

05-07-07

03:13p

From: Arnstein & Lehr, LLP

8132545324

T- P.01/007 F-267

Division of Corporations

Page 1 of 1

No 7000006684

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.

((H07000173877 3)))



H070001738773ABCT

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 : ARNSTEIN & LEHR, LLP
Account Number : 120050000140
Phone : (813) 254-1400
Fax Number : (813) 254-3130

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

2007 JUL -5 PM 1:06

FILED

FLORIDA PROFIT/NON PROFIT CORPORATION

TOWNHOMES ON COLUMBUS OWNERS ASSOCIATION, INC.

Certificate of Status	0
Certified Copy	0
Page Count	05
Estimated Charge	\$70.00

Electronic Filing Menu

Corporate Filing Menu

Help

CR. 7-6

2007 JUL -5 PM 1:06

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

ARTICLES OF INCORPORATION
OF
TOWNHOMES ON COLUMBUS OWNERS ASSOCIATION, INC.

The undersigned, for the purpose of forming a not for profit corporation under Chapter 720 of the Florida Statutes, hereby adopt the following Articles of Incorporation

ARTICLE I
NAME

A. The name of this corporation shall be TOWNHOMES ON COLUMBUS OWNERS ASSOCIATION, INC. ("Association").

ARTICLE II
DEFINITIONS

Unless the context shall mean otherwise, the terms used herein and in the By-Laws shall have the same meaning, if any, as that ascribed to them in the DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR TOWNHOMES ON COLUMBUS, recorded or to be recorded in the Public Records of Hillsborough County, Florida (the "Declaration").

ARTICLE III
PURPOSES AND POWERS

The Association shall have the following powers:

A. To operate TOWNHOMES ON COLUMBUS (referred to herein as the "Community"), and to undertake the performance of, and to carry out the acts and duties incident to, the administration of the Community in accordance with the terms, provisions, conditions and authorizations contained in these Articles, the Association's By-Laws and the Declaration.

C. To carry out the duties and obligations and receive the benefits given the Association by the Declaration.

D. To establish By-Laws and Rules and Regulations for the operation of the Association and to provide for the formal administration of the Association; to enforce the Homeowner's Association Act of the State of Florida, the Declaration, the By-Laws and the Rules and Regulations of the Association.

E. To contract for the management of the Community.

F. To acquire, own, operate, mortgage, lease, sell and trade property, whether real or personal, as may be necessary or convenient in the administration of the Community.

G. Operate and maintain the surface water management system facilities, including all inlets, ditches, swales, culverts, water control structures, retention and detention areas, ponds, lakes, floodplain compensation areas, wetlands and any associated buffer areas, and wetland mitigation areas.

H. Assess members and enforce assessments.

I. Sue and be sued.

J. If the Association is dissolved, the control or right of access to the property containing the surface water management system facilities shall be conveyed or dedicated to an appropriate governmental unit or public utility and that if not accepted, then the surface water management system facilities shall be conveyed to a non-profit corporation similar to the association.

K.. The Association shall have all of the common law and statutory powers of a corporation not for profit which are not in conflict with the terms of these Articles, the Declaration, and the By-Laws. The Association shall also have all of the powers under and pursuant to Chapter 720, Florida Statutes, Homeowner's Associations Act, and shall have all of the powers reasonably necessary to implement the purposes of the Association.

ARTICLE IV MEMBERS

A. Each Unit Owner in the Community, including the Declarant, shall automatically be Members of the Association. Membership of the Declarant shall terminate upon being divested of all units in the Community and upon control of the Association being turned over to the Unit Owners in the Community, other than the Declarant, as more particularly set forth in the Declaration.

B. Membership, as to all members other than the Declarant shall commence upon the acquisition of fee simple title to a Unit in the Community and shall terminate upon the divestment of title to said Unit.

C. On all matters as to which the membership shall be entitled to vote each Unit shall be entitled to the number of votes that are equal to their percentage ownership in the common elements of the Community, which vote shall be exercised in the manner provided for by the Declaration and the By-Laws.

D. The share of a Member in the funds and assets of the Association cannot be assigned, hypothecated or transferred in any manner except as an appurtenance to his Unit.

ARTICLE V EXISTENCE

The Association shall have perpetual existence.

ARTICLE VI
INCORPORATOR

Paul A. Giusto is the Incorporator to these Articles of Incorporation.

ARTICLE VII
DIRECTORS

A. The Community and Association affairs shall be managed by a Board of Directors composed initially of three (3) persons, in accordance with the Association's By-Laws. Except for Directors appointed by the Declarant, all Directors shall be Members or a spouse, trustee or corporate officer of a Member.

B. The number of Directors to be elected, the manner of their election and their respective terms shall be as set forth in the Association's By-Laws. Should a vacancy occur on the Board, the remaining Directors shall select a Member or other eligible person as described herein, to fill the vacancy until the next annual meeting of the membership.

The following persons shall constitute the initial Board of Directors and they shall hold office for the term and in accordance with the provisions of the Association's By-Laws:

NAME

ADDRESS


Paul A. Giusto

23815 Pow Wow Drive
Lutz, Florida 33549


Michael Cannatella

23815 Pow Wow Drive
Lutz, Florida 33549


Judi Giusto

23815 Pow Wow Drive
Lutz, Florida 33549

ARTICLE VIII
OFFICERS

The affairs of the Association shall be administered by the Officers as designated in the By-Laws, who shall serve at the pleasure of said Board of Directors. The names and addresses of the Officers who shall serve until the first election of Officers pursuant to the provisions of the By-Laws are as follows:

NAME	TITLE	ADDRESS
<u>Paul A. Giusto</u>	President/Secretary	<u>23815 Pow Wow Drive</u> <u>Lutz, Florida 33549</u>
<u>Mike Canatella</u>	Vice President/Treasurer	<u>23815 Pow Wow Drive</u> <u>Lutz, Florida 33549</u>

ARTICLE IX BY-LAWS

The By-Laws of the Association shall be adopted by the initial Board of Directors. The By-Laws may be amended in accordance with the provisions thereof, except that no portion of the By-Laws may be altered, amended, or rescinded in such a manner as will prejudice the rights of the Declarant or mortgagees of units without their prior written consent.

ARTICLE X AMENDMENTS TO ARTICLES

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

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

B. A resolution for the adoption of a proposed amendment may be proposed either by the Board of Directors, acting upon the vote of a majority of the Board of Directors, or by the Members of the Association having a majority of the votes in the Association. In order for any amendment or amendments to be effective, same must be approved by an affirmative vote as required by the Bylaws.

C. No amendment shall make any changes in the qualifications for membership nor the voting rights of the Members, without approval in writing by all Members and the joinder of all record owners of mortgages upon Community Units. No Amendment shall be made that is in conflict with the Homeowner's Association Act or the Declaration.

D. A copy of each amendment adopted shall be filed with the Secretary of State, pursuant to the provisions of applicable Florida Statutes and the Homeowner's Association Act.

ARTICLE XI
INDEMNIFICATION

Every Director and every Officer of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees reasonably incurred by or imposed upon the Director or Officer in connection with any proceeding or any settlement thereof to which the Director or Officer may be a party, or in which the Director or Officer may become involved by reason of the Director or Officer being or having been a Director or Officer of the Association, whether or not a Director or Officer at the time such expenses are incurred, except in such cases wherein the Director or Officer is adjudged guilty of willful misfeasance or malfeasance in the performance of the Director's or Officer's duty; provided that in the event of a settlement, the indemnification herein shall apply only when the Board of Directors approves such settlement and reimbursement as being for the best interest of the Association. The foregoing right of indemnification shall be in addition to and not exclusive of all of the rights to which such Director or Officer may be entitled.

ARTICLE XII
INITIAL REGISTERED OFFICE, AGENT AND ADDRESS

The principal office of the Association shall be at 23815 Pow Wow Drive, Lutz, Florida 33549, or at such other place, within or without the State of Florida, as may be subsequently designated by the Board of Directors. The initial registered agent is at Paul A. Giusto, and the initial registered agent address is 23815 Pow Wow Drive, Lutz, Florida 33549.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 2nd day of July, 2007.


Paul A. Giusto, Incorporator

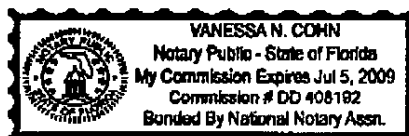
STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me this 2nd day of July, 2007, by Paul A. Giusto, as Incorporator, on behalf of TOWNHOMES ON COLUMBUS OWNERS ASSOCIATION, INC., who is personally known to me or has produced _____ as identification.

[SEAL]



NOTARY PUBLIC

COMMISSION EXPIRES: _____



ACCEPTANCE OF REGISTERED AGENT

The undersigned accepts his appointment as the initial registered agent of
TOWNHOMES ON COLUMBUS OWNERS ASSOCIATION, INC.


Paul A. Giusto

FILED

2007 JUL -5 PM 1:06

SECRETARY OF STATE
TALLAHASSEE, FLORIDA