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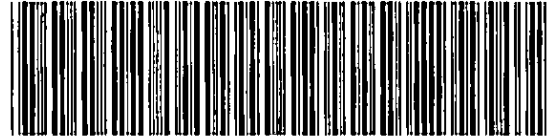
(Business Entity Name)

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APR 04 2019

COVER LETTER

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

SUBJECT: SMART Office Clyde Park POA, 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: Raymond L. Schumann, Esq.

Name (Printed or typed)

149 S. Ridgewood Ave., Suite 700

Address

Daytona Beach, FL 32114

City, State & Zip

386-254-6372

Daytime Telephone number

Ray.Schumann@CobbCole.com

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
SMART Office Clyde Park POA, INC.**
(A corporation not for profit)

The undersigned subscriber to these Articles of Incorporation, a natural person competent to contract, hereby forms a corporation, not for profit, under the laws of the State of Florida.

ARTICLE I
Corporate Name and Location

Section 1: The name and initial address of this corporation are:

SMART Office Clyde Park POA, INC.
1275 W Granada Blvd, Suite 5B
Ormond Beach, FL 32174

ARTICLE II
Purpose

Section 1: The purposes for which this corporation is formed are as follows:

(a) To perform all of the acts and duties which are normally performed by a duly incorporated, not for profit, property owners' association as to a portion of the real property known as CLYDE PARK, according to the plat thereof to be recorded in the Public Records of Volusia County, Florida, that portion, hereinafter referred to as the "Property" and to perform all acts and duties as set forth in the Declaration of Covenants, Conditions and Restrictions of CLYDE PARK, ("Declaration") which is to be recorded in the Public Records of Volusia County, Florida including, without limitation, the following:

1. preservation and maintenance of all "Common Areas" (as defined in the Declaration) lying within the boundaries of the Property as the same are designated on the recorded plat of CLYDE PARK, including but not limited to, any and all entrance areas, swales, berms, drainage areas, drainage easements, utility easements and retention areas located within said Property; and
2. acquire, own, maintain, convey, sell, lease, transfer, or otherwise dispose of real property and personal property in accordance with the Declaration and the affairs of the Association; and
3. purchase insurance upon the Common Areas and insurance for the protection of the Association, its officers, directors and Owners; and
4. operation, repair, maintenance and management of the surface water or storm water management system lying within the boundaries of the Property as set forth below and in the Declaration of Covenants, Conditions and Restrictions of CLYDE PARK;
5. inspection of all entrance areas, swales, berms, drainage areas, drainage easements, utility easements and retention areas lying within the individually owned lots shown on the recorded plat of the CLYDE PARK as lying within the boundaries of the Property, hereinafter referred to as the "Lots"; and

6. adopt and amend reasonable rules and regulations for the maintenance, conservation and use of the Property in accordance with the Declaration; and
7. the enforcement of all owners' covenants including, without limitation, covenants regarding the preservation and maintenance of any drainage and retention areas and any drainage and utility easements lying within individually owned Lots within the boundaries of the Property; and
8. contract for the management and maintenance of the Common Areas and to authorize a management agent to assist the Association in carrying out its powers and duties by performing such function as the submission of proposals, collection of Assessments, preparation of records, enforcement of rules and maintenance, repair and replacement of the Common Areas with funds as shall be made available by the Association for such purposes; and
9. obtain all required utility and other services for the Common Areas; and
10. reconstruct improvements to the Common Areas after casualties and further to improve the Common Areas in accordance with the Declaration; and
11. administration and operation of the Common Areas in the best interests of the Association, Property and Lot owners; and
12. enforce by legal means the provisions of the Declaration, these Articles the Bylaws the rules and regulations for the use of the Property and applicable law; and
13. exercise such further authority as may be reasonably necessary to carry out each and every of the obligations of the Association set forth in the Declaration, these Articles or the By-Laws, including, without limitation, the right to sue or be sued; and
14. establishment and collection of assessments from the members of the Association in order to accomplish the objectives listed above.

ARTICLE III

Qualification of Members and Manner of Admission

Section 1: All persons or entities owning a present vested interest, evidenced by an instrument properly recorded in the Public Records of Volusia County, Florida, in the fee simple title to any Lot, shall automatically be members of the Association. Any such membership shall automatically terminate when a person or entity no longer owns such an interest.

Section 2: Owners of each Lot shall be entitled to vote as members of the Association as stated in the Declaration of Covenants, Conditions and Restrictions of CLYDE PARK, recorded in the Public Records of Volusia County, Florida.

ARTICLE IV

Powers and Duties of the Association

Section 1: The Association shall have all of the powers granted by law, these Articles of Incorporation, the Declaration of Covenants, Conditions and Restrictions of CLYDE PARK and the By-Laws of the Association, specifically including, without limitation, the power to collect assessments from members of the Association in accordance with and for the purposes designated in these Articles of Incorporation, the Declaration of Covenants, Conditions and Restrictions and the By-Laws of the Association, such purposes specifically including, without limitation, the use of assessments to pay the

costs of operating, maintaining and repairing the surface water and storm water management systems located within the boundaries of the Property, including, without limitation, operation, maintenance and repair of retention areas, drainage structures and drainage easements.

Section 2: The Association shall be charged with all of the duties imposed by law, these Articles of Incorporation, the Declaration of Covenants, Conditions and Restrictions of CLYDE PARK and the By-Laws of the Association, specifically including, without limitation, the duty to operate, maintain and manage the surface water and storm water management systems located on the Property in a manner consistent with any applicable St. Johns River Water Management District permit requirements and applicable District rules. Further, the Association shall assist in the enforcement of the restrictions and covenants contained in these Articles of Incorporation, the Declaration of Covenants, Conditions and Restrictions of CLYDE PARK and the By-Laws of the Association.

ARTICLE V

Term of Existence

Section 1: Existence of the Association shall commence with the filing of these Articles of Incorporation with the Secretary of State of the State of Florida and the Association shall exist thereafter in perpetuity.

ARTICLE VI

Management and Election of Officers and Directors

Section 1: The affairs and property of the Association shall be managed and governed by a Board of Directors which shall be composed initially of one (1) member.

Section 2: Directors shall be elected in accordance with the By-Laws and the Declaration of Covenants, Conditions and Restrictions of CLYDE PARK at the regular annual meeting of the membership of the Association.

Section 3: All officers shall be elected by the Board of Directors, in accordance with the By-Laws and the Declaration of Covenants, Conditions and Restrictions of CLYDE PARK at the regular annual meeting of the Board of Directors. The Board of Directors shall elect a President, Vice President, Secretary, Treasurer and such other officers as the Board shall deem desirable.

ARTICLE VII

Board of Directors

Section 1: The names and addresses of the members of the initial Board of Directors are as follows:

Christopher B. Butera
1275 W Granada Blvd, Suite 513
Ormond Beach, FL 32174

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CLYDE PARK ASSOCIATION

ARTICLE VIII
Initial Officers

Section 1: The initial officers of the Association shall be elected by the Board of Directors at the organizational meeting of the Association. The initial officers shall serve until the first annual meeting of the Board of Directors.

ARTICLE IX
By-Laws

Section 1: By-Laws for the Association shall be adopted by the initial Board of Directors. During the Association's first year of existence, the Board of Directors shall have the power and authority to alter and amend the By-Laws by a majority vote of such Board; thereafter, the By-Laws of the Association may be made, altered, amended or rescinded as set forth in said By-Laws.

ARTICLE X
Dissolution of the Corporation

Section 1: In the event of the termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water and storm water management systems must be transferred to and accepted by an entity that would comply with Section 40C-42.027, F.A.C., and must be approved in writing by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.

ARTICLE XI
Amendment to Articles of Incorporation

Section 1: These Articles of Incorporation may be amended with the approval of seventy-five (75%) percent of the qualified members of the Association. Any amendment shall be incorporated into a written instrument that specifies the changes and shall be filed with the Secretary of State of the State of Florida; provided, however, in no event shall any amendment be made to these Articles of Incorporation without the prior written consent of the "Developer", as the same is defined in the Declaration of Covenants, Conditions and Restrictions of CLYDE PARK, during such time as Developer shall continue to own any Lot on the Property.

ARTICLE XII
Registered Agent

Section 1: Until a successor is named by the Board of Directors, the Registered Agent and registered address of the corporation shall be:

Christopher B. Butera
1275 W Granada Blvd. Suite 5B
Ormond Beach, FL 32174

ARTICLE XIII
Non-profit Status

Section 1: No part of the net earnings of the Association shall inure to the benefit of any individual or member.

Section 2: No person, firm or corporation shall ever receive any dividends or profits from the undertaking of this Association, and none of the assets of the Association will be distributed to any member, officer or director or trustee of the Association. Upon dissolution of this Association, all of its assets remaining after payment of all costs and expenses of such dissolution shall be distributed to an organization or organizations which have qualified for an exemption under Section 501(c)(3) of the Internal Revenue Code, or to the Federal Government, or to a state or local government, for a public purpose.

ARTICLE XIV
Subscriber

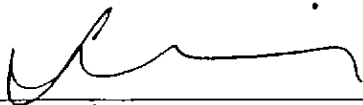
Section 1: The name and address of the subscriber to these Articles of Incorporation is:

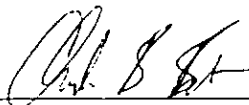
Christopher B. Butera
1275 W Granada Blvd, Suite 5B
Ormond Beach, FL 32174

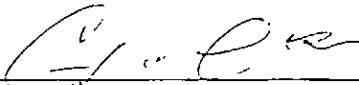
IN WITNESS WHEREOF, I, the undersigned subscribing incorporator, have hereunto set my hand and seal, this 14th day of March, 2019, for the purpose of forming this corporation, not for profit, under the laws of the State of Florida.

Witnesses:

Subscriber:


Print: STEPHANIE M. HART


Christopher B. Butera

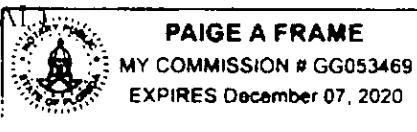

Print: CARL LENTZ

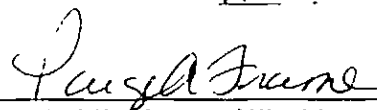
STATE OF FLORIDA
COUNTY OF VOLUSIA

BEFORE ME, an officer duly authorized to take oaths and acknowledgments, personally appeared, Christopher B. Butera, who is personally known to me or who has provided _____ as proof of his identity, and who, after being duly sworn, under oath, deposed and stated that he executed the foregoing instrument freely and voluntarily.

SWORN TO AND SUBSCRIBED before me on this the 14th day of March, 2019.

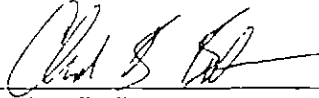
(SEAL)




Notary Public, State of Florida

ACCEPTANCE BY REGISTERED AGENT

The undersigned hereby accepts the appointment as Registered Agent of SMART OFFICE CLYDE PARK POA, INC., which is contained in the foregoing Articles of Incorporation.



Christopher B. Butera
1275 W Granada Blvd, Suite 5B
Ormond Beach, FL 32174

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CLYDE PARK POA, INC.