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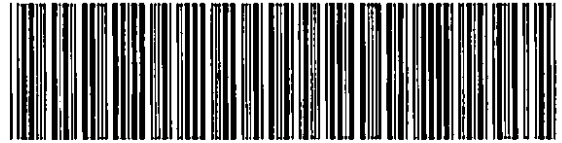
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18 MAY 17 PM 4:12
TALLAHASSEE, FLORIDA

COVER LETTER

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

SUBJECT: AMARIAH PARK 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: RYAN C. CURTIS, ESQ.
Name (Printed or typed)

175 NW 138TH TERRACE SUITE 100
Address

JONESVILLE, FL 32669
City, State & Zip

352-333-7207
Daytime Telephone number

RCURTIS@CURTISLAWFIRM.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
AMARIAH PARK OWNERS ASSOCIATION, INC.**

18 MAY 17 P.

The undersigned natural person of legal age who is a citizen of the State of Florida, acting as incorporator of a corporation under Chapter 617 and Chapter 720 of the Florida Statutes, does hereby adopt the following articles of incorporation for such corporation:

ARTICLE I

The name of the corporation is AMARIAH PARK OWNERS ASSOCIATION, INC. (the "Association").

ARTICLE II

The Association is a non-profit corporation.

ARTICLE III

The period of its duration is perpetual.

ARTICLE IV

The Association shall operate, maintain and manage the surface water or storm water management system(s) in a manner consistent with Suwannee River Water Management District ("District") permit nos. ERP-001-229242-1 and ERP-001-229242-2 and applicable District rules, in accordance with the approved Open Space Management Plan, and shall assist in the enforcement of the Declaration of Covenants and Restrictions which relate to the surface water or storm water management system(s).

The Association shall levy and collect adequate assessments against the members of the Association for the costs of maintenance and operation of the surface water or storm water management system(s).

Further the Association is organized for the purpose of maintenance, preservation, and architectural control of the residence lots and common area, and management, maintenance, operation and care of real and personal property, including but without limitation, roads and other common areas and/or open spaces which are owned or controlled by the Association or the owners in common, within a certain tract of real property to be known as "AMARIAH PARK" located in Alachua County, Florida.

In furtherance of such purposes, the Association shall have power to:

- (a) Perform all of the duties and obligations of the Association as set forth in a certain declaration of Covenants and Restrictions (the "Declaration") applicable to the subdivision to be recorded in the public records of Alachua County, Florida or by any permit or authorization from any unit of local, regional, state or federal government and to enforce by any legal means the provisions of these articles, the bylaws, and the declarations;
- (b) Affix, levy, and collect all charges and assessments pursuant to the terms of the Declaration, and enforce payment thereof by any lawful means; and pay all expenses in connection therewith, and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes, or governmental charges levied or imposed on the property of the Association;
- (c) Acquire (by gift, purchase, or otherwise), own, hold, improve, build on, operate, maintain, convey, sell, lease, transfer, dedicate to public use, or otherwise dispose of real and personal property in connection with the affairs of the Association;

- (d) Borrow money;
- (e) To maintain, repair, replace, operate, and care for the common areas, including but without limitation, all open spaces, recreation areas or facilities, lakes, ditches, canals, retention or detention areas, drainage, other surface water management works, and preservation or conservation areas, wetlands and wetland mitigation areas which are owned or controlled by the Association or the owners in common in manner consistent with the permit issued by the Suwannee River Water Management District (or any other government entity having jurisdiction) and the operation and maintenance of the Open Space Management Plan for the subdivision as attached to the Declaration;
- (f) Have and exercise any and all powers, rights, and privileges that a corporation organized under Chapter 617 of the Florida Statutes by law may now or hereafter have or exercise.
- (g) To make, amend, impose, and enforce by any lawful means, reasonable rules and regulations regarding the use of the common areas and the Association property;
- (h) To do and perform anything required by these articles, the by-laws, or the Declaration to be done by the owner, but if not done by the owner in a timely manner, at the expense of the owner.
- (i) To do and perform any obligations imposed upon the Association by the Declaration or by any permit or authorization from any unit of local, regional, state, or the federal government and to enforce by any legal means the provisions of these articles, the bylaws and the Declaration.
- (j) To purchase and maintain insurance for the common areas including but not limited to all recreation facilities.

The Association is organized and shall be operated for the aforementioned purposes. The activities of the Association shall be financed by assessments on members as provided in the Declaration, and no part of any net earnings shall inure to the benefit of any member.

ARTICLE V

The address of the principal office of the corporations is 6208 NW 43rd Street, Gainesville, FL 32653 and the mailing address is 6208 NW 43rd Street, Gainesville, FL 32653.

The street address of the initial registered office of the Association is 175 NW 138th Terrace, Suite 100, Newberry, FL 32669, and the name of its initial registered agent at such address is Curtis Law Firm, LLC.

ARTICLE VI

Every person or entity who is a record owner of a fee or undivided fee interest in any lot which is subject by covenants of record to assessments by the Association, including contract sellers, but excluding persons holding title merely as security for performance of an obligation, shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of a lot which is subject to assessment by the Association.

ARTICLE VII

The Association shall have two classes of voting members as follows:

Class A. Class A members shall be all owners with the exception of the Developer as such term is defined in the Declaration, and shall be entitled to one vote for each lot owned. When more than one person holds an interest in any lot, all such persons shall be members. The vote for such lot shall be exercised as such members may determine among themselves, but in no event shall more than one vote be cast with respect to the ownership any one lot. When subsequent lands of the Properties are subjected to this Declaration by platting of additional phases or units, all Owners of Lots in subsequently platted phases or units, with the exception of the Developer, shall be entitled to one vote for each Lot owned.

Class B. The Class B member shall be the Developer, as such term is defined in the declaration, who shall be entitled to five (5) votes for each lot owned. The Class B membership shall cease and be converted to Class A membership as provided in the Declaration.

Notwithstanding the other provisions contained in these articles to the contrary, the class B member, shall prior to relinquishing control of the Association or otherwise allowing control to transfer, shall provide at least 30 days written notice to the Suwannee River Water Management District that all terms and conditions placed upon the Developer by permits or authorizations from the Suwannee River Water Management District have been satisfied in full and that transfer is proposed to occur on a specific date.

ARTICLE VIII

Each owner of a lot, by acceptance of a deed for such lot, whether or not it is expressed in the deed, agrees to pay assessments as provided in the Declaration.

The Association shall levy a special assessment for the purpose of defraying in whole or in part the cost of the maintenance, operation and repair of the surface water or storm water management system and any and all other costs incurred to comply with the terms and provisions of the permit issued by the District. Such special assessments shall be levied by the Board of Directors of the Association with or without approval of the membership of the Association. Special assessments shall be due and payable within 30 days of the assessment being levied.

Any assessment not paid within 30 days of its due date shall be delinquent, and shall bear interest from the due date until paid in full, and the Association shall have the right to file a lien in the public records of Alachua County, Florida to secure payment of all amounts due. The total amount due shall be a continuing lien on the real property described in the lien until paid in full, and the Association may bring a civil action to foreclose the lien. The lien of any assessment is subordinate to the lien of any first mortgage. A sale or transfer of any Lot or real property encumbered by such a lien shall not affect the validity or enforcement of the lien.

The Suwannee River Water Management District and Alachua County (County) shall have the right to enforce, by a proceeding at law or in equity, the provisions contained in the Declaration which relate to the maintenance, operation and repair of the surface water or storm water management system as well as any and all other provisions contained in the Declaration that in any way relate to the permit issued by the District. The District's and County's right to enforce the Declaration by proceedings at law or in equity shall survive any dissolution of the Association and may be enforced by the District or County against the Association and/or the Owner(s).

Should the District or County bring an action at law or in equity to enforce any provision of the Declaration and should it be determined in any such proceedings that the Association or any owner(s) breached any of the provisions of the Declaration or failed to completely and timely comply with the Declaration, the District or County shall be entitled to an award of attorneys' fees and costs incurred by the District or County in such proceedings which shall include attorneys' fees and costs incurred in any administrative and appellate proceedings. The District and/or County shall have the right to file a lien in the public records of Alachua County, Florida for any such attorneys' fees and costs awarded to the District or County by any court or administrative body.

ARTICLE IX

The number of directors constituting the initial board of directors of the Association is three (3) and the names and addresses of the persons who are to serve as the initial directors are:

<u>Name</u>	<u>Address</u>
Robinson, G. W.	6208 NW 43rd Street, Gainesville, FL 32653
Schmitt, Gay Robinson	6208 NW 43rd Street, Gainesville, FL 32653
Cain, Andrew	6208 NW 43rd Street, Gainesville, FL 32653

Future directors shall be elected or appointed in accordance with the by-laws.

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TALLAHASSEE, FLORIDA

ARTICLE X

Prior to dissolution of this Association, all property, interest in property, whether real, personal, or mixed, which is directly or indirectly related to the surface water management system, including but without limitation, all lakes, ditches, canals, retention or detention areas, drainage, open spaces, or other surface water management works, and preservation or conservation areas, wetlands, and wetland mitigation areas which are owned by the Association or the owners in common, will be dedicated to and accepted for maintenance by the appropriate unit of government or otherwise transferred to and accepted for maintenance by 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 modifications 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.

On dissolution, the assets of the Association shall be distributed to an appropriate public agency to be used for purposes similar to those for which the Association was created. In the event such distribution is refused acceptance, such assets shall be granted, conveyed, and assigned to any nonprofit corporation, association, trust, or other organization organized and operated for such similar purposes.

ARTICLE XI

Amendments of these articles shall be adopted upon receiving the affirmative vote of a majority of the votes of members entitled to vote thereon, unless any class of members is entitled to vote thereon as a class in which event the proposed amendment shall be adopted upon receiving both the affirmative vote of a majority of the votes of members of each class entitled to vote thereon as a class and the affirmative vote of a majority of the votes of all members entitled to vote thereon.

The bylaws will be adopted and may be amended by the directors or members consistent with these articles and the Declaration. Amendments to the articles and bylaws which directly or indirectly impact operation and maintenance of the surface water management system, may be made 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 in effect at the time of application for such modification. Notice of all other amendments may be made without authorization of the Suwannee River Water Management District; however, copies of any such amendments shall be forwarded to the District within 30 days of approval. Should a conflict exist or arise between any provision of these articles and the bylaws, the provisions of these articles shall control.

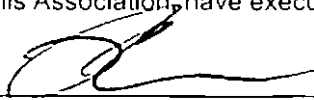
ARTICLE XII

The name and street address of the incorporator is:

Ryan C. Curtis

175 NW 138th Terrace, Suite 100, Newberry, FL 32669

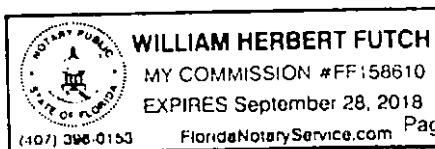
IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, I, the undersigned, constituting the incorporator of this Association, have executed these Articles of Incorporation this 15th day of May, 2018.

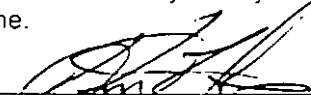

Ryan C. Curtis

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing articles were acknowledged before me this 15th day of May, 2018, by Ryan C. Curtis, who executed the same and who is personally known to me.

(SEAL)




Notary Public, State of Florida
My Commission Expires:

CERTIFICATE DESIGNATING REGISTERED AGENT
FOR THE SERVICE OF PROCESS WITHIN THIS STATE

AMARIAH PARK OWNERS ASSOCIATION, INC. desiring to organize under the laws of the State of Florida has named Curtis Law Firm, LLC, located at 175 NW 138th Terrace, Suite 100, Newberry, FL 32669, as its registered agent to accept service of process within this state.

ACKNOWLEDGEMENT:

Having been named as registered agent to accept service of process for the above stated corporation at the place designated in this certificate, I am familiar with and hereby accept the duties and responsibilities as registered agent for this corporation.

Curtis Law Firm, LLC

By:  _____
Ryan C. Curtis, Manager

Registered Agent

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TALLAHASSEE, FLORIDA