

**N07000004290**

Florida Department of State  
Division of Corporations  
Public Access System

Electronic Filing Cover Sheet

**Note: Please print this page and use it as a cover sheet. Type the fax audit number (shown below) on the top and bottom of all pages of the document.**

((H07000115282 3)))



H070001152823ABC

**Note: DO NOT hit the REFRESH/RELOAD button on your browser from this page. Doing so will generate another cover sheet.**

To:

Division of Corporations  
Fax Number : (850) 205-0381

From:

Account Name : CHRISTOPHER J. HURST, P.A.  
Account Number : I20000000237  
Phone : (904) 641-8401  
Fax Number : (904) 645-0005

**FLORIDA PROFIT/NON PROFIT CORPORATION**

**SURF OWNERS' ASSOCIATION, INC.**

Certificate of Status	1
Certified Copy	0
Page Count	05
Estimated Charge	\$78.75

**FILED**  
2007 APR 27 AM 11:17  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

Electronic Filing Menu

Corporate Filing Menu

Help

H07000115282 3

ARTICLES OF INCORPORATION  
FOR  
SURF OWNERS' ASSOCIATION, INC.,  
A FLORIDA NOT-FOR-PROFIT CORPORATION

The undersigned subscriber to these Articles of Incorporation, a Florida limited liability company, hereby forms a not-for-profit corporation under the laws of the State of Florida.

I. Name

The name of the corporation is the SURF OWNERS' ASSOCIATION, INC., hereinafter referred to as the "Association." The street address of the Association is 4745 Sutton Park Court #501 Jacksonville, FL 32224.

II. Registered Agent

The initial Registered Agent of the Association is Christopher J. Hurst PA. The street address of the Registered Agent is 4540 Southside Blvd Suite 302 Jacksonville, FL 32216.

III. Purposes

The Association is established to perform those duties and exercise the powers described in the Surf Declaration of Covenants, Conditions and Restrictions, recorded or to be recorded in the public records of Nassau County, Florida (together with all attachments and as it may be amended from time to time, the "Declaration") for that portion of Surf described in the Declaration as the Community.

The Association does not contemplate pecuniary gain or profit to its members.

To promote the health, safety and welfare of the owners of Parcels, the Association shall exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in the Declaration, which is hereby incorporated by reference. In addition, the Association shall have all other powers and privileges of a not-for-profit corporation organized under Chapter 720, Florida Statutes, for Homeowners' Associations, and, to the extent not in direct conflict with the Declaration, of Chapter 617, Florida Statutes, for Not-for-Profit Corporations, as both may be amended from time to time.

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. 42-089-104430-01 requirements and applicable District rules, and shall assist in the enforcement of the Declaration that relate to the surface water or stormwater management system.

4/25/2007

H07000115282 3

APR 27 AM 11:17  
CLERK OF STATE  
TALLAHASSEE, FLORIDA

FILED

H07000115282 3

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.

#### IV. Membership

As further described in the Declaration, every person or entity who is a record owner of a separately conveyable parcel of real property ("Parcel") within the Community shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Parcel.

#### V. Voting Rights

Voting rights are assigned in accordance with the provisions of the Declaration. However, until the occurrence of certain events as described of the Declaration, the developer of the Community, defined in the Declaration as the "Developer," shall have the right to elect a majority of the members of the Board.

#### VI. Board of Directors

The affairs of the Association shall be managed by a Board of Directors, the members of which do not need to be members of the Association. The Board of Directors shall be selected as provided in the Declaration and Bylaws.

#### VII. Term of Existence

This corporation shall commence existence with the filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The corporation shall have perpetual existence unless sooner dissolved in accordance with the provisions herein contained or in accordance with the laws of the State of Florida.

#### VIII. Dissolution

The Association may be dissolved by consent in writing by Members representing 90% of the Membership Interests. The required percentage shall be reduced to 67 percent of the Membership Interests, if the Association Commons, as that term is defined in the Declaration, has been accepted for dedication or taken by eminent domain by the appropriate unit of local government (except that alleys or footpaths between two Parcels may be divided evenly between the adjacent Parcel Owners).

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.

H07000115282 3

H07000115282 3

### IX. Officers

Subject to the direction of the Board, the officers shall administer the affairs of this Association. Officers shall be designated and elected in accordance with the Declaration.

### X. Bylaws

The Bylaws of this Association, which are an exhibit to and part of the Declaration, shall be adopted by the first Board and recorded among the public records of Nassau County, Florida. The Bylaws may be altered, amended, modified or repealed by (a) unanimous approval of the Directors, after notice to Members and opportunity for discussion, or (b) approval of a majority of the Members at a meeting at which a quorum was present, or (c) assent in writing of Members representing a majority of the voting interests. The President or Vice-President and secretary shall execute a certificate indicating compliance with the approval process. Any such modification shall be effective upon recording in the public records of Nassau County.

### XI. Amendments

This Association reserves the right to amend or repeal any of the provisions contained in these Articles by an instrument executed by the president or vice-president of the Association, certifying approval in writing of members representing 67% of the Membership Interests of the Association.

### XII. Supremacy

These Articles and the Bylaws are subject to the terms of the Declaration. In the event of a conflict, the Declaration shall govern.

### XIII. Indemnification

This Association shall indemnify and hold harmless any and all of its present or former directors, officers, employees or agents, to the full extent permitted by law. Said indemnification shall include but not be limited to the expenses, including the cost of any judgments, fines, settlements and counsel's fees actually and necessarily paid or incurred in connection with any action, suit or proceeding, whether civil, criminal, administrative or investigative, and any appeal thereof, to which any such persons or his legal representative may be made a party or may be threatened to be made a party by reason of his being or having been a director, officer, employee or agent as herein provided. The foregoing right of indemnification shall not affect any other rights to which any director, officer, employee or agent may be entitled as a matter of law or which he may be lawfully granted.

### XIV. Incorporator

The incorporator of the corporation is Surf Properties, LLC., a Florida limited liability company whose address is 4745 Sutton Park Court #501 Jacksonville, FL 32224.

H07000115282 3

IN WITNESS WHEREOF, the incorporator has caused these Articles of Incorporation to be executed this 24<sup>th</sup> day of April, 2007.

## WITNESSES:

Joey Gabriel  
print: Joey Gabriel  
Amanda Libertula  
print: Amanda Libertula

## DEVELOPER:


SURF PROPERTIES, LLC  
a Florida Limited Liability Company, by its  
managing member

By: Jeffrey E. Tabb

STATE OF FLORIDA  
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of April, 2007, by Jeffrey Tabb, as managing member of SURF PROPERTIES, LLC, a Florida Limited Liability Company. He is personally known to me or has produced a Florida driver's license as identification and did take an oath.

Victoria Robb  
Victoria Robb  
Notary Public, State of Florida at Large  
Serial Number: DD362830

NOTARY PUBLIC-STATE OF FLORIDA  
 Victoria Robb  
Commission # DD362830  
Expires: OCT. 14, 2008  
Bonded Thru Atlantic Bonding Co., Inc.

H07000115282 3

H07000115282 3

Registered Agent Certificate

Having been named to accept service of process for the above stated corporation, at the place designated in this certificate, I hereby agree to act in this capacity, and I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties.

Christopher J. Hurst P.A., a Florida corporation

By: 

Christopher J. Hurst  
Its President

Date: 4-27-07

FILED

2007 APR 27 AM 11:17

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

4/25/2007

H07000115282 3