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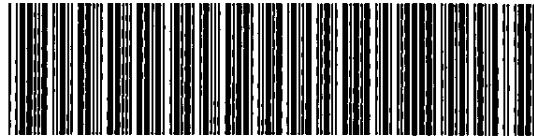
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07 MAR -8 PM 1:57  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

APPROVED  
AND  
FILED

W07-8466

B. McKnight MAR 09 2007

# LANDIS GRAHAM FRENCH

ATTORNEYS AT LAW

ESTABLISHED 1902

A PROFESSIONAL ASSOCIATION, WITH OFFICES IN  
DELAND, DAYTONA BEACH AND DELTONA

444 SEABREEZE BOULEVARD, SUITE 1001  
DAYTONA BEACH, FLORIDA 32118  
386.252.4717  
FACSIMILE 386.253.7352

[www.landispa.com](http://www.landispa.com)  
e-mail address: [firm@landispa.com](mailto:firm@landispa.com)

ERSKINE W. LANDIS (1900-1967)  
JOHN L. GRAHAM (1905-1978)  
J. COMPTON FRENCH (retired)  
THORWALD J. HUSFELD (1926-1995)  
WILLIAM E. SHERMAN \*  
WILLIAM A. OTTINGER  
JOE G. DYKES, JR.  
F. A. (ALEX) FORD, JR.

SAM N. MASTERS  
ARTHUR U. GRAHAM  
R. MICHAEL KENNEDY  
BASYLE J. (BOZ) TCHIVIDJIAN  
EDWIN CHANNING COOLIDGE, JR.  
ANTHONY PINIZZOTTO  
D. SCOTT BAKER  
FRANK A. FORD, SR., of counsel

\* BOARD CERTIFIED WILLS, TRUSTS & ESTATES

February 14, 2007

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

**RE: Summer Woods of DeLand Homeowner's Association, Inc.**

Dear Sir or Madam:

Please find enclosed for filing with the Department of State the original and one copy of the Articles of Incorporation regarding the above referenced subject matter.

I am enclosing our firm check in the amount of \$78.75 to represent the filing fee and request of the certified copy, along with a self addressed envelope for the return of same.

With kind regards.

Respectfully,



Laura M. Brown  
Paralegal to A. Pinizzotto

lmb/  
enclosure

## COVER LETTER

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

**SUBJECT:** SUMMER WOODS OF DELAND HOMEOWNER'S ASSOCIATION, INC.  
(PROPOSED CORPORATE NAME - MUST INCLUDE SUFFIX)

Enclosed is an original and one(1) copy of the Articles of Incorporation and a check for :

☐ \$70.00  
Filing Fee

☐ \$78.75  
Filing Fee &  
Certificate of  
Status

☒ \$78.75  
Filing Fee  
& Certified Copy

☐ \$87.50  
Filing Fee,  
Certified Copy  
& Certificate

**ADDITIONAL COPY REQUIRED**

FROM: Anthony Pinizzotto, Esquire  
Name (Printed or typed)

444 Seabreeze Blvd., Suite 1001  
Address

Daytona Beach, FL 32118  
City, State & Zip

386-252-4717  
Daytime Telephone number

**NOTE: Please provide the original and one copy of the articles.**



FLORIDA DEPARTMENT OF STATE  
Division of Corporations

February 19, 2007

ANTHONY PINIZZOTTO ESQ  
444 SEABREEZE BLVD SUITE 1001  
DAYTONA BEACH, FL 32118

SUBJECT: SUMMER WOODS OF DELAND HOMEOWNER'S ASSOCIATION,  
INC.

Ref. Number: W07000008466

We have received your document for SUMMER WOODS OF DELAND HOMEOWNER'S ASSOCIATION, INC. and your check(s) totaling \$78.75. However, the enclosed document has not been filed and is being returned for the following correction(s):

Florida law requires the street address of the principal office and, if different the mailing address of the entity. A post office box is not acceptable for the principal office.

Please return the original and one copy of your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6931.

Becky McKnight  
Document Specialist  
New Filing Section

Letter Number: 107A00012115

ARTICLES OF INCORPORATION  
OF  
SUMMER WOODS OF DELAND HOMEOWNER'S ASSOCIATION, INC.  
(A Florida Corporation Not for Profit)

APPROVED  
AND  
FILED  
07 MAR -8 PM 1:57  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

ARTICLE I. NAMES

The name of this Corporation is Summer Woods of DeLand Homeowner's Association, Inc. For convenience, the Corporation shall be referred to in this instrument as the "Association," these Articles of Incorporation as the "Articles" and the By-Laws of the Association as the "By-Laws."

ARTICLE II. PURPOSES

The purposes for which the Association is organized are as follows:

A. To take title, operate, administer, manage, lease and maintain the assets and property of the Association as such are dedicated to or made the responsibility of the Association by the recorded Plat of Summer Woods.

B. To manage the Association of owners established by the Declaration of Covenants, Conditions and Restrictions (the "Declaration"). The Declaration was executed by Mid Ohio Securities Corporation and J. Robert Mitchem, and is recorded in Official Records Book 4657, Page 3949, Public Records of Volusia County, Florida.

C. To enforce the Declaration and perform all duties and responsibilities imposed upon the Association by the Declaration.

D. The Association shall operate, maintain, and manage the surface water or stormwater management system in a manner consistent with the St. Johns River Water Management District permit no. 42-127-6577-1 requirements and applicable District rules, and shall assist in the enforcement of the Declaration which relate to the surface water or stormwater management system.

E. To carry out all duties placed upon it by these Articles, the By-Laws, the Declaration and by Florida law.

ARTICLE III. POWERS

The Association shall have the following powers:

A. The Association shall have all common law and statutory powers of a corporation not for profit, not in conflict with the terms of these Articles, the By-Laws and the Declaration.

B. The Association shall have the power to administer and to enforce the provisions of these Articles, the By-Laws and the Declaration and all powers reasonably necessary to carry out the responsibilities and duties conferred upon it by these Articles, the By-Laws and the Declaration, as amended and supplemented from time to time, including but not limited to, the power to levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the surface water and stormwater management system. Such assessments shall be used for maintenance and repair of the surface water and stormwater management system, including, but not limited to, work within retention areas, drainage structures

and drainage easements.

#### ARTICLE IV. DUTIES

The Association shall have the following duties:

A. The Association shall have all common law and statutory duties of a corporation not for profit.

B. In addition, the Association shall have all responsibilities and duties delegated to it pursuant to the provisions of these Articles, the By-Laws and the Declaration, including but not limited to operating, maintaining and managing the surface water and stormwater management system in a manner consistent with the St. Johns River Water Management District Permit requirements and applicable District Rules and City of DeLand and requirements and applicable City rules, regulations and ordinances; and further shall assist in the enforcement of the restrictions and covenants contained in the Declaration relating to said system.

#### ARTICLE V. MEMBERSHIP

Every person or entity who is or becomes a record owner of any "Lot" in the subdivision or is otherwise considered an "Owner" shall be a "Member" of the Association, as those terms are defined in the Declaration. Membership is solely for those having a fee simple ownership interest and is not intended to and shall not include any persons or entities who hold an interest in real property merely as security for the performance of an obligation. All memberships in the Association shall be automatic and mandatory and shall terminate automatically when a Member becomes divested of a fee simple ownership in a Lot in the subdivision.

When a corporation or partnership is the owner of a Lot, the membership privilege shall be exercised by only one (1) individual being the one designated by the entity to cast its vote as hereinafter provided. When more than one person holds an interest in a Lot, each person shall be a Member, even though each person does not acquire a separate right to vote.

#### ARTICLE VI. MANAGEMENT

A. The affairs and property of the Corporation shall be managed and governed by a Board of Directors composed of not less than three (3). The Board members shall be elected by the voting membership at the times and in the manner provided in the By-Laws. The Board members may be removed and vacancies in the Board filled in the manner provided in the By-Laws.

B. The initial Board shall consist of three (3) persons. Vacancies occurring between annual meetings of the membership shall be filled in the manner provided in the By-Laws.

C. Board members shall be elected by the membership in accordance with the By-Laws at the regular annual meeting of the membership of the Corporation to be held during the first week of February of each year or on such other date as may be set by the vote of one-third (1/3) of the membership.

D. All officers shall be elected by the Board in accordance with the By-Laws at the annual meeting of the Board to be held immediately following the annual meeting of the membership. The Board shall elect or appoint at the time and in the manner set forth in the By-Laws a President, Vice President, Secretary, Treasurer, and such other officers as it may deem desirable.

#### ARTICLE VII. BOARD OF DIRECTORS

The number of persons constituting the first Board of Directors shall be three (3). The names and street addresses of the persons who are to serve as the first Board are as follows:

Name	Address
Cheryl L. Hunt	606 John Thomas Avenue DeLand, Florida 32724
Christine Reedy	607 John Thomas Avenue DeLand, Florida 32724
Earle Hunt, III	606 John Thomas Avenue DeLand, Florida 32724

The number of Board members may be increased or diminished from time to time as provided by the By-Laws, but shall never be less than three (3). All Board members shall be natural persons.

#### ARTICLE-VIII. PRINCIPAL OFFICE AND MAILING ADDRESS

The initial principal office of the Association is C/O Landis Graham French, P.A., 444 Seabreeze Boulevard, Suite 1001, Daytona Beach, Florida 32118. The mailing address of the Association is P.O. Box 645, DeLand, Florida 32720.

#### ARTICLE IX. INCORPORATORS

The Incorporator is Anthony Pinizzotto, Esquire, Landis Graham French, P.A. 444 Seabreeze Boulevard, Suite 1001, Daytona Beach, Florida 32118. The rights and interests of the Incorporator shall automatically terminate when these Articles are filed with the Florida Secretary of State.

#### ARTICLE X. BYLAWS

By-Laws of the Association shall be adopted by the Board and thereafter may be altered, amended or rescinded in the manner provided in the By-Laws. In the event of a conflict between the provisions of these Articles and the provisions of the By-Laws, the provisions of these Articles shall control.

#### ARTICLE XI. EXISTENCE AND DURATION

Existence of the Association shall commence with the filing of these Articles of

Incorporation with the Florida Secretary of State. The Association shall exist in perpetuity, unless dissolved pursuant to the provisions of Article XII below.

#### ARTICLE XII. DISSOLUTION AND SUCCESSOR ENTITIES

The Association may be dissolved only with the consent in writing by the Owners and holders of all mortgages and liens on any lots by two-thirds (2/3) of the voting Members. In the event of the dissolution of the Association, or any successor entity thereto, other than incident to a merger or consolidation, any property dedicated or conveyed to the Association shall be transferred to either a successor entity or an appropriate governmental agency or public body 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 a non-profit corporation, association, trust or other organization to be devoted to such similar purposes. In the event of termination, dissolution or liquidation of the Association, the responsibility for the operation and maintenance of the surface water and stormwater management system must be transferred to and accepted by an entity which complies with Section 40C-42.027, F.A.C., and be approved by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.

#### ARTICLE XIII. SEVERABILITY

Invalidation of any of these Articles or portions thereof by judgment, court order, or operation of law shall in no way affect other provisions, which shall remain in full force and effect.

#### ARTICLE XIV. REGISTERED OFFICE AND REGISTERED AGENT

The street address of the initial registered office of the Association is 444 Seabreeze Boulevard, Suite 1001, Daytona Beach, Florida 32118 and the initial Registered Agent of the Association at that address shall be Anthony Pinizzotto.

#### ARTICLE XV. INDEMNIFICATION

The Association shall indemnify any officer, Board member or committee member or any former officer, Board member or committee member to the full extent permitted by law.

IN WITNESS WHEREOF, I, the Incorporator of the Summer Woods of DeLand Homeowner's Association, Inc. have hereunto affixed my signature this 10<sup>th</sup> day of March, 2007.

  
Anthony Pinizzotto



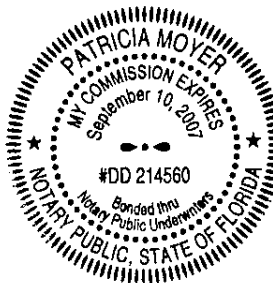
The undersigned hereby accepts the designation of Registered Agent of Summer Woods of DeLand Homeowner's Association, Inc. as set forth in Article XIV of these Articles.

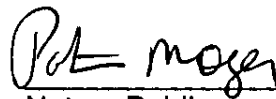


  
Anthony Pinizzotto

STATE OF FLORIDA       )  
                                      :       SS:  
COUNTY OF VOLUSIA    )

I HEREBY CERTIFY that on this day, before me a Notary Public duly authorized in the State and County named above to take acknowledgments, personally appeared Anthony Pinizzotto, to me known to be the person described as the Incorporator and Registered Agent of the Summer Woods of DeLand Homeowner's Association, Inc. and who executed the foregoing Articles of Incorporation and has acknowledged before that he executed the same for the purposes therein expressed.

WITNESS my hand and official seal this 6<sup>th</sup> day of March, 2007



  
Notary Public  
Print Name: Patricia Moyer  
My Commission expires:   
Commission No.: 

APPROVED  
AND  
FILED

07 MAR -8 PM 1:57

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA