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January 29, 2008

OF COUNSEL

GAIL M. ABERCROMBIE

DAVID S. WATSON

SENDER'S EMAIL:

nsivyer@sbwlegal.com

#### VIA FEDERAL EXPRESS

Department of State Division of Corporations Clifton Building 2661 Executive Center Circle Tallahassee, Florida 32301

Re: Articles of Incorporation of Blue Heron Park Homeowners' Association, Inc.

#### Dear Sir or Madam:

Enclosed please find the original and one copy of the Articles of Incorporation of Blue Heron Park Homeowners' Association, Inc., together with a check made payable to the Florida Department of State for \$78.75, to cover the following costs:

Filing Fee	\$ 35.00
Designation of Registered Agent	35.00
Certified Copy	8.75
TOTAL	\$ 78.75

Also enclosed is an Affidavit regarding the formation of Blue Heron Park Homeowners' Association, Inc. by the Manager of Blue Heron Park Homeowners' Association, LLC, as Dale White, Regulatory Specialist II, instructed us to provide in connection with e-mail Letter Number 071121090818-300112457323 dated November 21, 2007.

Please return the certified copy to our office in the enclosed pre-addressed postage-paid envelope. Please call me if you have any questions at (813) 221-4242. Thank you for your assistance.

Neal A. Sivyer

NAS:dcd Enclosures

#### **AFFIDAVIT**

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STATE OF FLORIDA COUNTY OF HILLSBOROUGH

SECRETARY OF STATE TALLAHASSEE, FLORIDA

BEFORE ME, the undersigned authority, this day personally appeared Jeffrey A. Darrey, Sr. ("Affiant"), who, being first duly sworn, says:

- 1. That Affiant is the Manager of Blue Heron Park Homeowners' Association, LLC, a Florida limited liability company (the "LLC"), and is authorized to make this Affidavit on behalf of the LLC.
- 2. That Affiant and Jeffrey A. Darrey, Jr. formed the LLC on or about August 5, 2005.
- 3. That Affiant and Jeffrey A. Darrey, Jr. are the sole members of the LLC (Affiant and Darrey are referred to herein together as the "Members").
- 4. That the Members also wish to form a Florida not-for-profit corporation using the name "Blue Heron Park Homeowners' Association, Inc."

FURTHER AFFIANT SAYETH NOT.

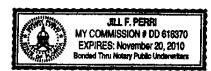
Jeffrey // Darrey, Sr., Manager

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this day of November 2007, by Jeffrey A. Darrey, Sr., who is personally known to me or who produced as identification.

Notary Public

My Commission Expires:



### ARTICLES OF INCORPORATION OF

BLUE HERON PARK HOMEOWNERS' ASSOCIATION, INC

THE UNDERSIGNED, in accordance with the provisions of Chapter 617, Florida Statutes, hereby makes, subscribes and acknowledges these Articles of Incorporation for the purpose of forming a not-for-profit corporation.

#### ARTICLE\_I

The name of the corporation shall be Blue Heron Park Homeowners' Association, Inc. (the "Association").

#### ARTICLE II

The principal place of business of the Association is:

3902 North Marguerite Street Tampa, Florida 33603.

The mailing address of the Association is:

3902 North Marguerite Street Tampa, Florida 33603.

#### ARTICLE III

The purposes and powers for which the Association is formed are as follows:

- A. To administer and enforce within Blue Heron Park, a single family community located in Tampa, Florida (the "Property"), the Declaration of Covenants, Conditions and Restrictions for Blue Heron Park, which has been or will be recorded in the Public Records of Hillsborough County, Florida (the "Declaration").
  - B. To own and convey property.
- C. To 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.

- D. To establish rules and regulations.
  - E. To assess members and enforce assessments.
  - F. To sue and be sued.
- G. 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.
- H. To require all the lot owners, parcel owners, or unit owners to be members of the Association.
- I. To exist in perpetuity; however, the 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.
- J. Take any other action necessary for the purposes for which the Association is organized.

#### **ARTICLE IV**

The Board of Directors shall be elected and removed as provided in the Bylaws of the Association (the "Bylaws").

#### ARTICLE V

The Association shall have three (3) directors initially. Thereafter, the number of directors may be either increased or diminished from time to time as provided in the Bylaws, but shall never be less than three (3).

The names and addresses of the persons who are to serve on the first Board of Directors are:

Jeffrey A. Darrey, Sr. 3902 North Marguerite Street

Tampa, Florida 33603

Jeffrey A. Darrey, Jr. 3902 North Marguerite Street

Tampa, Florida 33603

FILED

Neal A. Sivyer

401 East Jackson Street **Suite 2225** Tampa, Florida 33602

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SECRETARY OF STATE

TALLAHASSEE, FLORIDA

The names of the officers who are to serve until the first election of officers by the Board of, FLORIDA Directors are:

Jeffrey A. Darrey, Sr.

President/Treasurer

Jeffrey A. Darrey, Jr.

Vice-President/Secretary

#### ARTICLE VI

The name and street address of the registered agent is Neal A. Sivyer, 401 East Jackson Street, Suite 2225, Tampa, Florida 33602.

#### ARTICLE VII

The name and address of the Incorporator is Neal A. Sivyer, 401 East Jackson Street, Suite 2225, Tampa, Florida 33602...

Having been named as registered agent to accept service of process for the above stated corporation at the place designated in this certificate, I am familiar with and accept the appointment as registered agent and agree to act in this capacity.

Dated this 273 day of November, 2007.

Neal A. Sivyer, Registered Agent

yer, Incorporator