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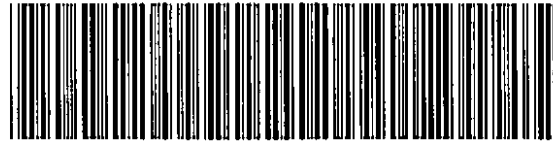
(Business Entity Name)

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STATE OF NEW YORK  
DIVISION OF TAXATION  
18 SEP 26 PM 5:11

C RICO  
SEP 24 2018

## COVER LETTER

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

**SUBJECT:** HERITAGE PARK AT MULBERRY HOMEOWNERS ASSOCIATION, INC.

(PROPOSED CORPORATE NAME - MUST INCLUDE SUFFIX)

Enclosed are 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 of  
Status

**ADDITIONAL COPY REQUIRED**

FROM: Nicholas Davis

Name (Printed or typed)

3000 Gulf Breeze Parkway

Address

Gulf Breeze, FL 32563

City, State & Zip

850-934-0470

Daytime Telephone number

E-mail address: (to be used for future annual report notification)

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

RECEIVED  
DIVISION OF CORPORATIONS  
18 SEP 24 AM 5:11

ARTICLES OF INCORPORATION OF HERITAGE PARK AT  
MULBERRY HOMEOWNERS ASSOCIATION, INC.

In compliance with the requirement of Chapter 617 of the Florida Statutes, the undersigned have this day voluntarily associated themselves together for the purpose of forming a not-for-a corporation not for profit and do hereby certify:

ARTICLE I  
DEFINITIONS

Section 1.1 For ease of reference, these Articles of Incorporation shall be referred to as the "Articles". The terms used in these Articles shall have the same definition and meaning as those set forth in the Declaration of Covenants, Restrictions, Easements, and Assessment for Heritage Park ("Declaration"), to be recorded in the Public Records of Polk County, Florida, unless herein provided to the contrary, or unless the context otherwise requires.

ARTICLE II  
NAME

The name of this corporation is HERITAGE PARK AT MULBERRY HOMEOWNERS ASSOCIATION, INC. ("Association").

ARTICLE III  
PRINCIPLE OFFICE

The principal office is located at: 5060 Lunn Road, Lakeland, FL 33811

ARTICLE III  
REGISTERED AGENT

The individual who is hereby appointed as the initial registered agent of this Association is:

Name: Fred Lintz

Address: 5060 Lunn Road, Lakeland, FL 33811

ARTICLE IV  
INCORPORATOR

The incorporator of the Association is:

Name: Fred Lintz

Address: 5060 Lunn Road, Lakeland, FL 33811

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CLERK OF DISTRICT COURT  
POLK COUNTY, FLORIDA

ARTICLE V  
PURPOSE AND POWERS OF THE ASSOCIATION

4.1 This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation, and architectural control of the residence Lots and Common Areas within that certain tract of property described in the Declaration. In addition, it is the Association's purpose to promote the health, safety and welfare of the residents within the above described property and any additions thereto as may hereafter be brought within the jurisdiction of this Association for this purpose to:

- a. Exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in the Declaration 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;
- b. Fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; to 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 against the property of the Association;
- c. Acquire (by gift, purchase or otherwise) own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;
- d. Borrow money, and subject to the consent by vote or written instrument of fifty percent (50%) of members, mortgage, pledge, convey by deed of trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;
- e. Dedicate, sell, or transfer all or any part of the Common Area to any public agency, authority or utility for such purposes;
- f. Participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and Common Area, provided such merger, consolidation or annexation shall have the asset of fifty percent (50%) of its members;
- g. Maintain, repair, replace, operate and manage the property as described in the Declaration and any improvements therein including the right to reconstruct improvements owned by the Association after casualty and to make further improvements of the property or to purchase additional property and improvements;
- h. Enter into contracts for management, insurance coverage, maintenance and to delegate all of the powers and duties of the association except those the delegation

of which may be required by the Declaration to have approval of the board of directors or membership of the Association;

- i. Enforce the provisions of the Declaration, these Articles of Incorporation, the Bylaws of the Association which may be hereafter adopted, and the rules and regulations governing the use of the property and the improvements thereon as same may be hereafter established;
- j. Exercise, undertake, and accomplish all of the rights, duties and obligations which may be granted to or imposed upon the association pursuant to the Declaration;
- k. Operate, maintain, and manage the stormwater management system(s) in a manner consisted with the requirements of the Environmental Resource Permit and other applicable rules of the Water Management District; and
- l. Have and to exercise any and all powers, rights, and privileges which a corporation organized under Chapter 617 of the Florida Statutes regarding corporations not for profit may now or hereafter have or exercise together with all other powers reasonably necessary to effectuate the purpose of the association as set out herein.

4.2 The Association is organized and shall be operated exclusively for the purposes set forth above. The activities of the Association will be financed by assessments against members as provided in the Declaration and no part of any net earnings of the Association will inure to the benefit of any member.

#### ARTICLE VI MEMBERSHIP

5.1 The Declarant, to the extent provided in the Declaration, and every person or entity who is a record Owner of a fee or undivided fee interest in any residential lot which is subject by the Declaration to assessment by the Association shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any unit which is subject to assessment by the Association.

#### ARTICLE VII ELECTION OR APPOINTMENT OF DIRECTORS

6.1 The manner in which Directors are elected or appointed is set forth in the Bylaws.

#### ARTICLE VIII INITIAL OFFICES AND/OR DIRECTORS

7.1 The affairs of this Association shall be managed by a Board of three (3) Directors who need not be members of the Association. The number of Directors may be changed by

amendment of the Bylaws of the Association. The names and addresses of the persons who are to act in the capacity of Directors until the selection of their successors are:

NAME	ADDRESS
Fred Lintz- President	5060 Lunn Road, Lakeland, FL 33811
Ryan Wade- Secretary	5060 Lunn Road, Lakeland, FL 33811
Kristi Williams- Treasurer	5060 Lunn Road, Lakeland, FL 33811

7.2 The officers of this Association shall be a President, a Secretary, and a Treasurer, and such other officers as the Board may from time to time by resolution create.

#### ARTICLE IX BYLAWS

8.1 The Bylaws of the Association shall be adopted by a vote of a majority of the members of the Board of Directors. The Bylaw may be amended or altered at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy, in the manner and subject to any other condition set forth in the Bylaws.

#### ARTICLE X DISSOLUTION

9.1 The Association may be dissolved with the assent given in writing and signed by not less than two- thirds (2/3) of each class of members as set forth in the Declaration. Upon dissolution of the Association other than incident to a merger or consolidation, 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 such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to such similar purposes. This procedure shall be subject to court approval on dissolution pursuant to Florida Statutes 617.05.

9.2 Upon any such termination, any stormwater management system or discharge facility for which the Association is responsible shall be accepted by and maintained by local government units, including county or municipal service taxing unit, an active water control district, a drainage district created by special act, a community development district created under Chapter 190, Florida Statutes, a special assessment district created under Chapter 170, Florida Statutes, a state or federal agency, any duly constituted communication, water, sewer, electrical or other public utility, any entity acceptable to the Department of Environmental Regulation or its successor under its rules and regulations.

#### ARTICLE XI EXISTENCE

10.1 The corporation shall exist perpetually.

ARTICLE XII  
AMENDMENTS

11.1 Amendment of these Articles shall require the assent of seventy-five (75%) percent of the entire membership.

IN WITNESS WHEREOF, for the purposes of forming this corporation under the laws of the State of Florida, the undersigned, constituting the incorporator of this Association, has executed these Articles of Incorporation, this 18<sup>th</sup> day of September 2018.

[Signature]  
Print Name: Fred Lintz  
Title: President and Incorporator  
Date: 9/18/2018

OATH OF REGISTERED AGENT

HAVING BEEN NAMED AS REGISTERED AGENT AND TO ACCEPT SERVICE OF PROCESS FOR THE ABOVE STATED CORPORATION AT THE PLACE DESIGNATED IN THIS CERTIFICATE, I HEREBY ACCEPT THE APPOINTMENT AS REGISTERED AGENT AND AGREE TO ACT IN THIS CAPACITY. FURTHER AGREE TO COMPLY WITH THE PROVISIONS OF ALL STATUTES RELATIVE TO THE PROPER AND COMPLETE PERFORMANCE OF MY DUTIES, AND I AM FAMILIAR WITH AND ACCEPT THE OBLIGATION OF MY POSITION AS REGISTERED AGENT.

[Signature]  
Print Name: Fred Lintz  
Title: Registered Agent  
Date: 9/18/2018

STATE OF FLORIDA

COUNTY OF Polk

I HEREBY CERTIFY that on this day, before me a notary public duly authorized in the State and County above named to take acknowledgments, personally appeared Fred Lintz to me well known to be the person described in and who executed the foregoing Articles of Incorporation, and he acknowledged before me that he subscribed to these Articles of Incorporation.

Witness my hand and seal in the County and State aforesaid this 18 day of September, 2018.

[Signature]  
Notary Public

