

N 19028

PLANTATION GROVE HOA
4801 9th St. E.
BRADENTON, FL
34208

(City/State/Zip/Phone #)

☐

PICK-UP

☐

WAIT

☐

MAIL

(Business Entity Name)

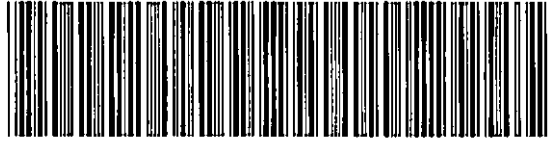
(Document Number)

Certified Copies _____

Certificates of Status _____

Special Instructions to Filing Officer:

Office Use Only



500320778565

11/16/18--01008--018 **55.00

FILED

2018 NOV 16 PM 3:14

SECRETARY OF STATE
TALLAHASSEE, FL

C. GOLDEN

NOV 26 2018

Incorporated	1-30-87
Revised	4-11-88
Revised	4-13-92
Revised	4-10-00
Revised	11-09-18

AMENDED AND RESTATED ARTICLES OF INCORPORATION
OF
PLANTATION GROVE
MOBILE HOME OWNERS ASSOCIATION, INC
(A Corporation Not For Profit)

We, the undersigned, do hereby associate ourselves together for the purpose of being a corporation not for profit, operating by and under the provisions of the Statutes of the State of Florida appertaining and providing for the formation, liabilities, rights, privileges and immunities of a Corporation not for profit, and do hereby make, and subscribe acknowledge and file these Articles of Incorporation for the purpose of becoming such a Corporation not for profit, and do hereby declare, state and certify.

ARTICLE I – NAME

The name of this Corporation shall be “PLANTATION GROVE MOBILE HOME OWNERS ASSOCIATION, INC.” hereinafter referred to as the Association.

ARTICLE II – PURPOSE

The general purpose for which the Corporation is initially organized is to engage in, conduct and carry on the business and operation of a mobile home owners corporation pursuant to Chapter 723, Florida Statutes; the Corporation has the power to negotiate for, acquire, and operate the mobile home park presently known as Plantation Grove Mobile Home Park on behalf of the mobile homes owners; to engage in activities which are necessary, suitable or convenient therewith; and to transact any or all lawful business for which corporations may be incorporated under the Acts. In addition, the Corporation shall have all the powers specified in Section 617.0302, Florida Statutes.

FILED
2018 NOV 16 PM 3:14
CLERK OF STATE
TALLAHASSEE, FL

ARTICLE III – MEMBERSHIP

The members of the Corporation are the bona fide owner(s) of a mobile home or manufactured home within the meaning of Chapter 723, Florida Statutes, over two-thirds (2/3rds) of whom consented in writing to the formation of the Corporation prior to the filing of the Articles of Incorporation with the Florida Division of Corporations.

ARTICLE IV – BOARD OF DIRECTORS

The governing body of the Corporation shall be the Board of Directors consisting of no more than nine members.

ARTICLE V – OFFICERS

The President, Vice-President, Secretary and Treasurer shall be elected by the Board of Directors, at a meeting called by the retiring President, within one week after the general election. All officers will serve for one year. The newly elected officers shall take office on January 1st. An officer may be elected to succeed himself, and may hold the same position as many times as he/she is elected to the Board of Directors. The Board of Directors shall adopt an official seal for the Corporation in accordance with corporate law.

ARTICLE VI – DUTIES OF OFFICERS

PRESIDENT – The President shall preside at all meetings of the Board of Directors, and all regular and special meetings of the general membership. The President shall appoint all committees, and shall at his/her discretion, appoint the Chairperson of such committees; provided however, that the Chairperson shall be a mobile home owner residing in the park. The President shall have the right to vote on any topic or motion at a general membership meeting and at a Board of Directors meeting. The President and the Treasurer shall sign all official documents pertaining to the Corporation.

VICE-PRESIDENT – The Vice-President shall assist the President, and in the absence of the President, shall act in the place of the President.

SECRETARY – The Secretary shall record the minutes of all proceedings of the Board of Directors and of the general membership. The Secretary shall keep the President and the Board of Directors informed of all matters requiring their attention. The Secretary shall see that all notices are duly given in accordance with the Articles of Incorporation, or as required by law. The Secretary shall keep a register of the Post Office Address of each member, whose address shall be furnished to the Secretary by the member.

TREASURER – The Treasurer shall receive all monies accruing to the Corporation, giving proper receipts therefor. The Treasurer shall pay all duly authorized bills of the Corporation. All checks issued shall have dual signatures. Any officer shall have the authority to be a signatory, however the Treasurer shall sign all checks unless absent from the Park, incapacitated, or otherwise unavailable. If such an occasion should arise, the remaining officers present in the Park shall be made aware of the action at the earliest possible time, and one of the officers present may sign in lieu of the Treasurer. The Treasurer shall keep an accurate record of monies received and disbursed. A committee shall be appointed by the President every year to audit the accounts at the end of each year's term of office of the Treasurer. The accounts may be audited at any time by special direction of the President, by three members of the Board of Directors, or by a petition signed by two-thirds of the membership. All funds of the Corporation not otherwise employed, shall be deposited regularly to the credit of the Corporation in such bank, trust companies or other depositories as the Board of Directors may select.

ARTICLE VII – POWERS OF THE CORPORATION

The Articles of Incorporation of the Homeowner's Association shall provide:

- (1) That the Association has the power to negotiate for, acquire, and operate the mobile home park on behalf of the mobile home owners.
- (2) For the conversion of the mobile home park once acquired to a condominium, a cooperative, or a subdivision form of ownership, or another type of ownership.

ARTICLE VIII – DURATION

This Corporation shall have perpetual existence unless sooner dissolved as may be directed by law.

ARTICLE IX – PLACE OF BUSINESS

The principle place of business of said Corporation in the State of Florida is 4801 9th Street East, Bradenton, Florida 34203. The Board of Directors may from time to time move the principle office to any other address in the State of Florida.

ARTICLE X – AMENDMENTS

Proposed amendments to the Articles of Incorporation and By-Laws shall be submitted in writing, and read at a regular meeting of the membership. A copy of the proposed amendment shall be displayed on the Bulletin Board for a period of not less than twenty-five days prior to the scheduled final vote on said amendment(s). The proposed amendment(s) shall be acted upon at the next regular meeting of the membership. The Articles of Incorporation and/or By-laws may be amended if the amendment is approved

by not less than two-thirds of the members in attendance at this meeting, provided there is a quorum. No part of the Articles of Incorporation or By-Laws shall be revised or amended by reference to its title or number only. Any amendments adopted shall become effective immediately upon approval by the division of Corporation of the State of Florida.

Notwithstanding the foregoing, upon the acquisition of Plantation Grove Mobile Home Park and conversion of Plantation Grove Mobile Home Park to a condominium, cooperative or other type of ownership, in which event, the affirmative vote of the majority of the members of the Board of Directors shall be sufficient to amend these Articles of Incorporation so that the Corporation shall have all the powers necessary and/or convenient for the operation and management of such condominium, cooperative or other type of resident-owned mobile home and/or manufactured housing community, including, but not limited to, changing the qualification for membership in the Corporation.

ARTICLE XI – MEETINGS

The Corporation shall hold meetings in the Recreation Hall of Plantation Grove Mobile Home Park, Bradenton, Manatee County, Florida. Such meetings shall be held on the second Monday of each month, November through April, commencing at 7:00p.m.

The annual meeting for the election of Directors shall be held on the 2nd Monday of December, commencing at 7:00p.m. Special meetings of the membership may be called by the President or by three or more members of the Board of Directors. Ten percent of paid members will constitute a quorum. Decisions shall be made by majority of members present at a meeting in which a quorum is present.

Regular and special meetings of the members and directors of the Corporation may be held within the State of Florida at such place or places as may from time to time be designated in the Bylaws or by resolution of the Directors. The requirements for calling and convening such meetings shall be described in the Bylaws.

ARTICLE XII – BYLAWS

The power to amend or repeal the Bylaws or to adopt new Bylaws shall be in the manner provided in the Bylaws; except, however, upon the acquisition of Plantation Grove Mobile Home Park and conversion of Plantation Grove Mobile Home Park to a condominium, cooperative or other type of ownership in which event, the affirmative vote of the majority of the members of the Board of Directors shall be sufficient to amend these Bylaws so that the Corporation shall have all the powers necessary and/or convenient for the operation and management of such condominium, cooperative or other type of resident-owned mobile home and/or manufactured housing community, including, but not limited to, changing the qualification for membership in the Corporation. The

Bylaws may contain any provision for the regulation and management of the Corporation which are consistent with the Florida Statutes and the Articles of Incorporation.

ARTICLE XIII – CONFLICT

Where there is any discrepancy between these Articles of Incorporation and the By-laws of the Plantation Grove Homeowners Association, the Articles of Incorporation shall take precedence provided said Articles of Incorporation do not conflict with Chapter 723 of the Florida Statutes, also known as the Florida Mobile Home Act, that govern the rental or leasing of mobile home lots in the State of Florida.

ARTICLE XIV - INCOME DISTRIBUTION

No part of the income or profit of this Corporation shall be distributed to its members; no dividend paid, and no stock shall be issued.

ARTICLE XV - DISSOLUTION OF CORPORATION AND DISTRIBUTION OF ASSETS

The Corporation may be dissolved pursuant to Chapter 617, Florida Statutes. Upon dissolution or final liquidation of this not-for-profit corporation, all of the Corporation's assets remaining after payment of all costs and expenses of such dissolution or final liquidation shall be distributed to the membership as permitted by law.


ARTICLES XVI - INDEMNIFICATION

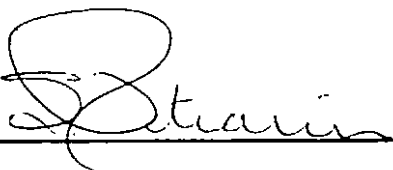
All officers and directors shall be indemnified by the Corporation against all expenses and liabilities, including counsel fees (including appellate proceedings), reasonably incurred by them in connection with any proceeding or settlement thereof in which they become involved by reason of service as a director or holding such office.

ARTICLE XVII - RESTATEMENT IN THE EVENT OF PURCHASE OF PARK

In the event the Corporation purchases Plantation Grove Mobile Home Park, and before the issuance of any cooperative association membership certificates, these Articles may be amended and restated in order to create a residential cooperative association under Chapter 719, Florida Statutes, by a resolution of the Board of Directors.


IN WITNESS WHEREOF, the undersigned, being the President and Secretary of the Corporation, have executed these Amended and Restated Articles of Incorporation and certified to the truth of the facts herein stated, effective this Fifth (5th) day of November 2018.


Print: KEITH J. CARSON
President

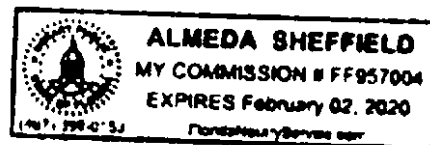

S. PITCAIRN
Print: S. PITCAIRN
Secretary

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me and this 10th day of NOVEMBER, 2018, by KEITH CARSON and SHARON PITCAIRN as President and as Secretary, respectively, of PLANTATION GROVE MOBILE HOME OWNERS ASSOCIATION, INC., a Florida not-for-profit corporation, on behalf and with authority of said corporation. They (Notary choose one) ☐ are personally known to me, or ☐ have produced FLORIDA PROVERS LICENSE identification.


Signature of Notary Public

Almeda Sheffield
Print Name of Notary Public, Affix Seal and State
Notary's Commission Number & Expiration Date



**Amended and Restated
Articles of Incorporation
of
PLANTATION GROVE MOBILE HOME OWNERS ASSOCIATION, INC.**

N19028

(Document Number of Corporation, if known)

Pursuant to the provisions of section 617.1006, Florida Statutes, this Florida Not For Profit Corporation adopts the following Restated and Amended Articles of Incorporation.

The Effective Date is November 5, 2018

Adoption of Amendment(s)

- ☒ There are no members or members entitled to vote on the amendment(s). The amendment(s) was/were adopted by the board of directors.

Dated: November 6, 2018

Signature: _____


President of the Home Owners Association

KEITH J. CARSON
(Typed or printed name of person signing)

PRESIDENT
(Title of Person Signing)