

N15000005718

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP

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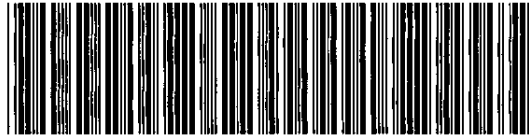
(Business Entity Name)

(Document Number)

Certified Copies \_\_\_\_\_ Certificates of Status \_\_\_\_\_

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Office Use Only



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05/18/15--01047--012 \*\*46.75

06/09/15--01017--002 \*\*32.00

FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
15 JUN - 9 AM 8:18

N15-35183

06/10/15



FLORIDA DEPARTMENT OF STATE  
Division of Corporations

May 19, 2015

JOHN C. WHITE  
112 ORANGE AVENUE  
DAYTONA BEACH, FL 32114

SUBJECT: TABBY HOUSE HOMEOWNERS ASSOCIATION, INC.  
Ref. Number: W15000035183

We have received your document for TABBY HOUSE HOMEOWNERS ASSOCIATION, INC. and check(s) totaling \$46.75. However, the enclosed document has not been filed and is being returned to you for the following reason(s):

There is a balance due of \$32.00.

If you have any further questions concerning your document, please call (850) 245-6052.

Thomas Chang  
Regulatory Specialist II  
New Filing Section

Letter Number: 915A00010427

*Please apply this check to the  
remaining balance.*

RECEIVED  
15 JUN -5 AM 9:25  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

## COVER LETTER

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

**SUBJECT:** Tabby House 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:** John C. White  
\_\_\_\_\_  
Name (Printed or typed)

112 Orange Avenue  
\_\_\_\_\_  
Address

Daytona Beach, FL 32114  
\_\_\_\_\_  
City, State & Zip

386-627-777  
\_\_\_\_\_  
Daytime Telephone number

jack@whitehallis.com  
\_\_\_\_\_  
E-mail address: (to be used for future annual report notification)

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

FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
15 JUN -9 AM 8:18

**ARTICLES OF INCORPORATION OF  
TABBY HOUSE HOMEOWNERS ASSOCIATION, INC.**

(A not-for-profit corporation under the laws of the State of Florida)

The undersigned hereby makes, subscribes, acknowledges and files these Articles of Incorporation for the purpose of becoming incorporated under the laws of the State of Florida, in accordance with the provisions of the statutes of the State of Florida, providing for the formation, liabilities, rights, privileges, and immunities of corporations not for profit.

1. Name. The name of the corporation shall be TABBY HOUSE HOMEOWNERS ASSOCIATION, INC., hereinafter referred to as the "Association".
2. Principal Office and Designation of Registered Agent.
  - 2.1. The principal office of the Association shall be located at 112 Orange Avenue, Daytona Beach, FL 32114, or such other places as may from time to time be designated by the Board of Directors.
  - 2.2. The initial registered office of the corporation is located at 112 Orange Avenue, Daytona Beach, FL 32114.
  - 2.3. The Board of Directors may, from time to time, change the registered agent by designation filed in the office of the Secretary of State.
3. Purpose.
  - 3.1. The Association is organized to provide a legal entity through which the owners within the Tabby House development, located at the intersection of Julie Street and Sam Avenue, New Smyrna Beach, Florida (the "Property"), shall provide for certain centralized services, regulation and control as hereinafter set forth and as provided in the Declaration of Covenants and Restrictions for Tabby House (the "Declaration") to be recorded as to the Property and to provide an entity to carry out and accomplish the purposes described in the Declaration as from time to time amended and supplemented.
  - 3.2. The Association, being conducted as a non-profit corporation for the benefit of its members, shall make no distribution of income to its members, directors, or officers; provided, however, such directors and officers shall be entitled to reimbursement of all reasonable costs incurred in carrying out their duties of office.
  - 3.3. The Association shall operate, maintain and manage the surface water or stormwater management system on the Property in a manner consistent with the St. Johns River Water Management District Permit issued for the Property requirements and applicable District rules, and shall assist in the enforcement of the Declaration which relate to the surface water or stormwater management system.
4. Powers.
  - 4.1. The Association shall have all powers of a not-for-profit corporation under the laws of Florida, except as may otherwise be provided in these Articles.
  - 4.2. The Association shall have and exercise all of the powers granted to it by the Declaration affecting the use of the Property, and all the powers reasonably necessary to accomplish the responsibilities, duties, powers, and purposes conferred upon the Association by the Declaration, as amended and supplemented from time to time, including, but not limited to, the following:
    - 4.2.1. To make and collect assessments against the members of the Association to defray the costs of the exercise of its powers and duties;
    - 4.2.2. To purchase insurance upon the Common Areas and any other property for which the Association is responsible for maintenance;
    - 4.2.3. To enforce by legal means the land use restrictions, these Articles, the Laws, and the Declaration concerning the Property;

- 4.2.4. To maintain, repair, replace, operate and manage the Association's property, including the right to reconstruct improvements after casualty and to make and construct additional improvements upon the Association property;
- 4.2.5. To employ personnel and engage such professional assistance as may be necessary to perform the services required for the proper operation of the Association and the Property; and
- 4.2.6. To 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;
- 4.3. The Association shall have a lien on each lot to secure all sums of money assessed against the owner, and which lien shall also secure all costs and expenses which may be incurred by the Association in enforcing such liens. The Association may enforce such lien in any manner provided by law, including foreclosure.
- 4.4. All funds and the title to all properties acquired by the Association, and their proceeds, shall be held for the benefit of the members of the Association, in accordance with the provisions of the Declaration, these Articles and By-Laws.
5. Directors. The affairs of the Association shall be managed by a Board of Directors, and who shall be elected, all as set forth in the By-Laws. The Board of Directors shall elect a president, secretary, and treasurer as provided in the By-Laws. The names and addresses of the first Board of Directors shall hold office until their successors are elected and have qualified, or until they are removed, as follows: John C. "Jack" White, 208 Wall Street, Unit 301, Daytona Beach, Florida 32114; Christopher N. Challis, 112 Orange Avenue, Daytona Beach, Florida 32114; and Kevin Manley, 2 Tropical Lane, Daytona Beach, Florida 32118.
6. Registered Agent. The name and address of the registered agent of the Association is John C. "Jack" White, 112 Orange Avenue, Daytona Beach, Florida 32114.

"I hereby am familiar with and accept the duties and responsibilities as Registered Agent."



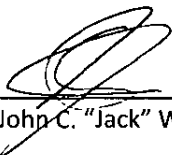
John C. "Jack" White

7. Incorporator. The name and address of the subscriber of these Articles is John C. "Jack" White, 112 Orange Avenue, Daytona Beach, Florida 32114.
8. Officers. The affairs of the Association shall be administered by the officers elected by the Board of Directors as set forth in the By-Laws. The initial officers who shall serve until their successors are designated by the Board of Directors are as follows: President, Kevin Manley; Secretary, Christopher N. Challis; and Treasurer, John C. "Jack" White.
9. Members.
- 9.1. Members of the Association shall consist of every person or entity who is a record owner of a fee simple estate or life estate in the Property. Membership shall continue for so long as such ownership shall exist.
- 9.2. Immediately upon the divestment of a member's ownership interest in a lot, regardless of the means of such divestiture, such owner's membership shall terminate. Any successor owner shall be entitled to membership upon his acquisition of his ownership interest as described above.
- 9.3. The interest 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 his lot. The funds and assets of the Association belong solely to the Association.
- 9.4. Voting rights of the membership shall be as set forth in the By-Laws.
- 9.5. The Annual Meeting of the membership shall be as set forth in the By-Laws.

10. Term. The existence of the Association shall commence upon filing of these Articles with the Secretary of State, Tallahassee, Florida. The term of the Association shall be perpetual.
11. By-Laws. The first By-Laws of the Association shall be adopted by the Board of Directors and may be amended in the manner provided therein.
12. Amendments. An amendment may be proposed by the Board of Directors by a majority vote or by a majority of the members, whether meeting as members or by instrument in writing signed by them.
13. Indemnification. Every Director and every officer of the Association and such other standing committees as may be established shall be indemnified by the Association against all expenses and liabilities, including attorneys' fees, reasonably incurred by or imposed upon them in connection with any proceeding to which they may be a party or in which they may become involved by reason of their being or having been a director or officer of the Association, except that when the director or officer is adjudged guilty of willful misfeasance or malfeasance in the performing of their duties. The foregoing right of indemnification shall be in addition to and not exclusive of all rights to which such director or officer may be entitled.
14. Dissolution. 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 an accepted by an entity which would comply with Section 40C-42.027, F.A.C., and be approved in writing by the St. Johns River Water Management District prior to such termination, dissolution, or liquidation.

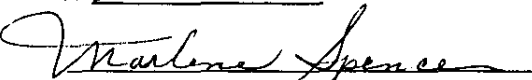
**IN WITNESS WHEREOF**, the subscriber has affixed his signature this the 11 day of May, 2015.

I submit this document and affirm that the facts stated herein are true. I am aware that any false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S.

  
John C. "Jack" White

STATE OF FLORIDA  
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 11 day of May, 2015, by John C. "Jack" White, who is personally known to me or produced driver's license as identification.

  
Notary Public, State of Florida  
Print Name: Marlene Spence  
My Commission expires: 7-13-18



MARLENE SPENCE  
Commission # FF 139207  
Expires July 13, 2018  
Bonded Thru Troy Fain Insurance 800-326-7019

15 JUN - 9 AM 8:18  
SECRETARY OF STATE  
DIVISION OF CORPORATE & COMMERCIAL REGISTRATION