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TALLAHASSEE, FLORIDA

*06/24/14*

**DARBY & PEELE**

A PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS

HERBERT F. DARBY, P.A.  
RICHARD E. STADLER, P.A.  
JOSHUA D. CRAPPS, P.A.  
BONNIE S. GREEN, P.A.

ATTORNEYS AT LAW

June 20, 2014

W. RODERICK BOWDOIN  
(1949-2008)  
S. AUSTIN PEELE  
(1938-2011)

285 N.E. HERNANDO AVENUE  
POST OFFICE DRAWER 1707  
LAKE CITY, FLORIDA 32056  
TELEPHONE (386) 752-4120  
FACSIMILE (386) 755-4569  
8250.06-14-156

Florida Department of State  
Registration Section  
Division of Corporations  
Post Office Box 6327  
Tallahassee, Florida 32314

Gentlemen:

Enclosed are two executed counterparts of Articles of Incorporation of Pine Oak Hammock Homeowners Association, Inc. (a not for profit corporation) to be filed in your office.

Also enclosed is our trust account check in the amount of \$78.75 to cover the filing fee, designation of registered agent and certified copy. Please certify one of the enclosed counterparts and return it to us at your early convenience.

Thank you.

Very truly yours,



Joshua D. Crapps  
For the firm  
[joshuadcrapps@darbypeele.com](mailto:joshuadcrapps@darbypeele.com)

JDC:dbb

Enclosures

cc: Mr. Philip Mills (w/encls.)

JDC:dbb  
06/10/14

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**ARTICLES OF INCORPORATION  
OF**

**PINE OAK HAMMOCK HOMEOWNERS ASSOCIATION, INC.  
(a not for profit corporation)**

The undersigned, desiring to form a corporation not for profit under the laws of the State of Florida, hereby adopts the following Articles of Incorporation:

**ARTICLE I - NAME**

The name of the corporation is PINE OAK HAMMOCK HOMEOWNERS ASSOCIATION, INC.

**ARTICLE II - TERM OF EXISTENCE**

The period of the duration of the corporation is perpetual, unless dissolved according to law.

**ARTICLE III - PURPOSE**

The purposes for which this corporation is organized are the following:

(A) This association is formed for monitoring and enforcing all restrictions and protective covenants in the Declaration of Restrictions and Protective Covenants of Pine Oak Hammock recorded in Official Records Book 723, page 146, public records, Columbia County, Florida.

(B) To acquire title in fee simple or by one or more perpetual easements, to certain real property in Columbia County, Florida, to be used in connection with an

unrecorded residential real estate subdivision known as Pine Oak Hammock (the "Development"), for the following purposes:

- (1) For the Development of private roads, easements, and other rights-of-way within the Development and to serve the Development ("Road System");
- (2) To construct, maintain, repair, replace, operate, and care for all lakes, ditches, canals, retention or detention areas, drainage, or other surface water management works and preservation or conservation areas, wetlands, and wetland mitigation areas (the "Surface Water Management System").
- (C) To provide for the perpetual maintenance, repair, and upkeep to the Road System, and Surface Water Management System for the benefit of the several owners of lots within the Development.
- (D) To provide for the management, maintenance, operation, and care of the Surface Water Management System and other preservation or conservation areas which are owned or controlled by the corporation.
- (E) To fix, make and collect assessments by lawful means for the purpose of maintaining the Road System and Surface Water Management System, and other property owned or maintained by the corporation, as provided for herein.

#### **ARTICLE IV - POWERS**

In carrying out its purposes, the corporation shall have all corporate powers now or hereafter provided by the laws of the State of Florida, including, but not limited to:

- (A) The purchase, ownership, maintenance, control, sale, lease, mortgaging, encumbering, or otherwise dealing in any manner with real and personal property of every type, kind, and nature.

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(B) The employment, direction, and discharge of personnel necessary to carry out the purposes herein stated.

(C) To do any and all things necessary, incidental, or desirable to accomplish any and all of the purposes and objectives for which the corporation is organized, either alone or in cooperation with other corporations, firms, or individuals, and to carry on any lawful activity necessary or incidental to the accomplishment of the purposes and objectives of the corporation.

(D) To make and collect assessments against property owners in the Development and use the proceeds thereof in the exercise of its powers and duties, including, but not limited to, the defraying of costs and expenses of carrying out its purposes.

(E) To maintain, repair, replace, and operate property owned by it, purchase insurance thereon, and to make and adopt reasonable regulations respecting the use and appearance of the Road System, Surface Water Management System, and other real or personal property owned or controlled by the corporation, and to enforce by all legal means the provisions of these articles of incorporation and any by-laws or rules and regulations adopted pursuant hereto.

(F) To maintain, repair, replace, operate, and care for real and personal property, including, without limitation, the Road System, and Surface Water Management System, and other preservation or conservation areas, wetlands, and wetland mitigation areas, which are owned by the corporation or controlled by the corporation in a manner consistent with any and all permits issued by the Suwannee

River Water Management District and the operation and maintenance plans attached thereto.

(G) To do and perform any obligations imposed upon the corporation by law or by any permit or authorization for any unit of local, regional, state, or federal government, and to enforce by any legal means the provisions of these articles, the by-laws, rules and regulations, and any restrictions affecting the Development.

(H) The power and right to review and approve plans and specifications for proposed improvements in the Development to ascertain that the same comply with all provisions of any declaration of protective covenants and restrictions for the Development.

(I) The power to do and perform any and all acts necessary or required by these articles, the by-laws, or any declaration of protective covenants and restrictions affecting the Development to be done by any owner of any property in the Development, but, if not done by the owner in a timely manner, to do and perform the same at the expense of the owner or as may be otherwise provided in such declaration of protective covenants and restrictions.

#### **ARTICLE V - MEMBERSHIP**

Membership in the corporation shall be limited to those persons who from time to time own property in the Development. All record owners of property in the Development shall, by virtue of such ownership, be members of the corporation. Rights of such members to vote, hold office as a director or officer of the corporation, or otherwise exercise any rights of membership may be limited, as provided in the by-laws,

to those persons who have paid all annual dues and assessments and are otherwise in good standing pursuant to the by-laws. Membership shall be an appurtenance to ownership of property in the Development.

#### **ARTICLE VI - REGISTERED OFFICE AND AGENT**

The initial registered office of the corporation is 285 SW Hammock Hill Circle, Lake City, Florida 32024. The name of its initial registered agent at such address is Philip Mills, who, by signing these Articles of Incorporation, accepts appointment as such and acknowledges that he is familiar with the obligations of that position.

#### **ARTICLE VII - PRINCIPAL OFFICE**

The principal office of the corporation is 285 SW Hammock Hill Circle, Lake City, Florida 32024, and the mailing address of the corporation is 285 SW Hammock Hill Circle, Lake City, Florida 32024.

#### **ARTICLE VIII - BOARD OF DIRECTORS**

The corporation shall have a Board of Directors which shall consist of not less than three (3) nor more than nine (9) persons. The number of persons constituting the initial Board of Directors of the corporation shall consist of three (3) and the names and addresses of the persons who shall serve as initial members are:

<u>NAME</u>	<u>ADDRESS</u>
Philip Mills	285 SW Hammock Hill Circle Lake City, Florida 32024
Hildred Mills	285 SW Hammock Hill Circle Lake City, Florida 32024
Jerry Cunningham	529 SW Hammock Hill Circle Lake City, Florida 32024

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The Board of Directors shall be elected in the manner provided in the by-laws of the corporation.

#### **ARTICLE IX - ORGANIZATIONAL FORM**

The corporation is organized upon a non-stock basis.

#### **ARTICLE X - DISPOSITION OF ASSETS UPON DISSOLUTION**

No part of the income of the corporation shall be distributable to its members, directors, or officers either during the existence of the corporation or upon its dissolution; provided, however, that upon dissolution the assets of the corporation shall be transferred to a successor entity or to the then property owners in the Development in such a manner as to assure that the Road System, Surface Water Management System, and all other property owned by the corporation for the benefit of the property owners, shall be used for the benefit of the several property owners in the Development.

Prior to dissolution of the corporation, all property, interests in property, whether real, personal, or mixed, which are directly or indirectly related to the Surface Water Management System which are owned by the corporation or the owners in common, will be dedicated to the appropriate unit of government or otherwise transferred to another approved entity. Dedication or approval must be authorized by the Suwannee River Water Management District through modification of any and all permits or authorizations issued by the Suwannee River Water Management District. Such modification shall be made under the lawfully adopted rules of the Suwannee River Water Management District in effect at the time of application for such modification.

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## **ARTICLE XI - BY-LAWS AND AMENDMENT OF ARTICLES OF INCORPORATION**

By-laws will be adopted and may be amended by the directors or members consistent with these Articles of Incorporation and any declaration of protective covenants and restrictions affecting the Development. Amendments to these Articles of Incorporation may be adopted by the directors or members in the manner permitted by law.

Any amendments to the by-laws or these Articles of Incorporation which directly or indirectly impact the operation and maintenance of the Surface Water Management System, which are owned or controlled by this corporation or the owners of lots within the Development in common may be made only after approval by the Suwannee River Water Management District. Such approval shall be in the form of a modification to any and all permits issued by the Suwannee River Water Management District under the lawfully adopted rules of the district in effect at the time of application for such modification. Amendment to these Articles of Incorporation or the by-laws which does not impact operation or maintenance of the Surface Water Management System may be made without authorization of the Suwannee River Water Management District; however, copies of any such amendments shall be forwarded to the district office within thirty (30) days of approval.

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**ARTICLE XII - NAME AND ADDRESS OF INCORPORATOR**

The name and address of the incorporator is:

NAME

ADDRESS

Philip Mills

285 SW Hammock Hill Circle  
Lake City, Florida 32024

IN WITNESS WHEREOF, the undersigned incorporator has executed these

Articles of Incorporation, this 11 day of June, 2014.

Philip Mills (SEAL)  
PHILIP MILLS

STATE OF FLORIDA

COUNTY OF COLUMBIA

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of June, 2014, by PHILIP MILLS, the incorporator named in the foregoing Articles of Incorporation, who is personally known to me or who produced as identification. DL Delores Brannen.

Delores B. Brannen  
Notary Public, State of Florida

(Notarial Seal)

Delores B. Brannen  
(print or type name)

My commission expires:

