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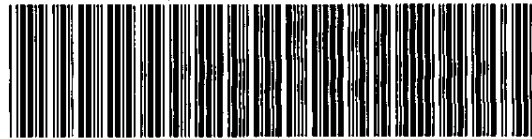
(Business Entity Name)

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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

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J. Shivers NOV 23 2010

## COVER LETTER

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

**SUBJECT:** Waterside of Indian River County Homeowners' 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:** Bruce D. Barkett  
Name (Printed or typed)

756 Beachland Blvd.  
Address

Vero Beach, FL 39263  
City, State & Zip

772-231-4343  
Daytime Telephone number

ksnellman@gmail.com  
E-mail address: (to be used for future annual report notification)

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TALLAHASSEE, FLORIDA

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

**ARTICLES OF INCORPORATION  
OF  
WATERSIDE OF INDIAN RIVER COUNTY HOMEOWNERS' ASSOCIATION, INC.**

The undersigned, acting as incorporator of a corporation pursuant to Chapter 617, Florida Statutes, adopts the following Articles of Incorporation:

**ARTICLE I  
NAME**

The name of the corporation shall be **Waterside of Indian River County Homeowners' Association, Inc.** (hereinafter referred to as "Association").

**ARTICLE II  
PRINCIPAL PLACE OF BUSINESS AND MAILING ADDRESS**

The principal place of business and the mailing address of this Association shall be P.M.B. 315, 2120 58<sup>th</sup> Avenue Vero Beach, FL 32966.

**ARTICLE III  
PURPOSE**

The specific purposes for which the Association is organized are:

1. To have all of the powers and privileges granted to corporations not for profit under the laws of the State of Florida.
2. To have all of the powers reasonably necessary to implement and effectuate the purposes of the corporation as described in WATERSIDE SUBDIVISION Declaration of Covenants and Restrictions (the "Declaration") and these Articles.
3. To establish, maintain and operate an Association not for profit to assist in the promotion of public safety and health by providing improvement and maintenance for those properties, streets, rights-of-way, and easements not publicly dedicated as shown on the plat of WATERSIDE SUBDIVISION of Indian River County, Florida.
4. To make and establish reasonable rules and regulations covering the use and maintenance of WATERSIDE SUBDIVISION property.
5. To levy and collect, from time to time, assessments against members of the Association to pay expenses of maintenance and repair of areas lying within the said property and for other expenses incurred in implementing the Association's purposes in such manner as may be provided in the Bylaws of the Association, the Declaration, and these Articles, including authorized special assessments. The Association shall have a lien upon any property of a member of the Association lying within the property for the payment of such assessments; the

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lien herein provided shall secure the monies due for all assessments levied against a member of the Association or any property owned by such member as provided in the Declaration, the Bylaws, and these Articles, together with interest upon delinquent assessments for all costs and expenses, including a reasonable attorney's fee, which may be incurred by the Association in enforcing its liens, which liens may be recorded in the Public Records of Indian River County, Florida. The lien herein provided shall be subordinate to any institutional first mortgage on the subject property.

6. To enforce the provisions of the Declaration, as it may be amended from time to time.

7. To exert a unified effort for the members of the Association to protect the value of the property of the members of the Association, and to engage in such other activities as may be to the mutual benefit of the owners of the property.

8. The Association shall operate, maintain and manage the surface water or stormwater management systems in a manner consistent with St. Johns River Water Management District permit requirements and applicable District Rules, and shall assist in the enforcement of the Declaration of Covenants and Restrictions which relate to the surface water or stormwater management system.

9. The Association shall levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the surface water or stormwater management system. The assessments shall be used for the maintenance and repair of the surface water or stormwater management systems including, but not limited to, work within retention areas, drainage structures, and drainage easements.

10. To do such other things as may be necessary in order to perform the duties and exercise the power provided for the Association in the Declaration.

#### **ARTICLE IV MEMBERS**

Membership in the Association and voting rights shall be as described in the Declaration.

#### **ARTICLE V MANNER OF ELECTION OF DIRECTORS**

The manner in which the directors are elected or appointed shall be as described in the Bylaws of the Association.

#### **ARTICLE VI LIMITATION OF CORPORATE POWERS**

The corporate powers of this Association are as provided in Section 617.0302, Florida Statutes, except as limited herein:

1. Appointed officers and agents shall not be entitled to compensation.
2. The power of the Association shall be subject to the provisions of the Declaration, and to the extent of any express conflict between the Declaration and Section 617.0302, Florida Statutes, the Declaration shall prevail.

## **ARTICLE VII INITIAL REGISTERED AGENT AND STREET ADDRESS**

The name and street address of the initial registered agent is Bruce D. Barkett, Collins, Brown, Caldwell, Barkett & Garavaglia, Chartered, 756 Beachland Boulevard, Vero Beach, Florida 32963.

## **ARTICLE VIII INCORPORATOR**

The name and street address of the incorporator of these Articles of Incorporation is Bruce D. Barkett, Collins, Brown, Caldwell, Barkett & Garavaglia, Chartered, 756 Beachland Boulevard, Vero Beach, Florida 32963.

## **ARTICLE IX 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 him in connection with any proceeding or any settlement of any proceeding to which he may be a party or in which he may become involved by reason of his being or having been a Director or Officer of the Association, whether or not he is a Director or Officer at the time such expenses are incurred, except when the Director or Officer is adjudged guilty of willful misfeasance or malfeasance in the performance of his duties; provided that in the event of a settlement the indemnification shall apply only when the Board of Directors approves such settlement or 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 other rights to which such Director or Officer may be entitled.

## **ARTICLE X DISSOLUTION**

In the event of dissolution or final liquidation of the Association, the assets, both real and personal of the Association, shall be dedicated to any appropriate public agency or utility to be devoted to purposes as nearly as practicable the same as those to which they were required to be devoted by the Association. 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 purposes as nearly as practicable the same as those to which they

were required to be devoted by the Association. No such disposition of Association properties shall be effective to divest or diminish any right or title of any member vested in him under the Declaration unless made in accordance with the provisions of such Declaration or any recorded deed.

In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water or stormwater management system must be transferred to and accepted by an entity which would comply with Section 40C-42.027, F.A.C., and be approved by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.

#### ARTICLE XI EXISTENCE AND DURATION

Existence of the Association shall commence with the filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The Association shall exist in perpetuity.

The undersigned incorporator has executed these Articles of Incorporation this 17 day of November, 2010.



Bruce D. Barkett

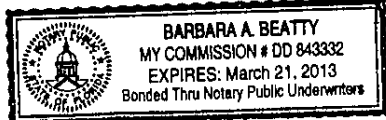
STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of November 2010, by Bruce D. Barkett, who is personally known to me or who has produced \_\_\_\_\_ as identification.



Notary Public, State of Florida at Large.

My Commission expires:



**CERTIFICATE OF DESIGNATION OF REGISTERED  
AGENT/REGISTERED OFFICE**

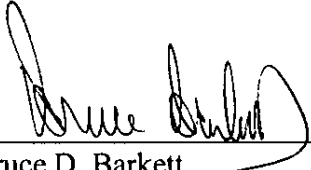
Pursuant to the provisions of Section 607.0501 or 617.0501, Florida Statutes, the undersigned corporation, organized under the Laws of the State of Florida, submits the following statement in designating the registered office/registered agent, in the State of Florida.

1. The name of the corporation is WATERSIDE OF INDIAN RIVER HOMEOWNERS' ASSOCIATION, INC.

2. The name and address of the registered agent and office is Bruce D. Barkett, Collins, Brown, Caldwell, Barkett & Garavaglia, Chartered, 756 Beachland Boulevard, Vero Beach, Florida 32963.

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

Dated this 17 day of November, 2010.

  
\_\_\_\_\_  
Bruce D. Barkett

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

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