

NO 6000010519

(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



800080562128

10/09/06--01021--006 \*\*78.75

FILED  
06 OCT -9 PM 2:10  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

J. Shivers OCT 09 2006

**CUMMINS & NAILOS, P.A.**  
**ATTORNEYS AT LAW**

1009 N. 14<sup>th</sup> Street  
P. O. Box 491656  
Leesburg, FL 34749-1656  
Phone: (352) 787-5411  
Fax: (352) 365-1917  
E-MAIL: [cumnailegals1@comcast.net](mailto:cumnailegals1@comcast.net)

NORMAN C. CUMMINS  
HEATH B. NAILOS  
KRISTIN CUMMINS NAILOS  
JEANIE DOLBY DUBINSKI

October 3, 2006

Secretary of State of Florida  
Division of Corporations  
DEPARTMENT OF STATE  
Post Office Box 6327  
Tallahassee, FL 32314

RE: Articles of Incorporation of THE VILLAGE HILLS HOMEOWNERS'  
ASSOCIATION, INC.

Dear Sir:


Enclosed please find the original and one copy of the Articles of Incorporation for the above named corporation, the original of which is to be filed with your office and the copy certified and returned to our office.

Also, enclosed is our firm check in the amount of \$78.75 to cover the following:

1. Filing Fee	\$ 35.00
2. Registered Agent Designation	\$ 35.00
3. Certified Copy	\$ 8.75
<b>TOTAL AMOUNT</b>	<b>\$ 78.75</b>

Should you have any questions, please do not hesitate to contact me.

Sincerely,

  
Carol Hall  
Legal Assistant to  
Norman C. Cummins

/cfh

Enclosures

FILED  
OCT - 9 PM 2:10  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**ARTICLES OF INCORPORATION  
OF  
THE VILLAGE HILLS  
HOMEOWNERS' ASSOCIATION, INC.**

**A FLORIDA CORPORATION NOT-FOR-PROFIT**

In compliance with the requirements of Chapter 617, Florida Statutes, as amended, the undersigned, of full age, is hereby forming a corporation not for profit and does hereby certify

**ARTICLE I  
NAME**

The name of the corporation is **THE VILLAGE HILLS HOMEOWNERS' ASSOCIATION, INC.**, hereinafter referred to as the "Association".

**ARTICLE II  
ADDRESS**

The principal office of the Association is located at 14550 SE 139<sup>th</sup> Lane, East Lake Weir, FL 32133.

**ARTICLE III  
PURPOSE AND POWERS OF THE ASSOCIATION**

The Association does not contemplate pecuniary gain or profit to the members hereof, and the specific purpose for which it is formed is to provide for the maintenance of the residential lots within that certain tract of property described on Exhibit "A" attached hereto, to enforce the Declaration of Covenants applicable to the said lots and also 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, hereinafter called the "Declaration", applicable to the property and recorded, or to be recorded, in the Office of the Clerk of the Circuit Court, Lake 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 any lawful means, of all charges or assessments pursuant to the terms

FILED  
06 OCT -9 PM 12:10  
CLERK OF CIRCUIT COURT  
LAKE COUNTY, FLORIDA

of the Declaration; to pay all expenses in connection therewith and all office and other expenses incidental to the conduct of business of the Association, including all licenses, taxes or governmental charges levied or imposed against the property 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. Participate in mergers and consolidations with other non-profit corporations organized for the same purposes or annex additional residential property and common areas, provided that any such merger, consolidation, or annexation not specifically authorized in the Declaration shall have the assent of two-thirds (2/3) of each Class of members;

F. The Association shall operate, maintain and manage the surface water or stormwater management system(s) in a manner consistent with the St. Johns River Water Management District permit no. 40-069-98987 requirements and applicable District rules, and shall assist the enforcement of the Declaration of Covenants and Restrictions which relate to the surface water or stormwater management system.

G. The Association shall levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the surface water or stormwater management system.

H. Have and to exercise any and all powers, rights and privileges which a corporation organized under the Not-For-Profit Corporation Law of the State of Florida may now or hereafter have or exercise;

#### **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 is appurtenant to and inseparable from Ownership of the Lot.

#### **ARTICLE V VOTING RIGHTS**

The Association shall have two (2) classes of voting membership as follows:

A. THE CLASS "A" MEMBERS shall be all Owners of Lots upon which a dwelling unit has been constructed and conveyed to such Owners and shall be entitled to one (1) vote for such Lot owned. When more than one (1) person holds an interest in any Lot, all such Persons shall be members. The vote for such Lot shall be exercised as the multiple owners may determine, but in no event shall more than (1) vote be cast with respect to any one Lot;

B. THE CLASS "B" MEMBER shall be the Developer (as defined in the Declaration) and shall be entitled to six (6) votes for each lot it owns and regardless if the lot is vacant or has a residential unit thereon. The Class "B" Membership shall cease and be converted to Class "A" Membership upon the first occurrence of either of the following events:

- (1) When the Declarant elects; or
- (2) Within 90 days after Declarant has conveyed title in the ordinary course of its business (excluding conveyances to successors or assigns of Declarant) of 90% of the lots approved for THE VILLAGE HILLS.

#### **ARTICLE VI DIRECTORS**

A. The affairs of the Association will be managed by a Board consisting of not less than three (3) nor more than five (5) directors. All directors must be members of the Association, however, Declarant's employees may serve as directors until the Class B membership of the Association ceases.

B. Directors of the Association shall be elected by the membership in the manner described in the Bylaws and Declaration. Directors may be removed and vacancies on the Board of Directors filled as provided in the Bylaws.

C. The directors names in these Articles shall serve

until the first election of directors, and any vacancies in their number occurring before the first election shall be filled by the remaining directors.

D. The names and addresses of the members of the first Board of Directors who shall hold office until their successors are elected and have qualified, or until removed, are as follows:

HARRY M. DANSBY  
P. O. BOX 65  
EAST LAKE WEIR, FL 32133

ROBERT FRANK SCARDO  
P. O. Box 531  
Ocklawaha, FL 32183

#### ARTICLE VII OFFICERS

The affairs of the Association shall be administered by the Officers designated in the Bylaws. The officers shall be elected by the Board of Directors at its meeting following the annual meeting of the members of the Association 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:

ROBERT FRANK SCARDO - PRESIDENT  
P. O. BOX 531  
OCKLAWAHA, FL 32183

HARRY M. DANSBY - SECRETARY/TREASURER  
P. O. BOX 65  
EAST LAKE WEIR, FL 32133

#### ARTICLE VIII 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 incidental 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 non-profit corporation, association, trust or other organization to be devoted to such similar purposes.

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, F.A.C., and be approved in writing by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.

#### **ARTICLE IX BYLAWS**

The Bylaws of the Association shall be adopted by the Board of Directors and may be altered, amended or rescinded in the manner provided by the Bylaws.

#### **ARTICLE X DURATION**

The corporation shall exist perpetually.

#### **ARTICLE XI AMENDMENTS**

Amendments to the Articles of Incorporation shall be proposed and adopted in the following manner:

A. Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting at which a proposed amendment is considered.

B. A resolution approving a proposed amendment may be proposed either by the Board of Directors or by a majority of the Class A members of the Association. Members present in person or by proxy at the meeting considering the amendment may express their approval in writing, providing such approval is delivered to the Secretary at or prior to the meeting. Except as elsewhere provided, approval of a proposed amendment must be by a majority of the votes of members entitled to vote thereon.

C. Provided, however, that no amendment shall make any changes in the qualifications of membership nor the voting rights of members without approval in writing by all members, and joinder

of all record owners or mortgages upon a Lot. No amendment shall be made that is in conflict with any Declaration of Covenants, Restrictions and Conditions as amended applicable to The Plantation at Leesburg, GLENDALE Village, or the laws of the State of Florida.

**ARTICLE XII  
INCORPORATOR**

The name and address of the incorporators of these Articles of Incorporation are as follows:

**ROBERT FRANK SCARDO - PRESIDENT**  
P. O. BOX 531  
OCKLAWAHA, FL 32183


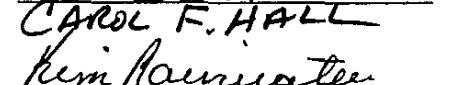
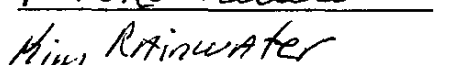
**HARRY M. DANSBY - SECRETARY/TREASURER**  
P. O. BOX 65  
EAST LAKE WEIR, FL 32133



**ARTICLE XIII  
REGISTERED AGENT**

HARRY M. DANSBY, whose address is 14550 SE 139<sup>th</sup> Lane, East Lake Weir, FL 32133, is hereby appointed as the initial registered agent of this Association.

IN WITNESS WHEREOF, for the purpose of forming this Corporation under the laws of the State of Florida, the undersigned, constituting the incorporator of this Association, has executed these Articles of Incorporation this the 3rd day of OCT., 2006.

Witnesses:

  
CAROL F. HALL  
  
Kim Raminwater  
  
Kim Raminwater

  
HARRY M. DANSBY  
  
ROBERT FRANK SCARDO



STATE OF FLORIDA  
COUNTY OF LAKE

BEFORE ME, the undersigned authority, personally appeared HARRY M. DANSBY and ROBERT FRANK SCARDO, who, after being duly sworn, acknowledged before me that they executed the foregoing Articles of Incorporation freely and voluntarily for the uses and purposes therein expressed.

WITNESS my hand and official seal this 3rd day of Oct., 2006



Carol F. Hall  
NOTARY PUBLIC  
Printed Signature:  
My Commission Expires:

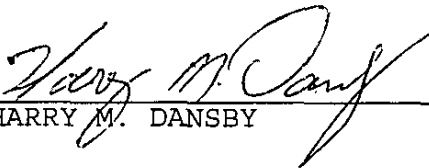
**CERTIFICATE DESIGNATING A REGISTERED  
OFFICE AND A REGISTERED AGENT FOR THE SERVICE  
OF PROCESS WITHIN THIS STATE**

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

**THE VILLAGE HILLS HOMEOWNERS' ASSOCIATION, INC.**, a Florida Corporation Not-For-Profit, desiring to organize under the laws of the State of Florida, with its principal office as indicated in the Articles of Incorporation at 14550 SE 139<sup>TH</sup> LANE, EAST LAKE WEIR, FL 32133, has named HARRY M. DANSBY as its agent to accept service of process within this State.

**A C K N O W L E D G E M E N T**

Having been named to accept service of process for the above stated corporation, at the 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.

  
HARRY M. DANSBY

CUMMINS/PLANT/VILLAGE HILLS ART OF INC

FILED  
06 OCT -9 PM 2:10  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA