

ND70000004788

(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



200101577492

05/07/07--01008--011 \*\*87.50

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

2007 MAY 11 PM 3:48

FILED

1.8.5-14

## COVER LETTER

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

SUBJECT: The Landings AT Diwaner Lake  
(PROPOSED CORPORATE NAME - MUST INCLUDE SUFFIX)  
Homeowners Association, Inc

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:

Robert McGrath  
Name (Printed or typed)

2400 E. Commercial Blvd.  
Address

Ft. Lauderdale FL 33308  
City, State & Zip

954 351 9800  
Daytime Telephone number

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



FLORIDA DEPARTMENT OF STATE  
Division of Corporations

May 8, 2007

ROBERT MCGRATH  
2400 E. COMMERCIAL BLVD.  
FT. LAUDERDALE, FL 33308

SUBJECT: THE LANDINGS AT DINNER LAKE HOMEOWNERS  
ASSOCIATION, INC.  
Ref. Number: W07000022172

We have received your document for THE LANDINGS AT DINNER LAKE HOMEOWNERS ASSOCIATION, INC. and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

The name designated in your document is unavailable since it is the same as, or it is not distinguishable from the name of a voluntarily dissolved nonprofit corporation. The name of a voluntarily dissolved nonprofit Florida corporation is not available for the assumption or use by another entity until 120 days after the effective date of dissolution.

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) 245-6047.

Carolyn Lewis  
Document Specialist  
New Filing Section

Letter Number: 007A00032150

2337 ARBUCKLE ~~Road~~ Creek Road  
Sebring, Highlands County  
Florida 33875

Lot 106 Dinner Lake Suburbs  
Transcript Book 3A  
Highlands County Florida

**EXHIBIT A**

April 7, 2007

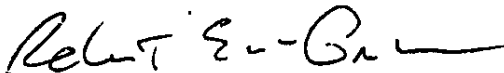
FILED  
2007 MAY 11 PM 3:49  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

Amendment Section  
Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32314

Dear Sirs:

I am the Vice-President and Incorporator of The Landings at Dinner Lake Homeowners Association, Inc. (Document Number P07000035880). I intended to file this as a non-profit corporation, but accidentally filed it as a for-profit corporation. Thus, I am dissolving the corporation and will re-file as a non-profit corporation. Please release the name The Landings at Dinner Lake Homeowners Association, Inc. so that I may use the same name when I re-file as a non-profit corporation.

Sincerely,



Robert E. McGrath

**ARTICLES OF INCORPORATION**  
In Compliance with Chapter 617, F.S., (Not for Profit)

**FILED**

2007 MAY 11 PM 3:49

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**ARTICLE I: Name**

The name of the corporation shall be The Landings at Dinner Lake Homeowners Association, Inc., (hereinafter the "Association").

**ARTICLE II: Principal Office and Mailing Address**

The principal place of business and the mailing address of the Association are located at 2337 Arbuckle Creek Road, Sebring, Florida 33870.

**ARTICLE III: Incorporator**

The name and address of the incorporator is:

Robert E. McGrath	2400 East Commercial Boulevard, Suite 517 Fort Lauderdale, FL 33308
-------------------	--

**ARTICLE IV: Registered Agent**

The name and address of the registered agent is:

Robert E. McGrath	2400 East Commercial Boulevard, Suite 517 Fort Lauderdale, FL 33308
-------------------	--

**ARTICLE V: Purpose**

The Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for (i) the maintenance, preservation and control of all of the real property and improvements thereto, except for the units, owned and controlled by the Association (hereinafter the "Common Areas") within the certain tract of real property located in Highlands County, Florida, which is more particularly described in Exhibit "A" annexed hereto; and (ii) the architectural control of the residential lots (hereinafter the "Properties"); and (iii) to promote the health, safety and welfare of the owners

and residents within the Properties and any additions thereto as may hereafter be brought within the jurisdiction of the Association and 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 the "Declaration"), applicable to the Properties and recorded or to be recorded among the Public Records of Highlands County, Florida, 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, 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, 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, subject to the terms and provisions hereof and of the Declaration;

(d) borrow money, and with the assent of two-thirds (2/3) of the total votes mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred, subject to the terms and provisions hereof and of the Declaration;

(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 shall have the assent of two-thirds (2/3) of the total votes, and shall be in accordance with the terms and provisions hereof and of the Declaration;

(f) to have and to exercise 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.

#### **ARTICLE VI: Membership**

Any person or entity who is a record owner of a fee or undivided fee interest in any Lot which is subject to the Declaration, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities that 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 the Declaration.

#### **ARTICLE VII: Voting Rights**

The Association shall have two (2) classes of voting memberships:

Class A: Class A members shall be all Owners, with the exception of the Declarant (as defined in the Declaration), and shall be entitled to one (1) vote for each 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 they determine, but in no event shall more than one (1) vote be cast with respect to any Lot.

Class B: Class B member(s) 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 into Class A membership on the happening of either of the following events, whichever occurs earlier:



(a) when the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership, or

(b) when the Declarant so chooses.

From and after the happening of these events, whichever occurs earlier, the Class B Member shall be deemed a Class A Member entitled to one (1) vote for each Lot in which it holds the interest required for Membership under Article VI.

#### **ARTICLE VIII: Board of Directors**

Initially, the Board of Directors of the Association shall consist of three (3) directors until the first annual meeting. Thereafter, the affairs of the Association shall be managed by a Board of three (3) directors. The number of directors may be changed by amendment of the By-Laws of the Association. The names and addresses of the persons who are to act in the capacity of initial directors are:

Robert E. McGrath	2400 East Commercial Boulevard, Suite 517 Fort Lauderdale, FL 33308
Joseph Bricketto	3131 Northwest 108 <sup>th</sup> Drive Coral Springs, FL 33065
Kathleen Bricketto	3131 Northwest 108 <sup>th</sup> Drive Coral Springs, FL 33065

At the first annual meeting, the members shall elect three (3) directors for a term of one (1) year and at each annual meeting thereafter, the membership shall elect three (3) directors for a term of one (1) year.

#### **ARTICLE IX: 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 the 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.

**ARTICLE X: Duration**

The Association shall exist perpetually.

**ARTICLE XI: Amendments**

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

**ARTICLE XII: 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 Areas, dedication of Common Areas, dissolution and amendment of these Articles.

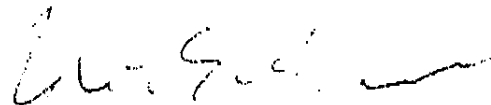
IN WITNESS WHEREOF, for the purpose of forming this corporation not for profit under the laws of the State of Florida, the undersigned President of the Association has executed these Articles of Incorporation this 14 day of May, 2007.

The Landings at Dinner Lake  
Homeowners Association, Inc.

By:   
Robert E. McGrath, President

### ACCEPTANCE BY REGISTERED AGENT

Having been named as Registered Agent and to Accept Service of Process for the above stated corporation at the place designated herein, I hereby accept the appointment as Registered Agent and agree to act in that capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as Registered Agent.

  
Robert E. McGrath

Date: 5/14/07

FILED

2007 MAY 11 PM 3:49

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA