

4/26/07

COVER LETTER

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS

07 JUN 25 PM 4:33

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

SUBJECT: Mary's Beach 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: Pamela Daly
Name (Printed or typed)

10850 Hilltop Drive
Address

New Port Richey, FL 34654
City, State & Zip

727-808-9430
Daytime Telephone number

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

**ARTICLES OF INCORPORATION
OF**

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MARY'S BEACH HOMEOWNERS' ASSOCIATION, INC.

In compliance with Chapter 617, Florida Statutes, the undersigned, all of whom own a lot in Mary's Beach Subdivision a plat thereof being recorded at Plat Book 8, Page 3, Official Records of Franklin County, Florida, have this day voluntarily associated themselves together for the purpose of forming a corporation not for profit and do hereby certify:

ARTICLE I

The name of the corporation is Mary's Beach Homeowners' Association, Inc., hereinafter called the "Association".

ARTICLE II

The principal office of the Association is located at 10850 Hilltop Drive, New Port Richey, Florida 34654.

ARTICLE III

Pamela Daly, whose address is 10850 Hilltop Drive, New Port Richey, Florida 34654, is hereby appointed the initial registered agent of this Association.

ARTICLE IV

PURPOSE AND POWERS OF THE ASSOCIATION

This 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 maintenance,

preservation and architectural control of the residential Lots and Common Area within the Mary's Beach Subdivision, and described in the Declaration of Covenants, Conditions and Restrictions for Mary's Beach Subdivision, hereinafter called the "Declaration", recorded or to be recorded in the Public Records of Franklin County, Florida, and as the same may be amended from time to time, said Declaration being incorporated herein by reference, and to promote the health, safety and welfare of the residents within the property described in the Declaration, and any additions thereto as may hereafter be brought within the jurisdiction of this 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 the Declaration;

(b) fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration;

(c) 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;

(d) acquire (by gift, purchase or otherwise), own, hold, improve, use, 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;

(e) 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;

(f) 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 (provided, however, no such dedication or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of the members, agreeing to such dedication, sale or transfer);

(g) 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 the members;

(h) 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 possess;

(i) cause the exterior of the dwellings to be maintained and to cause the Lots to be properly maintained.

IN THE EVENT OF ANY CONFLICT BETWEEN THE PROVISIONS OF THESE ARTICLES AND THE PROVISIONS OF THE DECLARATION, THE PROVISIONS OF THE DECLARATION WILL CONTROL.

ARTICLE V

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 records 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 VI

VOTING RIGHTS

The Association shall have one class of voting membership. The members shall be all Owners (as defined in the Declaration) 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.

ARTICLE VII

BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of three (3) Directors, who shall be members of the Association. The number of directors and directors' terms of office 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 directors until the selection of their successors are:

<u>NAME</u>	<u>ADDRESS</u>
<u>Pamela Daly</u>	<u>10850 Hilltop Drive, New Port Richey, FL 34654</u>
<u>John Patrick Cronin</u>	<u>9 Charles Lake Road, North Oaks, MN 55127</u>
<u>Mary McLeod</u>	<u>2277 South Shore Blvd., White Bear Lake, MN 55110</u>

At the first annual meeting the members shall elect one director for a term of one year, one director for a term of two years and one director for a term of three years; and at

each annual meeting thereafter the members shall elect one director for a term of three years.

ARTICLE VIII

OFFICERS

The officers of this Association shall be a President, a Secretary, and a Treasurer, who shall at all times be members of the Board of Directors, and such other officers as the Board of Directors may from time to time by resolution create. The election, term, removal and duties of the officers shall be as set forth in the By-Laws. Until the first election, John Patrick Cronin will serve as President, Mary McLeod will serve as Secretary, and Pamela Daly will serve as Treasurer.

ARTICLE IX

BY-LAWS

The initial By-Laws for the Association shall be adopted by a vote of a majority of the members. The By-Laws may be amended or altered at a regular or special meeting of the members, by a vote of a majority of members present in person or by proxy, in the manner and subject to any other conditions set forth in the By-Laws.

ARTICLE X

DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of the 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 the 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 XI

DURATION

The corporation shall exist perpetually.

ARTICLE XIII

AMENDMENTS

1. Amendments to these Articles shall be made in the following manner:

(a) The Board of Directors shall adopt a resolution setting forth the proposed amendment, directing that it be submitted to a vote at a meeting of members, which may be either the annual or a special meeting.

(b) Written notice setting forth the proposed amendment or a summary of the changes to be effected thereby shall be given to each member of record entitled to vote thereon within the time and in the manner provided by these Articles, the By-Laws or general law for the giving of notice of meetings of members. If the meeting is an annual meeting, the proposed amendment or such summary may be included in the notice of such annual meeting.

(c) At such meeting, a vote of the members entitled to vote thereon shall be taken on the proposed amendment. The proposed amendment shall be adopted upon receiving the affirmative vote of a majority of the votes of members entitled to vote thereon.

2. Any number of amendments may be submitted to the members and voted upon by them at one meeting.

3. If all of the Directors and all of the members eligible to vote sign a written statement manifesting their intention that an amendment to these Articles of Incorporation be adopted, then the amendment shall thereby be adopted as though subsection (1) had been satisfied.

4. The members may amend these Articles of Incorporation, without an act of the Directors, at a meeting for which notice of the changes to be made is given.

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 this 21 day of December, 2006.



Mary K. McLeod

ACCEPTANCE BY REGISTERED AGENT

Pamela Daly, having been named as the registered agent in the foregoing Articles of Incorporation of Mary's Beach Homeowners' Association, Inc., to accept service of process for the corporation at 10850 Hilltop Drive, New Port Richey, FL 34654,

3. If all of the Directors and all of the members eligible to vote sign a written statement manifesting their intention that an amendment to these Articles of Incorporation be adopted, then the amendment shall thereby be adopted as though subsection (1) had been satisfied.

4. The members may amend these Articles of Incorporation, without an act of the Directors, at a meeting for which notice of the changes to be made is given.

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 this 14 day of April, 200~~8~~⁷.



John P Cronin

ACCEPTANCE BY REGISTERED AGENT

Pamela Daly, having been named as the registered agent in the foregoing Articles of Incorporation of Mary's Beach Homeowners' Association, Inc., to accept service of process for the corporation at 10850 Hilltop Drive, New Port Richey, FL 34654,

3. If all of the Directors and all of the members eligible to vote sign a written statement manifesting their intention that an amendment to these Articles of Incorporation be adopted, then the amendment shall thereby be adopted as though subsection (1) had been satisfied.

4. The members may amend these Articles of Incorporation, without an act of the Directors, at a meeting for which notice of the changes to be made is given.

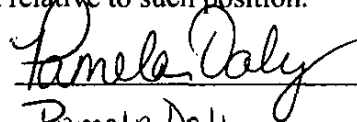
IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, we, the undersigned, constituting the incorporators of this Association, have executed these Articles of Incorporation this 31 day of May, 200~~8~~⁷.


Pamela Daly

ACCEPTANCE BY REGISTERED AGENT

Pamela Daly, having been named as the registered agent in the foregoing Articles of Incorporation of Mary's Beach Homeowners' Association, Inc., to accept service of process for the corporation at 10850 Hilltop Drive, New Port Richey, FL 34654,

hereby agrees to act as, and is familiar with the obligations of, the registered agent and
comply with the laws of the State of Florida relative to such position.


Pamela Daly

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