

N18 000 003 KK

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐

PICK-UP

☐

WAIT

☐

MAIL

(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

Office Use Only



000310429140

03/14/18--01024--001 **70.00

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

18 MAR 14 PM 2:22

FILED



D O'KEEFE

MAR 22 2018

DANIEL HICKS, P.A.

ATTORNEY AT LAW
421 S. PINE AVENUE
OCALA, FLORIDA 34471
TEL. (352) 351-3353
FAX (352) 351-8054

E-Mail: weclose1@danielhickspa.com

REAL PROPERTY:
SHEILA HOWARD, L.A.

DANIEL HICKS, ESQUIRE

March 13, 2018

Florida Department of State
Division of Corporations
Clifton Building
2661 Executive Circle Center
Tallahassee, Florida 32301

Via Federal Express

Re: Articles of Incorporation
Arthur's Point Homeowner's Association, Inc.


Dear Sir or Madam:

Enclosed is the Articles of Incorporation for filing on behalf of the above referenced corporation. Also enclosed is our check in the amount of \$70.00 for the filing fee.

After the document has been filed, please forward your file stamped copy to the undersigned at the address shown above.

Sincerely,

DANIEL HICKS, P.A.

By: 
Daniel Hicks, Esquire

DH:dv
Enclosures: as stated

**ARTICLES OF INCORPORATION
OF
ARTHUR'S POINT HOMEOWNER'S ASSOCIATION, INC.**

FILED
18 MAR 14 PM 2:22
SECRETARY
TALLAHASSEE, FLORIDA

In compliance with the requirements of the laws of the State of Florida, the undersigned hereby associate themselves together for the purpose of forming a corporation not for profit under Chapter 617, Florida Statutes, 1991, as amended, and do hereby certify:

**ARTICLE 1.
Name**

The name of the Corporation is Arthur's Point Homeowner's Association, Inc., hereinafter called the "Association" and whose address is 11734 E. Blue Cove Drive, Dunnellon, Florida 34432.

**ARTICLE 2.
Registered Agent**

The name of the Registered Agent is Daniel Hicks and the Registered Office is 421 S. Pine Avenue, Ocala, Florida 34471.

**ARTICLE 3.
Definitions**

All definitions in the Declaration of Covenants and Restrictions for Allen's Landing, an unrecorded subdivision, as recorded in the Public Records of Marion County, Florida (the "Declaration" to which a copy of these Articles are attached as Exhibit "B", are incorporated herein by reference and made a part hereof.

**ARTICLE 4.
Purpose**

The primary purpose of the Association is to create an entity to provide a forum for discussion and communication among the Owners of property in Allen's Landing, to levy, collect, hold, and disburse Assessments as contemplated by the Declaration, to facilitate and assure the maintenance and operation of the Common Areas and such other property as may be subjected to the terms of the Declaration and for which the Association is responsible pursuant to the terms of the Declaration, including but not limited to the Private Road and other portions of the Entrance Area Easement, and to otherwise enforce the Declaration.

Nonprofit Character of Association. The Association does not contemplate pecuniary gain or profit, direct or indirect, to its Members. The Association shall make no distributions of Income to its Members, Directors or Officers.

ARTICLE 5.

Powers

The Association shall have all the powers and duties reasonably necessary to operate and maintain the Association including the following:

To exercise all the powers and privileges and to perform all of the duties and obligations of the Association as set forth in the Declaration as recorded in the Public Records of Marion County, Florida, and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth at length.

To establish, collect, and disburse Assessments as provided for in the Declaration to be used for, among other things, the maintenance, repair and replacement of the Entrance Area, the Private Road, as well as any other property or improvements for which the Association, by rule, regulation, declaration, or contract has a right or duty to provide maintenance, repair or replacement.

ARTICLE 6.

Membership

Every Owner of a Parcel as defined in the Declaration shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Parcel. All members agree to be bound by the terms and provisions of these Articles of Incorporation and such Bylaws and operating procedures as may be promulgated by the Association from time to time.

ARTICLE 7.

Voting Rights

The voting rights in the Association shall be as follows:

The Declarant shall have three (3) votes for each Parcel owned by the Declarant. Otherwise, each Owner shall be entitled to one (1) vote for each Parcel owned. When one or more persons holds an interest in any Parcel, all such persons shall be members of the Association, but in no event shall more than one vote be cast with respect to any single Parcel. In the event all of the Owners of a Parcel cannot agree on any vote, no vote shall be cast for such Parcel; provided, however, that the Association may conclusively rely on the vote cast by any of the Owners of a Parcel as being authorized by all such Owners unless the Association has been notified in writing to the contrary by one or more such Owners.

ARTICLE 8.

Board of Directors and Officers

The affairs of the Association shall be managed by a Board of Directors consisting of three (3) individuals who are owners of Parcels in the subdivision and the Officers of the Association. The initial Board of Directors shall consist of Allen Heine, Tyler Heine and Stephanie Heine.

ARTICLE 9.

Assessments

The Board is required to establish a Common Assessment to be levied against each Parcel sufficient to maintain, extend or improve the properties for which the Association is responsible pursuant to the Declaration including, but not limited to, the Common Areas, the Private Road, and the Entrance Easement Area. The Directors shall notify any owner of the amount of the then Common Assessment upon written request, along with an explanation for the determination of the Common Assessment in such detail as the Directors determine. The amount of the Common Assessment may be changed by the Directors as frequently as deemed necessary by them to assure that the amount of the Common Assessment is sufficient to pay all Common Expenses or otherwise satisfy all obligations of the Association. The Assessment so established may be levied and collected annually, quarterly or monthly, either in arrears or in advance, at the sole discretion of the Directors.

The Directors may, in their complete and sole discretion, propose other assessments as the Declaration provided for.

The Directors shall establish a separate account for the deposit of all funds collected pursuant to this Article, and shall not place any other funds, regardless of source, in said account. All funds so deposited shall be disbursed only for improvements to, and extensions or maintenance of, the properties for which the Association is responsible pursuant to the Declaration including, but not limited to, the Private Road, and the Entrance Easement Area, costs and expenses of operating and maintaining the Association, or for purposes otherwise authorized by the Declaration, or the Board of Directors. The Directors and/or Officers shall keep separate records of all assessments made and collected pursuant to this Article, and all the monies deposited into, and disbursed from the account referred to above, and shall make said records available, at reasonable hours and in a reasonable manner, to any Member of the Association requesting access to same.

ARTICLE 10.

Dissolution

In the event of the dissolution of the Association, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that acceptance of such dedication is refused, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust, or other organization to be used for such similar purposes. Notwithstanding any other provisions contained within this Article, the Association may be dissolved only as provided in the Declaration, the Bylaws of the Association, and the laws of the State of Florida.

ARTICLE 11.

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.

ARTICLE 12.
Amendments

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

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

Adoption of Resolution. A resolution for the adoption of a proposed amendment may be proposed either by the Board of Directors or by twenty-five percent (25%) of the Members of the Association entitled to vote thereon.

Adoption of Amendment. Adoption of the amendment will require the affirmative vote of two-thirds of the votes entitled to be cast at that time.

ARTICLE 13.
Subscribers

The name and street addresses of the Incorporator to these Articles of Incorporation is Allen Heine, 11734 E. Blue Cove Drive, Dunnellon, Florida 34432.

ARTICLE 14.
Officers and Directors

The Board of Directors shall elect a President and Secretary and such other officers as needed as the Board of Directors shall from time to time determine.

The names and addresses of the officers who shall serve until their successors are designated by the Board of Directors are as follows:

ALLEN HEINE

President and Secretary

ARTICLE 15.
Bylaws

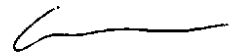
The original Bylaws of the Association shall be adopted by a majority vote of the Directors. Thereafter, the Bylaws of the Association may be amended, altered or rescinded at a regular or special meeting of the Members by a majority of the votes then entitled to be cast at a meeting at which a majority of the votes then entitled to be cast are present or represented. Any amendments to Bylaws shall be binding on all members of the Association.

ARTICLE 16.

Transaction In Which Directors or Officers are Interested

No contract or transaction between the Association and one or more of the Directors or Officers, or between the Association and any other corporation, partnership, association, or other organization including without limitation, the Declarant, or an affiliate of the Declarant, or a corporation in which one or more of its Officers or Directors are Officers or Directors of this Association shall be invalid, void or voidable solely for this reason, or solely because the Officer or Director is present at or participates in, meetings of the Board thereof which authorized the contract or transaction, or solely because said Officers' or Directors' votes are counted for such purposes. No Director or Officer of the Association shall incur liability by reason of the fact that said Director or Officer may be interested in any such contract or transaction. Interested Directors may be counted in determining the presence of a quorum at a meeting of the Board of Directors or of a committee which authorized the contract or transaction.


IN WITNESS WHEREOF, for the purpose of fanning this Corporation under the laws of the State of Florida, we, the undersigned, constituting the subscribers and incorporators of this Association, have executed these Articles of Incorporation this 12th day of March, 2018.



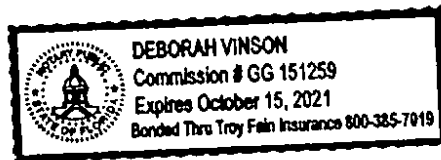
ALLEN HEINE, Incorporator

**STATE OF FLORIDA
COUNTY OF MARION**

The foregoing Instrument was sworn to and subscribed before me this 12th day of March, 2018, by ALLEN HEINE, who is [☒] personally known to me or [☐] produced _____ as identification.



Notary Public



FILED
18 MAR 14 PM 2:23
TALLAHASSEE, FLORIDA

**ACCEPTANCE BY DESIGNATION
REGISTERED AGENT/REGISTERED OFFICE**

I, the undersigned person, having been named as registered agent and to accept service of process for the above-stated Corporation at the place designated in this statement, 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: March 12, 2018



DANIEL HICKS

FILED
18 MAR 14 PM 2:23
SECRETARY OF STATE
TALLAHASSEE, FLORIDA