Declaration, these Articles, the By-Laws and Rules and Regulations promulgated thereunder.

**ARTICLE 3  
DEFINITIONS**

The terms used in these Articles shall have the same definitions and meanings as those set forth in the Declaration to be recorded in the Public Records of Lake County, Florida, as the same may be amended from time to time, unless herein provided to the contrary or unless the context otherwise requires.

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## **ARTICLE 4 POWERS**

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

- 4.1 General. The Association shall have all of the common-law and statutory powers of a not-for-profit corporation under the laws of the State of Florida that are not in conflict with the provisions of these Articles, the Declaration, or the By-Laws.
- 4.2 Enumeration. The Board shall have all of the powers and duties necessary and appropriate for the governance of the Associations affairs and for performing all responsibilities and exercising all rights of the Association as set forth in the Declaration, the By-Laws, these Articles, and as provided by law. The Board may do or cause to be done all acts and things not required by the Declaration, these Articles, the By-Laws, or Florida law to be done and exercised exclusively by the members. The Board may delegate powers to committees, officers, a management agent or agents, or employees of the Association. The duties of the Board shall include, without limitation:
  - (a) preparing and adopting annual budgets;
  - (b) levying and collecting assessments against the Members, including assessments against Members for the cost of the maintenance and operation of the surface water or stormwater management system;
  - (c) providing for the operation, care, upkeep, and maintenance of the Common Areas;
  - (d) retaining the services of a managing agent or agents and/or designating, hiring, and dismissing such other personnel as are necessary to perform the powers and responsibilities of the Association and, where appropriate, providing for the compensation of such personnel and for the purchase of the equipment, supplies, and material to be used by such personnel in the performance of their duties;
  - (e) approving a bank depository to receive funds on behalf of the Association and depositing all such funds therein and using such funds to operate the Association; provided, any reserve fund may be deposited, in the directors best business judgment, in depositories other than banks;
  - (f) adopting Rules and Regulations governing the use of the Common Areas and the facilities thereon, and the use of the Property, including the Lots, and establishing sanctions for infractions thereof;
  - (g) opening of bank accounts on behalf of the Association and designating the signatories required;
  - (h) making or contracting for the making of repairs, additions, and improvements to or alterations of the Common Areas in accordance with the Declaration, these Articles and the By-Laws;

- 
- (i) enforcing by legal means the provisions of the Declaration, these Articles, the By-Laws, and the Rules and Regulations adopted by the Board; provided, the Board shall not be obligated to take any action to investigate any alleged violation of or to enforce any covenant, restriction, or Rule and Regulation which the Board reasonably determines is, or is likely to be, inconsistent with applicable law, or if the Board reasonably determines that the Associations position is not strong enough to take such enforcement action, or if the Board otherwise determines, in its business judgment, that such enforcement action would be inappropriate;
  - (j) obtaining and carrying property, liability, and commercial crime insurance, as required in the Declaration, paying the cost thereof, and filing and adjusting claims, as appropriate;
  - (k) paying all taxes and/or assessments which are or could become a lien on the Common Areas or a portion thereof;
  - (l) paying the cost of all services rendered to the Association or Members and not chargeable directly to specific Members;
  - (m) keeping books with detailed accounts of the receipts and expenditures of the Association;
  - (n) making available and providing copies, for a fee, to any Owner, and the holders, insurers, and guarantors of any mortgage on any Lot current copies of the Declaration, these Articles, the By-Laws, Rules and Regulations, and such other books, records, and financial statements of the Association as are identified as official records of the Association by Chapter 720, Florida Statutes, or its successor law, as from time to time amended;
  - (o) indemnifying a director, officer or committee member, or former director, officer or committee member of the Association to the extent such indemnity is permitted or required by Florida law and these Articles, and purchasing insurance providing such indemnification;
  - (p) supervising all officers, agents and employees of the Association to ensure that their duties are properly performed;
  - (q) borrowing money for any legal purpose and to mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred, all without membership approval;
  - (r) operating, maintaining and managing the surface water or stormwater management system in a manner consistent with St. Johns River Water Management District ("SJRWMD") permit number 42-069-102730-1 requirements and applicable District rules; and
  - (s) assisting in the enforcement of the Declaration of Covenants and Restrictions which relate to the surface water or stormwater management system.
- 4.3 Distribution of Income; Dissolution. The Association shall make no distributions of income to its members, Directors or Officers.

## **ARTICLE 5 MEMBERSHIP/VOTING**

- 5.1 The Association shall have two classes of voting membership:

Class A. Class A members shall be all Owners, with the exception of the Declarant, and shall be entitled to one (1) vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members. The vote for such Lot shall be exercised as they determine, but in no event shall more than one (1) vote be cast with respect to any Lot.

Class B. The Class B member shall be the Declarant and shall be entitled to three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, which ever occurs earlier:

- (1) when the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership, or
- (2) on December 31, 2020.

- 5.2. Membership Appurtenant to Ownership. Every Owner shall be a Member of the Association. Membership shall be appurtenant to and may not be separated from Ownership of any Lot, and such membership shall be terminated without the necessity of any formal action upon the recording of a valid instrument terminating or transferring the vested, present interest of the Owner.
- 5.3. Votes. Votes shall be cast in such manner and subject to such restrictions (not inconsistent with the terms and conditions of this Article) and as are set forth in the By-Laws.
- 5.4. Meetings. The By-Laws shall provide for an annual meeting of members, and may provide for regular and special meetings of members other than the annual meeting.

## **ARTICLE 6 TERM OF EXISTENCE**

Existence of the Association shall commence upon the filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The Association shall exist in perpetuity. In the event of termination, dissolution, or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water or stormwater management system must be transferred to and accepted by an entity which would comply with Section 40C-42.027, Florida Administrative Code, and be approved in writing by the SJRWMD prior to such termination, dissolution or liquidation.

## **ARTICLE 7 INCORPORATOR**

The name and address of the Incorporator of this Corporation is PSM, LLC, whose address is 2003 Elmhurst Lane, Mascotte, Florida 34753.

## **ARTICLE 8 OFFICERS**

The affairs of the Association shall be administered by the Officers holding the offices designated in these Articles and the By-Laws. The Officers shall be elected by the Board of Directors of the Association at its first meeting of the Board of Directors 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:

<u>President:</u>	Dave Sattan 2003 Elmhurst Lane Mascotte, FL 34753
<u>Vice President:</u>	John A. Messer 150-20 Hillside Avenue Jamaica, N.Y. 11432
<u>Secretary/Treasurer:</u>	Paul Persaud 198-03 Hillside Avenue Holliswood, N.Y. 11423

## **ARTICLE 9 DIRECTORS**

- 9.1 Number and Qualification. The property, business, and affairs of the Association shall be managed by a Board consisting of the number of Directors determined in the manner provided by the By-Laws.
- 9.2 Duties and Powers. All of the duties and powers of the Association existing under the Declaration, these Articles, the By-Laws and Florida law shall be exercised exclusively by the Board of Directors, its agents, contractors, or employees, subject only to approval by the Members when such approval is specifically required.
- 9.3 Election. Directors of the Association shall be elected at the Annual Meeting each year in the manner determined by and subject to the qualifications set forth in the By-Laws.
- 9.4 Removal and Filling Vacancies. Directors may be removed and vacancies on the Board of Directors shall be filled in the manner provided by the By-Laws.
- 9.5 Term of Declarant's Directors. The Declarant shall appoint the Members of the first Board of Directors and their replacements who shall hold office for the periods described in the By-Laws.
- 9.6 First Directors. The names and addresses of the Members of the first Board of Directors who shall hold office until their successors are elected and have taken office, as provided in the By-Laws, are as follows:

NAME

ADDRESS

Dave Sattan

2003 Elmhurst Lane  
Mascotte, FL 34753

John A. Messer

150-20 Hillside Avenue  
Jamaica, N.Y. 11432

Paul Persaud

198-03 Hillside Avenue  
Holliswood, N.Y. 11423

**ARTICLE 10  
INDEMNIFICATION**

- 10.1 Indemnity. The Association shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or contemplated action, lawsuit, or proceeding, whether civil, criminal, administrative, or investigative, by reason of the fact that he or she is or was a Director, employee, Officer, agent or committee member of the Association, against expenses (including attorney's fees and appellate attorney's fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred by that person in connection with such action, lawsuit, or proceeding unless (a) a court of competent jurisdiction determines, after all available appeals have been exhausted or not pursued by the proposed indemnitee, that he or she did not act in good faith or in a manner he or she reasonably believed to be not in, or opposed to, the best interest of the Association, and, with respect to any criminal action or proceeding, that he or she had reasonable cause to believe his or her conduct was unlawful, and (b) such court further specifically determines that indemnification should be denied. The termination of any action, lawsuit, or proceeding by judgment, order, settlement, conviction or upon plea of nolo contendere or its equivalent shall not, of itself, create a presumption that the person did not act in good faith or did act in a manner that he or she reasonably believed to be not in, or opposed to, the best interest of the Association, and, with respect to any criminal action or proceeding, that he or she had reasonable cause to believe that his or her conduct was unlawful.
- 10.2 Advances. Expenses, including but not limited to attorney's fees and costs, incurred in defending a civil or criminal action, lawsuit, or proceeding shall be paid by the Association in advance of the final disposition of such action, lawsuit, or proceeding on behalf of the affected Director, Officer, employee, agent or committee member. Such Director, Officer, employee, agent or committee member shall not be required to repay such amount unless it shall ultimately be determined that he or she is not entitled to be indemnified by the Association as provided in Article 10.1.
- 10.3 Miscellaneous. The indemnification provided by this Article shall not be deemed exclusive of any other rights to which those seeking indemnification may be entitled under any agreement, vote of members, or otherwise, and shall continue as to a person who has ceased to be a Director, Officer, employee, agent, or committee member and shall inure to the benefit of the heirs and personal representatives of that person.

- 10.4 Insurance. The Association shall have the power to purchase and maintain insurance on behalf of any person who is or was a Director, Officer, employee, agent, or committee member of the Association, or is or was serving, at the request of the Association, as a Director, Officer, employee, agent or committee member of another corporation, partnership, joint venture, trust, or other enterprise, against any liability asserted against him or her and incurred by him or her in any such capacity, or arising out of his or her status as such, whether or not the Association would have the power to indemnify him or her against such liability under the provisions of this Article.
- 10.5 Amendment. Anything to the contrary herein notwithstanding, the provisions of this Article 10 may not be amended without the prior written consent of all persons whose interest would be adversely affected by such amendment.

#### **ARTICLE 11 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 in the By-Laws.

#### **ARTICLE 12 AMENDMENTS**

12.1 Amendments During Declarant Control Period. Until the Declarant no longer controls the Association as provided for in the Declaration, the Declarant may amend these Articles by the recordation of an amendatory instrument in the Public Records of Lake County, Florida executed by the Declarant only. The amendment shall be effective upon recordation such instrument in the Public Records of Lake County. These Articles may also be amended in the fashion provided for in Section 12.2 below, subject to the limitations contained in Section 12.2.

12.2. Amendment by Owners. These Articles may be amended, at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy, except that the Declarant shall have the right to veto amendments while it has membership.

#### **ARTICLE 13 NAME AND ADDRESS OF REGISTERED AGENT**

The initial registered agent of the Corporation shall be Dave Sattan, who shall also be a resident agent, whose street address is 2003 Elmhurst Lane, Mascotte, FL 34753.

#### **CERTIFICATE DESIGNATING PLACE OF BUSINESS OR DOMICILE FOR THE SERVICE OF PROCESS WITHIN THIS STATE, NAMING AGENT UPON WHOM PROCESS MAYBE SERVED**

In compliance with the laws of the State of Florida, the following is submitted:

That desiring to organize under the laws of the State of Florida with its principal office, as indicated in the foregoing Articles of Incorporation, in the County of Lake, State of Florida, the corporation named in the said Articles has named Dave Sattan, whose street address is 2003 Elmhurst Lane, Mascotte, FL 34753, as its statutory registered agent.

Having been named the statutory agent of the corporation at the place designated in this certificate, I hereby accept the same and agree to act in this capacity and agree to comply with the provisions of Florida law relative to keeping the registered office open.



Print Name: Dave Sattan  
REGISTERED AGENT

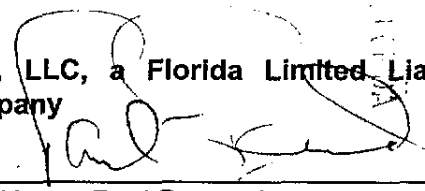
DATED on MARCH 15, 2006

**ARTICLE 14  
INITIAL REGISTERED OFFICE AND INCORPORATOR**

The initial registered office of this Corporation shall be at 2003 Elmhurst Lane, Mascotte, Florida 34753, with the privilege of having its office and branch offices at other places within or without the State of Florida.

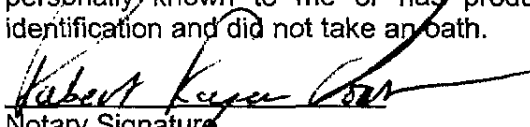
IN WITNESS WHEREOF, the Incorporator has affixed its signature the day and year set forth below.

**PSM, LLC, a Florida Limited Liability Company**

By:   
Print Name: Paul Persaud  
Title: Managing Member

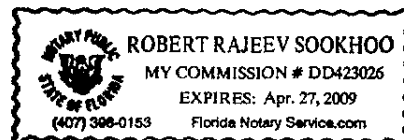
STATE OF FLORIDA  
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 15 day of MARCH, 2006, by **Paul Persaud, as Managing Member of PSM, LLC**, on behalf of said corporation. He is personally known to me or has produced DRIVER'S LICENSE as identification and did not take an oath.

  
Notary Signature

ROBERT RAJEEV SOOKHOO  
Print Notary Name

My Commission Expires: April 27<sup>th</sup>, 2009



PSM, LLC, a Florida Limited Liability Company

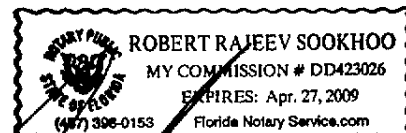
By: [Signature]  
Print Name: Bibi Sattan  
Title: Managing Member

STATE OF FLORIDA  
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 15 day of MARCH, 2006, by **Bibi Sattan, as Managing Member of PSM, LLC**, on behalf of said corporation. She is personally known to me or has produced DRIVER'S LICENSE as identification and did not take an oath.

[Signature]  
Notary Signature  
ROBERT RAJEEV SOOKHOO  
Print Notary Name

My Commission Expires: April 27<sup>th</sup>, 2009



PSM, LLC, a Florida Limited Liability Company

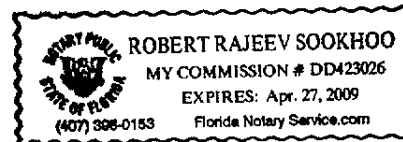
By: [Signature]  
Print Name: John A. Messer  
Title: Managing Member

STATE OF FLORIDA  
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 15 day of MARCH, 2006, by **John A. Messer, as Managing Member of PSM, LLC**, on behalf of said corporation. He is personally known to me or has produced DRIVER'S LICENSE as identification and did not take an oath.

[Signature]  
Notary Signature  
ROBERT RAJEEV SOOKHOO  
Print Notary Name

My Commission Expires: April 27<sup>th</sup>, 2009



PSM, LLC, a Florida Limited Liability Company

By: [Signature]  
Print Name: Dave Sattan  
Title: Member

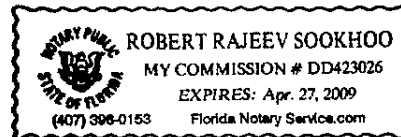
STATE OF FLORIDA  
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 15 day of March, 2006, by **Dave Sattan, as a Member of PSM, LLC**, on behalf of said corporation. He is personally known to me or has produced US PASSPORT as identification and did not take an oath.

[Signature]  
Notary Signature

ROBERT RAJEEV SOOKHOO  
Print Notary Name

My Commission Expires: April 27<sup>th</sup>, 2009



Psm001 Articles Final