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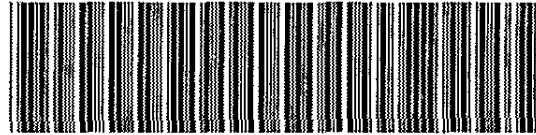
(Business Entity Name)

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**J. DAVID POBJECKY P.A.**

786 AVENUE C. S.W.  
P.O. DRAWER 7323  
WINTER HAVEN, FLORIDA 33883-7323

J. DAVID POBJECKY\*  
A RENEE POBJECKY\*\*

MASTERS DEGREE IN TAX LAW (LLM)\*  
LICENSED IN TEXAS\*\*

AREA CODE 863  
PHONE 294-0602  
FAX ON REQUEST

September 25, 2006

**VIA FEDERAL EXPRESS**

Corporate Records Bureau  
Division of Corporations  
P.O. Box 6327  
Tallahassee, Florida 32314-6327

Re.: **Lions Gate of Polk County Homeowners Association, Inc.**

Dear Madam or Sir:

Please find enclosed herewith the original and copy of the Articles of Incorporation of the above corporation, and a Designation of Resident Agent. Please send a Certificate of Status directly to this office.

Also enclosed is a check in the amount of \$78.75 to cover the costs of the filing fee, Registered Agent designation and Certificate of Status.

Thank you for your cooperation and assistance in this matter.

Very truly yours,

J. DAVID POBJECKY, P.A.



A. Renee Pobjecky, Esquire

arp/bnf  
Enclosures

**ARTICLES OF INCORPORATION**

**OF**

**LIONS GATE OF POLK COUNTY HOMEOWNERS ASSOCIATION, INC.**

In compliance with the requirements of "Florida Not for Profit Corporation Act", the undersigned, all of whom are residents of Polk County, Florida and all of whom are of full age, have this day voluntarily associated themselves together for the purposed of forming a corporation not for profit and do hereby certify:

**ARTICLE I**

**NAME**

The name of the corporation is LIONS GATE OF POLK COUNTY HOMEOWNERS ASSOCIATION, INC., a Florida corporation not for profit (hereafter called the "Association").

**ARTICLE II**

**OFFICE AND REGISTERED AGENT**

This Association's principal office is 8297 Champions Gate, Boulevard #504, Champions Gate, Florida 33896, and its registered agent is Hardy Mattu, who maintains a business office at 8297 Champions Gate Boulevard, #504, Champions Gate, Florida 33896. Both this Association's principal office and registered agent may be changed from time to time by the Board of Directors as provided by law.

**ARTICLE III**

**PURPOSE AND POWERS OF THE ASSOCIATION**

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes of which it is formed are to provide for maintenance, preservation and architectural control of the residence Lots and Common area within that certain tract of property (hereinafter called the

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"Property") located in Polk County, Florida and described as:

**The West 1/4 of the Northeast 1/4 of the Southwest 1/4 lying South and West of  
State Road 547 in Section 1, Township 26 South, Range 27 East, Polk County,  
Florida.**

and to promote the health, safety and welfare of the residents within the property and any additions thereto as may hereafter be brought within the jurisdiction of this Association for this purpose to:

(a) exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in that certain Declaration of Covenants, Conditions and Restrictions, hereinafter called the "Declaration", applicable to the property and recorded or to be recorded in the Office of the Clerk of Courts of Polk County, Florida, and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set

forth at length;

(b) fix, levy, collect and enforce payment by and lawful means, all charges or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association;

(c) acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;

(d) borrow money, and with the assent of two-thirds (2/3) of each class of members mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(e) dedicate, sell or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members.

No such dedication or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of each class of members, agreeing to such dedication, sale or transfer;

(f) participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and Common Area, provided that any such merger, consolidation or annexation shall have the assent of two-thirds (2/3) of each class members;

(g) have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Florida by law may now or hereafter have or exercise;

(h) operate and maintain all Common Areas, meaning all platted subdivision roads, and easements together with the boundary walls located on a portion thereof, and the surface water management systems as permitted by the Southwest Florida Water Management District including all lakes, retention areas, culverts and related appurtenances;

(i) establish rules and regulations to govern conduct of members of the Association and furtherance of the principles and purposes contained in these Articles of Incorporation and consistent with the purposes of the Declaration of Covenants, Conditions and Restrictions;

(j) impose assessments against members of the Association and to enforce said assessments as set forth in the Declaration of Covenants, Conditions and Restrictions governing the Subdivision.

(k) the Association shall have the power to sue and to be sued;

(l) the Association shall have the power to contract for services to provide for operation and maintenance of the Common Areas if the Association shall employ a maintenance company;

(m) require all the homeowners, lot owners, property owners, or unit owners to be members of the Association as a condition to ownership within the subdivision.

## **ARTICLE IV**

### **MEMBERSHIP**

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, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment by the Association.

## **ARTICLE V**

### **VOTING RIGHTS**

The Association shall have two classes of voting membership:

**Class A.** Class A members shall be Owners, with the exception of the Declarant, and shall be entitled to one 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 vote be cast with respect to any Lot.

**Class B.** The Class B member(s) shall be the Developer (as defined in the Declaration) 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, whichever occurs earlier:

- (a) one (1) year after the last Lot within the Property has been sold and conveyed by the Developer; or
- (b) sooner at the election of the Developer (whereupon the Class A members shall be obligated to elect the Board and assume control of the Association.)

During any period in which a member shall be in default in the payment of any dues the voting rights and right to use any of the facilities which the Association may provide may be suspended by the Board of Directors until dues are paid. In the event of violation by members of any rules and regulations established by the Board of Directors, such members voting and use rights may be suspended by the Board after a hearing to which the general requirements of due process shall be observed. Such hearing shall be held by the Board (or committee therefore) after giving such member ten (10) days prior written notice by registered or certified mail, specifying such alleged violation, and setting the time, place and date of the hearing. Determination of violations shall be made by majority vote of the Board of the committee therefore, and such action shall thereby be conclusive.

## **ARTICLE VI**

### **BOARD OF DIRECTORS**

The affairs of the Association shall be managed by a Board of no less than three (3), no more than nine (9) Directors, who need not be members of the Association. The number of directors may be changed by amendment of the By-Laws of the Association. The name and addresses of the persons who are to act in the capacity of directors until the selection of their successors are:

#### **NAME**

#### **ADDRESS**

Hardy Mattu

8297 Champions Gate Boulevard  
#504  
Champions Gate, Florida 33896

Alison Mattu

8297 Champions Gate Boulevard  
#504  
Champions Gate, Florida 33896

Patti L. Hall

8297 Champions Gate Blvd #504  
Champions Gate, Florida 33896

At the first annual meeting the members shall elect one-third of the directors for a term of one year, one-third of the directors for a term of two years and one-third of the directors for a term of three years; and at each annual meeting thereafter the members shall elect three directors for a term of three years.

## **ARTICLE VII**

### **DISSOLUTION**

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each class of members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to such similar purposes.

## **ARTICLE VII**

### **DURATION**

The corporation shall exist perpetually.

## **ARTICLE IX**

### **AMENDMENTS**

Amendment of these Articles shall require the assent of Seventy-five percent (75%) of the entire membership



## **ARTICLE X**

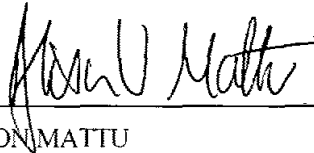
### **FHA/VA APPROVAL**

As long as there is a Class B membership, the following actions will require the prior approval of the Federal Housing Administration or the Veterans Administration, annexation of additional properties, mergers and consolidations, mortgaging of Common Area, dedication of Common Area, dissolution and amendment of these Articles.

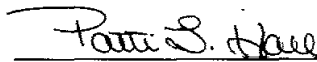
**IN WITNESS WHEREOF**, for the purpose of forming this corporation under the laws of the State of Florida, we, the undersigned, constituting the incorporators of this Association, have executed these Articles of Incorporation effectively dated this 20<sup>th</sup> day of September, 2006.



HARDY MATTU



ALLISON MATTU



PATTI L. HALL

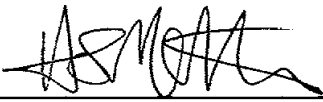
**CERTIFICATE DESIGNATING (OR CHANGING) PLACE OF BUSINESS OR  
DOMICILE FOR THE SERVICE OF PROCESS WITHIN THIS STATE, NAMING  
AGENT UPON WHOM PROCESS MAY BE SERVED.**

In pursuance of Chapter 48.091, Florida Statutes, the following is submitted in compliance with  
said act:

**FIRST:** That Lions Gate Of Polk County Homeowners Association, Inc., desiring to organize  
under the laws of the State of Florida with its principal office as indicated in the Articles of Incorporation  
at 8297 Champions Gate Boulevard, #504, Champions Gate, Florida 33896, as its agent to accept service  
of process within the state.

**ACKNOWLEDGMENT: (MUST BE SIGNED BY DESIGNATED AGENT)**

Having been named to accept service of process for the above-stated corporation, at place  
designated in this certificate, I hereby accept to act in this capacity and agree to comply with the provisions  
of said act relative to keeping open said office.

  
\_\_\_\_\_  
HARDY MATTU

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