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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

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THE LAW OFFICES OF
LOBECK & HANSON

PROFESSIONAL ASSOCIATION

CONDOMINIUM
COOPERATIVE AND
COMMUNITY
ASSOCIATIONS
CIVIL LITIGATION
PERSONAL INJURY
FAMILY LAW
LAND USE LAW
ESTATES AND TRUSTS
*FLORIDA SUPREME COURT
CERTIFIED MEDIATOR

November 9, 2007

Secretary of State
Division of Corporations
P.O. Box 6327
Tallahassee, Florida 32314

Re: Articles of Incorporation
Tucker Avenue Homeowners Association, Inc.

To whom it may concern:

Please find enclosed original Articles of Incorporation for the above-referenced corporation and a check in the amount of \$35.00 for the filing fee.

Thank you for your assistance in this matter.

Very truly yours,


Daniel J. Lobeck

DJL/pft
Enclosure



FLORIDA DEPARTMENT OF STATE
Division of Corporations

November 19, 2007

DANIEL J. LOBECK
2033 MAIN STREET
SUITE 403
SARASOTA, FL 34237

SUBJECT: TUCKER AVENUE HOMEOWNERS ASSOCIATION, INC.
Ref. Number: W07000056693

We have received your document for TUCKER AVENUE HOMEOWNERS ASSOCIATION, INC. and your check(s) totaling \$35.00. However, the document has not been filed and is being retained in this office for the following:

There is a balance due of \$35.00.

Section 617.0202(d), Florida Statutes, requires the manner in which directors are elected or appointed be contained in the articles of incorporation or a statement that the method of election of directors is as stated in the bylaws.

An effective date may be added to the Articles of Incorporation if a 2008 date is needed, otherwise the date of receipt will be the file date. A separate article must be added to the Articles of Incorporation for the effective date.

Please return the corrected 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) 245-6933.

Dale White
Regulatory Specialist II
New Filing Section

Letter Number: 207A00066369

To: Dale White
Enclosed is balance due of \$35.00 as well as original and one copy of corrected document. Please make date of receipt be filing date.
Thank you.

Sam Thomas for Daniel J. Loback

Prepared by and return to:
Daniel J. Lobeck, Esquire
Lobeck & Hanson, P.A.
2033 Main Street, Suite 403
Sarasota, Florida 34237
(941) 955-5622 (Telephone)
(941) 951-1469 (Facsimile)

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

ARTICLES OF INCORPORATION
OF
TUCKER AVENUE HOMEOWNERS ASSOCIATION, INC.

I. NAME

The name of the corporation shall be Tucker Avenue Homeowners Association, Inc. (hereinafter, "the Association").

II. PRINCIPAL OFFICE

The principal place of business and mailing address of the Association shall be 4656 Hidden River Road, Sarasota, FL 34240. The Board of Directors may change the location or locations of the principal office and mailing address of the Association from time to time as provided by law.

III. PURPOSE

The purpose of the Association is to provide an entity pursuant to Chapters 617 and 720, Florida Statutes for the operation and management of that real property subject to the Declarations of Covenants and Restrictions ("Declarations") of Tucker Avenue Extension, Phase I and Tucker Avenue Extension, Phase II ("the Properties") and to perform all acts provided in the Association Bylaws and these Articles of Incorporation (collectively, "the Governing Documents").

IV. POWERS

4.1 Common Law and Statutory Powers: The Association shall have all of the common law and statutory powers of a corporation not for profit and of a homeowners association, not in conflict with the terms of these Articles of Incorporation or the Declaration.

4.2 Specific Powers: The Association shall have all of the powers and duties set forth in the Declaration, as amended from time to time, except as validly limited by the Governing Documents, and all of the powers and duties reasonably necessary to perform the maintenance, administrative, managerial and other functions for the Properties as provided in said Declaration, as they may be amended from time to time, including but not limited to the following:

(a) To make and collect assessments against Members as Lot Owners to defray the cost and expenses of the Association as provided in the Declarations.

(b) To use the proceeds of assessments in the exercise of its powers and duties.

(c) To accept, hold title to, own, purchase, acquire, replace, improve, manage, maintain and administer the use of any real property in accordance with the Declarations and to convey such real property upon the unanimous approval of the Members to the extent consistent with applicable law.

(d) To operate and maintain the facilities and property of the Surface Water Management System as described in the Declarations, including but not limited to 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.

(e) To establish and enforce rules and regulations for the operation and use of the Surface Water Management System and Common Areas.

(f) To sue and be sued.

(g) To purchase insurance as may be required upon the Surface Water Management System any Common Area and for the protection of the Association and its Members.

(h) To enforce by legal means the provisions of the Governing Documents.

(i) To borrow money and to pledge assets of the Association as security therefore pursuant to the Declaration.

(j) To employ personnel for reasonable compensation to perform the services required for the proper carrying out of the Association responsibilities.

(k) To contract for services to provide for operation and maintenance of the Surface Water Management System facilities if the Association contemplates employing a maintenance company.

(l) To repair and maintain such parts of the Surface Water Management System, Common Area and other portions of the Properties as may be provided in the Declarations.

(m) To exercise such further authority as may be reasonably necessary to carry out each and every of the obligations of the Association set forth in the Declarations, these Articles or the Bylaws, including any right or power reasonably to be inferred from the existence of any other right, power, duty, or obligation given to the Association or reasonably necessary to effectuate its obligations under the Declarations.

(n) To purchase, lease, hold, sell, mortgage, grant, or accept easements or licenses or otherwise acquire or dispose of, real or personal property, except to the extent restricted hereby; to enter into, make, perform or carry out contracts of every kind with any person, firm, corporation, association or other entity; to do any and all acts necessary or expedient for carrying

on any and all of the activities and pursuing any and all of the objects and purposes set forth in the Governing Documents, Chapters 617 and 720, Florida Statutes, and not forbidden by the laws of the State of Florida.

(o) To establish and amend a budget and to fix annual and special assessments (which shall be made in writing and delivered to all Members) to be levied against all Lots in the Properties to defray expenses and the cost of effectuating the objects and purposes of the Association and to create reasonable reserves for such expenditures.

(p) To fix, levy, collect, and enforce payment of all charges or assessments authorized by the Declaration by any lawful means; to pay all expenses in connection therewith and all administrative and other expenses incident to the conduct of the business of the Association including, without limitation, all licenses, taxes, or governmental charges levied or imposed against the property of the Association;

(q) To charge recipients for services rendered by the Association when such is deemed appropriate by the Board.

(r) To pay taxes and other charges, if any, on or against the Surface Water Management System any Common Area or investments owned or accepted by the Association.

(s) To have all powers conferred upon a corporation by the laws of the State of Florida, except as prohibited herein.

(t) To enter into, make, perform, and enforce contracts of every kind and description, and to do all other acts necessary, appropriate, or advisable in carrying out any purpose of the Association, with or in association with any other corporation, or other entity or agency, public or private;

(u) To hire attorneys, accountants, employees and agents to assist in the conduct of the business of this corporation.

(v) To take any other action necessary for the purpose for which the Association is organized.

4.3 Emergency Powers: For purposes of this Article 4.3 only, an emergency exists during a period of time that the Properties, or the immediate geographic area in which the Properties are located, is subjected to: a state of emergency declared by civil or law enforcement authorities; a hurricane watch or warning as issued by a governmental authority; a partial or complete evacuation order issued by civil or law enforcement authorities; the declaration of a federal or state "disaster area" status; or catastrophe, whether natural or manmade, which seriously damages, or threatens to seriously damage the physical existence of the Subdivision. During an emergency as defined herein, the Association's Board of Directors may exercise the emergency powers provided to Florida corporations by Section 617.0207 and Section 617.303, Florida Statutes, and as may be provided in Chapter 720, Florida Statutes.

The foregoing enumeration of powers shall not limit or restrict in any manner the exercise of other and further rights and powers which may now or hereafter be allowed or permitted by law; and the powers specified in each of the paragraphs of this Article are independent powers, not to be restricted by reference to or inference from the terms of any other paragraph or provision of this Article.

4.4 Limitation on Exercise of-Powers: The powers of the Association shall be subject to and shall be exercised in accordance with the provisions of the laws of the State of Florida, the Declaration, these Articles and the Bylaws of the Association.

V. MEMBERS

5.1 Members: The Members of the Association shall consist of all of the record owners of Lots in the Properties subject to the Declarations, as each such Declarations are recorded in the public records of Sarasota County, Florida.

5.2 Limitation on a Transfer of Shares of Assets: The share of a Member in the funds and assets of the Association cannot be assigned, hypothecated or transferred in any manner, except as appurtenance to the Member's Lot.

VI. DIRECTORS

The affairs of the Association shall be managed by a Board of Directors, which shall be elected by the members in accordance with the Bylaws. The initial members of the Board of Directors shall be as follows:

Barbara C. Klein 4656 Hidden River Road, Sarasota, FL 34240
Wallace H. Klein 4656 Hidden River Road, Sarasota, FL 34240
Robin E. Klein 4656 Hidden River Road, Sarasota, FL 34240

VII. OFFICERS

The affairs of the Association shall be administered by a President, Vice President, Secretary, Treasurer and such other officers as may from time to time be created by the Board of Directors as permitted by the Bylaws.

VIII. BYLAWS

The initial Bylaws of the Association shall be adopted by the board of Directors and thereafter may be amended as provided therein.

IX. AMENDMENTS

These Articles may be altered, amended modified upon the affirmative vote of a majority of the Board of Directors and a majority of those Members present and voting at a Membership

meeting for which notice of the proposed amendment was provided in or with the meeting notice. Provided, however, that no amendment shall make any change in the qualification for Membership nor the voting rights of Members without the approval of all Members. No amendment shall be made which is in conflict with the Declaration.

X. EXISTENCE

The term of the Association shall be perpetual, unless sooner terminated according to law. However, 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 entity and that if not accepted, then the Surface Water Management System facilities shall be conveyed to nonprofit corporation similar to the Association.

XI. SUBSCRIBERS

The names and addresses of the original subscriber to the Articles of Incorporation are as follows:

Barbara C. Klein 4656 Hidden River Road, Sarasota, FL 34240

XII. REGISTERED OFFICE AND AGENT

The Association shall have its registered office at 4656 Hidden River Road, Sarasota, FL 34240 and hereby names Barbara C. Klein at that address as its Registered Agent. The registered agent and registered office of the Association may be changed by the Board of Directors from time to time.

XIII. DEFINITIONS

All terms shall be used herein with the same meanings as defined in the Declarations and in Chapter 720, Florida Statutes.


BARBARA C. KLEIN

STATE OF FLORIDA
COUNTY OF SARASOTA

I HEREBY CERTIFY that on this day before me, a Notary Public duly authorized in the State and County named above to administer oaths, personally appeared BARBARA C. KLEIN, to me known to be the person described as Incorporator in and who executed the foregoing Articles of Incorporation and he acknowledged before me that he subscribed to these Articles of Incorporation for the uses and purposes expressed therein.

WITNESS my hand and official seal in the State and County named above this 9th day of Nov., 2007.



Sandra B. Culpepper
Commission #DD277459
Expires: Dec 25, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

Sandra B. Culpepper
NOTARY PUBLIC

Sandra B. Culpepper
Printed Name of Notary

My Commission Expires: Dec. 25, 2007

ACCEPTANCE OF REGISTERED AGENT

Having been named Registered Agent to accept service of process for the above state corporation at registered office designated in the Articles, am familiar with its obligations and accept the appointment as Registered Agent and agree to act in this capacity.

Date: Nov. 9, 2007

Bl C Kle

Barbara C. Klein, Registered Agent

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SECRETARY OF STATE
TALLAHASSEE FLORIDA

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing acceptance was subscribed and acknowledged before me by BARBARA C. KLEIN, as Registered Agent, who is personally known to me, and who acknowledged to and before me that he executed the same freely and voluntarily for the purposes therein expressed, this 9th day of Nov., 2007.



Sandra B. Culpepper
Commission #DD277459
Expires: Dec 25, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

Sandra B. Culpepper
NOTARY PUBLIC

Sandra B. Culpepper
Printed Name of Notary

My Commission Expires: Dec. 25, 2007