

N11202

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Division of Corporations  
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HAMMOCK PINE VILLAGE IV ASSOCIATION, INC.**

Certificate of Status	0
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Amended  
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March 16, 2012

FLORIDA DEPARTMENT OF STATE  
Division of Corporations

HAMMOCK PINE VILLAGE IV ASSOCIATION, INC.  
7300 PARK STREET  
SEMINOLE, FL 33777US

SUBJECT: HAMMOCK PINE VILLAGE IV ASSOCIATION, INC.  
REF: N11202

We received your electronically transmitted document. However, the document has not been filed. Please make the following corrections and refax the complete document, including the electronic filing cover sheet.

A certificate must accompany the Restated Articles of Incorporation setting forth one of the following statements: (1) The restatement was adopted by the board of directors and does not contain any amendments requiring member approval; OR (2) If the restatement contains an amendment requiring member approval, the date of adoption of the amendment by the members and a statement that the number of votes cast for the amendment was sufficient for approval.

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Irene Albritton  
Regulatory Specialist II

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CERTIFICATE TO AMENDED AND RESTATED  
ARTICLES OF INCORPORATION  
OF  
HAMMOCK PINE VILLAGE IV ASSOCIATION, INC.

\*\*\*\*\*

HAMMOCK PINE VILLAGE IV ASSOCIATION, INC., a Florida not-for-profit corporation (the "Association") does hereby certify as follows:

1. The Original Articles of Incorporation of Hammock Pine Village IV, Association, Inc. were filed with the Florida Secretary of State on September 20, 1985, and its document number with the State of Florida is N11202.
2. The Articles of Incorporation of the Association are amended and restated in their entirety to read as set forth in Exhibit "A" hereto.
3. Article 9.2 of the original Article of Incorporation of the Association requires that not less than sixty percent (60%) of the vote of the total eligible members of the Association approve the Amended and Restated Articles of Incorporation of the Association.
4. At a meeting on February 20, 2012, a sufficient number of members cast votes in favor of adopting the Amended and Restated Articles of Incorporation of the Association, attached hereto as Exhibit A, as required pursuant to Article 9.2 of the original Articles of Incorporation of the Association.

IN WITNESS WHEREOF, the undersigned, being the President of this Association, has executed these Amended and Restated Articles of Incorporation on this 19<sup>th</sup> day of March, 2012.

By: Dolph Buddy Hall, Pres.  
Buddy Hall, President

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**EXHIBIT "A"**

AMENDED AND RESTATED ARTICLES OF INCORPORATION  
OF  
HAMMOCK PINE VILLAGE IV ASSOCIATION, INC.

The undersigned by these Articles associate themselves for the purpose of forming a corporation not-for-profit under Chapter 617, Florida Statutes, and certify as follows:

ARTICLE I  
**NAME AND DEFINITIONS**

The name of the corporation shall be HAMMOCK PINE VILLAGE IV ASSOCIATION, INC. For convenience, the corporation shall be referred to in this instrument as the Association, these Articles of Incorporation as Articles, and the By-Laws of the Association as By-Laws.

ARTICLE II  
**PURPOSE**

The purpose for which the Association is organized is to provide an entity pursuant to Florida Statutes §718.111 for the operation of HAMMOCK PINE VILLAGE IV - A CONDOMINIUM, located upon the following lands in Pinellas County, Florida.

See Exhibit "A" attached hereto  
and made a part hereof.

ARTICLE III  
**POWERS**

The powers of the Association shall include and shall be governed by the following provisions:

3.1 **General.** The Association shall have all of the common law and statutory powers of a corporation not-for-profit under the laws of Florida that are not in conflict with the terms of these Articles.

3.2 **Enumeration.** The Association shall have all of the powers and duties set forth in the Condominium Act except as limited by these Articles and the Declaration of Condominium, so long as such limitation is not inconsistent with the Condominium Act, and all of the powers and duties reasonably necessary to operate the condominium pursuant to the Declaration and Condominium Act as it may be amended from time to time, including but not limited to the following:

a. To make and collect assessments against members as unit owners to defray the costs, expenses and losses of the condominium and to assess reasonable late charges against unit owners delinquent in the payment of assessments and maintenance payments.

- b. To use the proceeds of assessments and charges in the exercise of its powers and duties.
- c. To buy or lease both real and personal property for condominium use, and to sell or otherwise dispose of property so acquired.
- d. To maintain, repair, replace and operate the condominium property and property acquired or leased by the Association for use by unit owners.
- e. To purchase insurance upon the condominium property and insurance for the protection of the Association and its members as unit owners.
- f. To reconstruct and repair improvements after casualty and to construct additional improvements of the condominium property.
- g. To make and amend reasonable regulations respecting the use and appearance of the property in the condominium; provided, however, that all those regulations and their amendments shall be approved by not less than sixty percent (60%) of the votes of the entire membership of the Association before they shall become effective.
- h. To approve or disapprove the leasing of units as may be provided by the Declaration of Condominium and the By-Laws.
- i. To enforce by legal means the provisions of the Condominium Act, the Declaration of Condominium, these Articles, the By-Laws of the Association and the Declaration of Covenants, Conditions and Restrictions for the use of the property in the condominium.
- j. To contract with any permit, firm or entity for the operation, maintenance or repair of the condominium property; provided however, that any such contract shall not be in conflict with the powers and duties of the Association or the rights of the units owners as provided in the Florida Condominium Act and the Declaration of Condominium of HAMMOCK PINE VILLAGE IV - A CONDOMINIUM.
- k. To contract for the management or operation of portions of the common elements susceptible to separate management or operation.
- l. To employ personnel to perform the services required for proper operation of the condominium.

3.3 Purchase of Units. The Association shall not have the power to purchase a unit of the condominium except at sales in foreclosure of liens for assessments for common expenses, at which sales the Association shall bid no more than the amount secured by its lien (including fees and costs). This provision shall not be changed without unanimous approval of the members and the joinder of all record owners of mortgages upon the condominium.

3.4 Condominium Property. All funds and the title of all properties acquired by the Association and their proceeds shall be held in trust for the members in accordance with the provisions of the Declaration of Condominium, these Articles of Incorporation and the By-Laws.

3.5 Distribution of Income. The Association shall make no distribution or income to its members, directors or officers.

3.6 Limitation. The powers of the Association shall be subject to and shall be exercised in accordance with the provisions of the Declaration of Condominium and the By-Laws.

#### ARTICLE IV MEMBERS

4.1 Membership. The members of the Association shall consist of all one hundred twelve (112) record owners of units in the condominium, and after termination of the condominium shall consist of those who are members at the time of the termination and their successors and assigns.

4.2 Evidence. The change of membership in the Association shall be established by the recording in the Public Records of Pinellas County, Florida, of a deed or other instrument transferring ownership of the unit.

4.3 Assignment. 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 the unit for which that share is held.

4.4 Voting. A member of the Association shall be entitled to one vote for each unit owned by him, except when suspended in compliance with Florida law. In the event that more than one person owns a particular unit, the owners thereof shall be entitled to cast one singular vote appurtenant to said unit except when suspended in compliance with Florida law.

#### ARTICLE V DIRECTORS

5.1 Number and Qualification. The affairs of the Association shall be managed by a board consisting of the number of directors determined by the By-Laws, but not less than three (3) directors, and in the absence of that determination shall consist of three (3) directors.

5.2 Duties and Powers. All of the duties and powers of the Association existing under the Condominium Act, Declaration of Condominium, these Articles and By-Laws shall be exercised exclusively by the board of directors, its agents, contractors or employees, subject only to approval by unit owners when that is specifically required.

5.3 Election; Removal. Directors of the Association shall be elected at the annual meeting of the members in the manner determined by the By-Laws. Directors may be removed and vacancies on the board of directors shall be filled in the manner provided by the By-Laws.

5.4 Term of Directors. The term for each director shall be as provided in the By-Laws.

#### ARTICLE VI OFFICERS

The affairs of the Association shall be administered by the officers designated in the By-Laws.

#### ARTICLE VII INDEMNIFICATION

Every director and officer of the Association, and every member of the Association serving the Association at its request, 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 or by reason of his serving or having served the Association at its request, whether or not he is a director or officer or is serving at the time the expenses or liabilities are incurred; provided that in the event of a settlement before entry of judgment, and also when the person concerned is adjudged guilty of willful misfeasance or malfeasance in the performance of his duties, the indemnification shall apply only when the board of directors approves the settlement and reimbursement as being for the best interests of the association. The foregoing, right of indemnification shall be in addition to and not exclusive of all other rights to which that person may be entitled.

#### ARTICLE VIII BY-LAWS

The first By-Laws of the Association shall be adopted by the board of directors, executed by the Secretary, and approved by the President. The By-Laws may be altered, amended or rescinded as provided in the By-Laws.

#### ARTICLE IX AMENDMENTS

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

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

9.2 Adoption. A resolution for the adoption of a proposed amendment may be proposed either by the board of directors or by thirty percent (30%) of the members of the Association. Directors and members not present in person or by proxy at the meeting considering the amendment may express their approval in writing, providing the approval is delivered to the secretary at or prior to the meeting. The approvals must be by not less than sixty percent (60%) of the vote of the total eligible voting interests of the Association.

9.3 Limitation. Provided, however, that no amendment shall make any changes in the qualifications for membership nor in the voting rights or property rights of members, nor any change in §3.3 to §3.6 of Article III, entitled "Powers," without approval in writing by all members and the joinder of all record owners of mortgages upon units. No amendment shall be made that is in conflict with the Condominium Act or the Declaration of Condominium.

9.4 Recording. A copy of each amendment shall be accepted and certified by the Secretary of State and be recorded in the Public Records of Pinellas County, Florida.

#### ARTICLE X TERM

The term of the Association shall be perpetual.

#### ARTICLE XI REGISTERED OFFICE AND AGENT

The street address of the registered office of this corporation shall be at such location as may be designated by the Board of Directors from time to time and the name of the registered agent of this corporation shall be such person as may be designated from time to time by the Board of Directors.

549740



O.R. 6374 PAGE 327

EXHIBIT "A"

LEGAL DESCRIPTION

OF

HAMMOCK PINE VILLAGE IV - A CONDOMINIUM

D.R. 6374 PAGE 328

LEGAL DESCRIPTION  
HAMMOCK PINE VILLAGE IV

DESCRIPTION OF ALL LANDS THAT MAY BECOME A PART OF HAMMOCK PINE  
VILLAGE IV - A CONDOMINIUM

A tract of land lying within the Southeast quarter of Section 19, Township 28 South, Range 16 East, Pinellas County, Florida and being more particularly described as follows:

**PARCEL "A"**

Commence at the Southeast corner of said Section 19; thence N 89 53 52 W, along the South line of said Southeast 1/4, for 1317.80 feet to the POINT OF BEGINNING; thence, continue along said South line, N 89 53 52 W, for 817.26 feet; thence N 00 00 03 E, along a line 600.00 feet East of and parallel to the West line of the Southeast quarter of said Section 19, for 588.24 feet to a point of intersection with a curve concave to the Southeast, said point also being on the southerly line of TRACT A (INGRESS-EGRESS EASEMENT); thence along said southerly line of TRACT A the following (3) five courses; (1) thence northeasterly along the arc of said curve, having a radius of 330.00 feet, a central angle of 22 59 23, an arc length of 132.41 feet and a chord bearing N 78 28 08 E, for 131.53 feet to the point of tangency; (2) thence N 89 57 50 E, for 52.87 feet to the point of curvature of a curve concave to the South; (3) thence southeasterly along the arc of said curve, having a radius of 330.00 feet, a central angle of 40 00 00, an arc length of 230.38 feet and a chord bearing S 70 02 10 E, for 225.73 feet to the point of tangency; (4) thence S 50 02 10 E, for 163.63 feet to the point of curvature of a curve concave to the Northeast; (5) thence southeasterly along the arc of said curve, having a radius of 445.00 feet, a central angle of 41 30 18, an arc length of 372.36 feet and a chord bearing S 70 47 19 E, for 315.35 feet to the point of intersection with the centerline of a 100 foot Florida Power Corporation Easement, as recorded in Deed Book 1608, pages 438 through 440, of the Public Records of Pinellas County, Florida, said centerline also being the west line of Hammock Pine Village I - A Condominium; thence S 00 01 21 E, along said centerline, and along said west line, for 330.08 feet to the POINT OF BEGINNING and containing 9.29 acres, more or less.

**Along with:**

A tract of land lying within the Southeast quarter of Section 19, Township 28 South, Range 16 East, Pinellas County, Florida and being more particularly described as follows:

**PARCEL "B"**

Commence at the Southeast corner of said Section 19; thence N 89 53 52 W, along the South line of said Southeast 1/4, for 2133.06 feet; thence N 00 00 03 E, along a line 600.00 feet East of and parallel to the West line of the Southeast quarter of said Section 19, for 639.71 feet to the POINT OF BEGINNING, said point also being a point of intersection with a curve concave to the Southeast and also being a point on the northerly line of TRACT A (INGRESS-EGRESS EASEMENT); thence along said northerly line of TRACT A, the following (3) five courses; (1) thence northeasterly along the arc of said curve, having a radius of 370.00 feet, a central angle of 16 13 30, an arc length of 104.78 feet and a chord bearing N 81 51 05 E, for 104.43 feet to the point of tangency; (2) thence N 89 57 50 E, for 78.35 feet to the point of curvature of a curve concave to the South; (3) thence southeasterly along the arc of said curve, having a radius of 370.00 feet, a central angle of 40 00 00, an arc length of 238.31 feet and a chord bearing S 70 02 10 E, for 233.09 feet to the point of tangency; (4) thence S 50 02 10 E, for 163.63 feet to the point of curvature of a curve concave to the Northeast; (5) thence southeasterly along the arc of said curve, having a radius of 405.00 feet, a central angle of 41 39 18, an arc length of 294.44 feet and a chord bearing S 70 51 49 E, for 288.00 feet to the point of intersection with the centerline of a 100 foot Florida Power Corporation Easement, as recorded in Deed Book 1608, pages 438 through 440 of the Public Records of Pinellas County, Florida, also being the west line of the Hammock Pine Recreation Area; thence N 00 01 21 W, along said centerline, and along said west line, for 298.33 feet to a point on the North line of the South quarter of the Southeast 1/4 of said Section 19; thence S 89 57 50 W, along said North line, for 816.99 feet to a point of intersection with a line 600.00 feet East of and parallel to the West line of the Southeast quarter of said Section 19; thence S 00 00 03 W, along said parallel line, for 26.74 feet to the POINT OF BEGINNING and containing 2.39 acres, more or less.

TOTAL NET ACREAGE = 11.68 acres, more or less.