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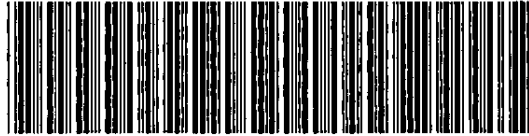
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DEPT OF STATE
TALLAHASSEE, FLORIDA

15 MAR 24 PM 12:19

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MD 3/26

COVER LETTER

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

SUBJECT: Arcadia 70/31 Property Owners 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: J. Richard McClure
Name (Printed or typed)

735 Arlington Ave., North Ste. 205-3
Address

St. Petersburg, FL 33701
City, State & Zip

727-821-0170
Daytime Telephone number

dm@mcclure company.net
E-mail address: (to be used for future annual report notification)

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

ARTICLES OF INCORPORATION
OF
ARCADIA 70/31 PROPERTY OWNERS ASSOCIATION, INC.

15 MAR 21 PM 12:19
RECORDED & INDEXED
CLERK OF CIRCUIT COURT
IN AND FOR THE COUNTY OF HILLSBORO, FLORIDA

I. NAME AND ADDRESS

The name of this corporation shall be ARCADIA 70/31 PROPERTY OWNERS ASSOCIATION, INC. (sometimes hereinafter referred to as the "Association"). The principal place of business and mailing address of the Association shall be 735 Arlington Avenue North, Suite 205-3, St. Petersburg, FL 33701, or such other address as the Association may hereafter select.

II. DEFINITIONS

When used herein, the following terms shall have the meanings set forth below:

A. "Articles of Incorporation" shall mean these Articles of Incorporation of the Association, together with all modifications and amendments thereto.

B. "Association" shall mean ARCADIA 70/31 PROPERTY OWNERS ASSOCIATION, INC., a not for profit corporation organized under the laws of the State of Florida.

C. "Board" shall mean the duly elected or appointed Board of Directors of the Association.

D. "By-Laws" shall mean the duly adopted By-Laws of the Association, together with all modifications and amendments thereto.

E. "Common Areas" shall mean the portions of the Project intended for the nonexclusive common use by the Owners and, to the extent provided for herein or in the Declaration, their Permittees. Common Areas are more particularly described in the Declaration.

F. "Declaration" shall mean the Amended and Restated Declaration of Covenants, Restrictions and Easements of the Property which shall be recorded by the Declarant in the public records of DeSoto County, Florida, and all of the conditions, covenants, restrictions, easements, reservations, assessments, liens, standards and criteria set forth therein or adopted pursuant to the Declaration, together with all modifications and amendments thereto.

G. "Developer" or "Declarant" shall mean Arcadia Properties, LLC, a Florida limited liability company, their successors and assigns.

H. "Director" shall mean a duly elected or appointed member of the Board.

I. "Member" shall mean any person or entity meeting the criteria and qualifications necessary to become a member of the Association, as set forth in Article V herein and in the By-Laws.

J. "Owner" as it relates to any Parcel, shall mean the Person then holding fee simple title to the Parcel. If more than one Person holds fee simple title to the Parcel, all such Persons, collectively, jointly and severally, shall be the Owner of the Parcel. In the event a copy or memorandum of a lease is delivered to the Association and recorded in the public records of DeSoto County, Florida, which provides that the Person holding the leasehold estate as tenant thereunder shall be treated as the Owner under this Declaration, such Person shall be deemed the Owner of the Parcel for the purposes of these Articles; provided that such designation will not release the Person who would otherwise be the Owner of the Parcel from its obligations under

the Declaration and these Articles in the event of a failure of such tenant to comply with the terms of the Declaration or these Articles.

K. "Person" shall mean shall mean and include individuals, partnerships, firms, associations, joint ventures, corporations, limited liability companies, limited liability partnerships, and any other form of legal entity having legal capacity.

L. "Parcel" shall mean any portion of the Property owned by a Member.

M. "Property" shall mean the real property described in Exhibit "A."

N. "Quorum of the Members" shall mean a meeting of the Members at which Members entitled to vote at least fifty percent (50%) of the total number of eligible votes in the Association are in attendance or represented at such meeting by a duly authorized representative of the Member or by proxy.

O. "Stormwater Management System" shall mean a system which is designed and constructed or implemented to control discharges which are necessitated by rainfall events, incorporating methods to collect, convey, store, absorb, inhibit, treat, use or reuse water to prevent or reduce flooding, overdrainage, environmental degradation, and water pollution or otherwise affect the quantity and quality of discharges from the system, as permitted pursuant to Chapter 62-330, F.A.C.

III. PURPOSES AND DUTIES

The general nature, objects and purposes for which the Association has been organized and the duties of the Association are as follows:

A. To provide an entity for the furtherance of the interests of the Members.

B. To own, lease, operate, manage, repair, maintain, reconstruct, restore, renovate, rebuild, replace, improve and alter the Common Areas and other property and to procure and maintain insurance which the Board determines is necessary or appropriate relating to such Common Areas and other property, and to pay all taxes, assessments and utility charges relating thereto.

C. To provide for such services which the Association may periodically determine are necessary or desirable to further the interests of the Members, together with the capital improvements, equipment and personnel pertaining to the providing of such services.

D. To provide, purchase, lease, acquire, replace, improve, maintain and repair such private and public real property, buildings, structures, street lights and other structures, landscaping, paving and equipment, both real and personal, related to the furtherance of the interests and convenience of the Members, as the Board of Directors in its discretion determines necessary, appropriate, and convenient.

E. To manage and maintain the lift station, streets and roadways, utilities, and Stormwater Management System located within the Property for the benefit of the Owners of the Property and for the benefit of the owners of such other properties that the Association or Developer may be grant the right to utilize the lift station, streets and roadways, utilities, and the Stormwater Management System.

F. To perform all the functions, duties and obligations contemplated of the Association in the Declaration.

G. To operate the Association without profit for the benefit of its Members.

H. To do, perform or provide any other acts, services or matters whatsoever that are not in conflict with these Articles or the By-Laws and that may be allowed by Chapter 617, Florida Statutes or any successor statute thereto.

I. The Association shall have the duty to operate and manage the Stormwater Management System in a manner consistent with the requirements of the permit(s) issued by the Southwest Florida Water Management District (the "Agency") and the applicable rules of the Agency, and shall assist in the enforcement of the restrictions and covenants applicable to the Property.

IV. GENERAL POWERS

The general powers that the Association shall have are as follows:

A. To hold funds for the benefit of the Members for purposes set forth in these Articles of Incorporation and in the By-Laws and Declaration.

B. To promulgate and enforce rules, regulations, by-laws, covenants, restrictions and agreements or take any other actions necessary to effectuate the purposes for which the Association is organized and to further the interests of the Members, including, without limitation, the promulgation and enforcement of rules and regulations limiting or regulating the hours of use, the entry and exit points and the speed of all types of vehicles traveling upon the private streets, roadways, alleys and other paved areas within the Property.

C. To establish rules, regulations, procedures and policies relating to the governance and operation of the Association and the Common Areas.

D. To enter into contracts with such Persons as the Board deems necessary or appropriate to provide for the administration, operation and/or management of the Association.

E. To delegate power or powers where such is deemed in the interest of the Association.

F. To purchase, lease, hold, own, sell, convey, mortgage or otherwise acquire or dispose of, any interest in real or personal property, except to the extent restricted hereby.

G. To own, operate, manage, repair, maintain, reconstruct, restore, renovate, rebuild, replace, improve and alter the Common Areas.

H. To grant easements and the right to utilize the lift station, streets and roadways, utilities, and the Stormwater Management System to the Owners of the Property and to the Owners of such other properties as may be designated by the Developer.

I. To enter into, make, perform or carry out contracts and agreements of every kind with any Person, including, but not limited, to contract for services to provide for the operation and maintenance of the Stormwater Management System.

J. To fix and collect regular or special dues, charges, fees and assessments to be levied upon the Members and against the Parcels to defray the costs, fees, and capital and non-capital expenditures of the Association, including, but not limited to, the cost of operating and maintaining the Stormwater Management System, and to otherwise effectuate the objectives and purposes of the Association, and to fix and collect fines and other charges for the nonpayment of such dues, charges, fees or assessments or for the violation of the Articles of Incorporation, By-Laws, or Declaration, and to authorize the Board, in its discretion, to enter into, perform and carry out contracts or agreements with such Persons as are selected by the Board from time to time to provide for the collection of such dues, charges, fees and assessments. The assessments shall be used, among other things, for the maintenance and repair

of the Stormwater Management System and mitigation or preservation areas, including, but not limited to, work within retention areas, drainage structures, and drainage easements.

K. To sue and be sued, including, but not limited to the commencement of actions, suits or proceedings to (i) restrain, prevent, terminate or enjoin any breach or threatened breach of the Declaration, the Articles of Incorporation or By-Laws of the Association, (ii) enforce, by mandatory injunction or otherwise, the provisions of the Declaration or the Articles of Incorporation or By-Laws of the Association, and (iii) to collect any assessment, fee, dues, fine, charge or other amount due to the Association from any Member or any person or entity claiming by or through such Member.

L. To enter into agreements with Persons to provide the following services on behalf of the Association: legal, accounting, engineering, managerial, appraisal, architectural, landscape design and such other services as the Board deems necessary or desirable.

M. To create reserves to provide for the deferred maintenance, renovation, rebuilding, reconstruction, replacement, improvement or alteration of any portion of the Common Areas.

N. To enter upon any Parcel for the purpose of ascertaining whether the Owner thereof is in compliance with the Declaration, these Articles of Incorporation and the By-Laws and to undertake such actions as the Association in its discretion determines is necessary or appropriate to insure full, complete and continuing compliance with the Declaration, these Articles of Incorporation and the By-Laws.

O. To separately charge any Owner for services rendered by the Association to any such Owner or those claiming by or through any such Owner and to separately charge any user of Association property when such separate charge is deemed appropriate by the Board.

P. To pay taxes, assessments, utilities and other charges, if any, levied or assessed on or against property owned, leased or maintained by the Association.

Q. To require all Owners to become Members of the Association.

R. To operate and maintain the Stormwater Management System as permitted by the Agency, 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.

S. To demonstrate that the land on which the Stormwater Management System is located is owned or otherwise controlled by the Association to the extent necessary to operate and maintain the Stormwater Management System or convey operation and maintenance to another entity.

T. To do any and all acts necessary or expedient for carrying on or accomplishing any and all of the purposes for which the Association has been formed and for effectuating all of the powers and objectives set forth in these Articles of Incorporation and in the Declaration which are not forbidden by the laws of the State of Florida.

U. To have, in general, all powers conferred upon a not for profit corporation by the laws of the State of Florida, except, as prohibited herein, which are necessary or convenient to accomplish any of the objects and purposes for which the Association is organized.

V. MEMBERS

A. Each Owner, including the Developer, of fee simple title to a Parcel within the Property (or of a leasehold interest of a Parcel if the holder of the leasehold estate is treated as an Owner as provided in these Articles) shall automatically become a Member of the Association for so long as such ownership continues. Association membership shall be an interest which is appurtenant to fee simple title of a Parcel (or to the leasehold interest of a Parcel if the holder of the leasehold estate is treated as an Owner as provided in these Articles) within the Property and shall not be divisible or transferable separate and apart from ownership (or leasehold interest, if applicable) of any such Parcel.

B. The voting rights of Members shall be set forth in the By-Laws.

C. The By-Laws may include terms and provisions which permit the Board, in its discretion, to suspend or terminate certain of the rights, interests and privileges of Members under the circumstances described therein.

D. The rights, duties, privileges and obligations of each Member of the Association shall be those set forth herein and in the Declaration and By-Laws, and all such rights, duties, privileges and obligations shall be exercised in accordance with the terms, provisions, covenants, restrictions and conditions set forth herein and in the Declaration and By-Laws of the Association.

VI. BOARD OF DIRECTORS

A. The affairs of the Association shall be managed and directed by a Board of Directors which shall include at least three (3) Directors. Only individuals may serve as Directors. The initial Board shall consist of three (3) Directors appointed by the Developer. The

Developer shall have the right to appoint a majority of the Board until the Developer has sold and completed the transfer of title of all of the Parcels within the Property (the aforesaid period shall be referred to as the "Developer Control Period"). Thereafter, the Board of Directors shall be elected by the Members. Each Member shall be entitled to the equivalent of one (1) vote for each acre of the Parcel which is owned by such Member computed as follows:

(1) for each partial acre of the Parcel, if any, which is included within a Parcel, fractional voting corresponding to the fraction of the acre owned by such Member shall be permitted; provided, however, that all such fractions shall be rounded off to the nearest one-tenth of an acre,

(2) in the event title to any Parcel is held in the name of more than one (1) person, the owners of such Parcel shall jointly determine the manner in which the vote for such Parcel is to be cast and in no event may the vote relating to any Parcel be split or divided among the persons owning such Parcel and, instead must be voted as a whole by such persons or entities,

(3) if the Owners of any Parcel cannot agree among themselves as to the manner in which their vote is to be cast on the issue submitted to the Members, then no vote shall be counted in respect to such Parcel in connection with such issue,

(4) in no event shall more than one (1) vote per acre included within a Parcel be cast regardless of the number of persons which owns such Parcel, and

(5) in the event the Owners of any Parcel cannot agree among themselves as to the manner in which their vote is to be cast on the issues submitted to the Members,

such owners shall not be deemed Members "for purposes of determining a quorum or majority vote of the Members."

B. The names and addresses of the members of the initial Board who, subject to these Articles of Incorporation and the By-Laws of the Association, shall hold office for the first year of the existence of the Association, or until an election is held by the Members for the election of Directors, or until their successors are elected or appointed and have qualified in accordance with the By-Laws, are as follows:

NAME	ADDRESS
J. Richard McClure	735 Arlington Avenue North, Suite 205-3 St. Petersburg, Fl. 33701
William H. Harvey	166 SW Cassine Ct. Palm City, FL 34990
John T. McKinney	1717 Penn Avenue, Suite 5015 Pittsburgh, PA 15221

VII. OFFICERS

A. The officers of the Association shall be a President, a Vice President, a Secretary and a Treasurer, and such other officers as the Board may from time to time by resolution create. One (1) person may concurrently hold two (2) or more offices. Officers shall be elected by a majority vote of the Board in accordance with the procedures set forth in the By-Laws. The By-Laws shall provide the manner in which (i) the duties of each officer are to be determined, (ii) officers are to be appointed or elected, (iii) vacancies in any position are to be filled, and (iv) the manner in which officers may be removed from office.

B. The names of the officers who, subject to these Articles of Incorporation and the By-Laws, shall hold office for the first year of the existence of the Corporation, or until an

election is held by the Directors for the appointment of other officers, or until their successors are duly elected and have qualified are:

President	J. Richard McClure
Vice President	John T. McKinney
Treasurer	William H. Harvey
Secretary	William H. Harvey

VIII. REGISTERED OFFICE AND REGISTERED AGENT

The name of the Association's initial registered agent is Bruce S. Goldstein, P.A., and the street address of the corporation's initial registered office is 500 East Kennedy Boulevard, Suite 100, Tampa, Florida 33602. The corporation shall keep the Department of State of the State of Florida informed of the current city, town, or village and street address of said registered office together with the name of the registered agent.

IX. CORPORATE EXISTENCE

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. In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the Stormwater Management System must be transferred to and accepted by an entity which complies with Rule 62-330.310, F.A.C., and Applicant's Handbook Volume 1, Section 12.3, and be approved by the Agency prior to such termination, dissolution or liquidation.

X. BY-LAWS

A. The Board shall adopt By-Laws consistent with these Articles. The Association reserves to the Board the right to modify, amend or rescind the By-Laws from time to time in

whole or in part only by a majority vote of the Directors present at any duly called and convened meeting of the Board at which a quorum is present.

B. All rights, interests and privileges conferred upon any Member of the Association by these Articles of Incorporation or the By-Laws shall be subject to and subordinate to the reservation set forth above in Paragraph X.A.

XI. AMENDMENT TO ARTICLES OF INCORPORATION

A. These Articles may be altered, amended or rescinded only, and not otherwise after a majority of the Directors present at a duly called and convened meeting has adopted a resolution approving the proposed alteration, amendment or rescission, and the proposed alteration, amendment or rescission is submitted to a vote of the Members at either an annual or special meeting and is approved by a majority of the Members present at the duly called and convened meeting at which a Quorum is present.

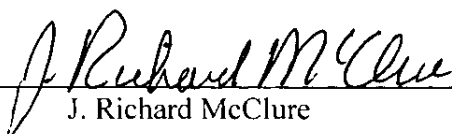
B. The rights, interests and privileges conferred upon any Member by these Articles of Incorporation are subject to the right of the Association to alter, amend or rescind these Articles of Incorporation.

XII. INCORPORATOR

The name and address of the incorporator is:

J. Richard McClure
735 Arlington Avenue North, Suite 205-3
St. Petersburg, Fl. 33701

EXECUTED: March 23, 2015


J. Richard McClure

REGISTERED AGENT CERTIFICATE

Having been named to accept service of process for the above state corporation, I hereby accept appointment as its 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.

Bruce S. Goldstein, P.A.

By: 

Bruce S. Goldstein, President

15 MAR 24 PM 12:19
STATE OF FLORIDA
CLERK OF THE COURT
JUDICIAL CIRCUIT IN AND FOR
DADE COUNTY

Exhibit A

ALL OF THAT CERTAIN PROPERTY DESCRIBED IN THE PLAT FOR ACADIA 70/31 AS RECORDED IN PLAT BOOK 9, PAGE 95, PUBLIC RECORDS OF DESOTO COUNTY, FLORIDA

AND THE FOLLOWING DESCRIBED PARCEL:

A PARCEL OF LAND LYING AND BEING IN SECTION 5, TOWNSHIP 38 SOUTH, RANGE 25 EAST, DESOTO COUNTY, FLORIDA.

COMMENCE AT THE INTERSECTION OF EAST LINE OF WEST 1/2 NORTHEAST NORTHWEST 1/4 SECTION 5, TOWNSHIP 38 SOUTH, RANGE 25 EAST AND THE EXISTING MONUMENTED SOUTH RIGHT OF WAY LINE OF STATE ROAD 70: (200' PUBLIC RIGHT OF WAY); THENCE S.89°45'07"E. ALONG SAID MONUMENTED SOUTH RIGHT OF WAY LINE, A DISTANCE OF 205.67 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S.89°45'07"E. ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 275.00 FEET TO THE INTERSECTION WITH THE NEW PROPOSED WEST RIGHT OF WAY LINE OF STATE ROAD 31; THENCE S.08°46'46"E. ALONG SAID PROPOSED WEST RIGHT OF WAY LINE, A DISTANCE OF 94.75 FEET TO A POINT OF CURVATURE, CONCAVE EAST, HAVING A RADIUS OF 1,502.40 FEET, AND A CENTRAL ANGLE OF 07°15'52"; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 190.49 FEET, SAID CURVE BEING SUBTENDED BY A CHORD THAT BEARS S.12°24'42"E., A DISTANCE OF 190.36 FEET; THENCE N.89°52'18"W., A DISTANCE OF 330.96 FEET; THENCE N.00°07'14"E., A DISTANCE OF 280.00 FEET TO THE POINT OF BEGINNING.

15 MAR 21 4 19 PM '19