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DATE: 1/15/2021

NAME: DENSAN PARK PROPERTY OWNERS ASSOCIATION INC

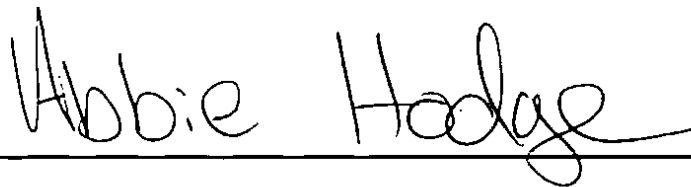
TYPE OF FILING: AMENDED AND RESTATED ARTICLES

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COVER LETTER

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

SUBJECT: DENSAN PARK PROPERTY OWNERS ASSOCIATION INC
CORPORATE NAME

Enclosed are an original and one (1) copy of the restated articles of incorporation and a check for:

☐ \$35.00 ☐ \$43.75
Filing Fee Filing Fee
 & Certificate of Status

☒ \$43.75 ☐ \$52.50
Filing Fee Filing Fee,
& Certified Copy Certified Copy
 & Certificate of
 Status

ADDITIONAL COPY REQUIRED

FROM: DAVID L. MACKAY

Name (Printed or typed)

2801 SW COLLEGE RD STE#9

Address

OCALA FL

City, State & Zip

352-237-3800

Daytime Telephone number

densanpark@gmail.com

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

NOTE: Please provide the original and one copy of the document.

AMENDED AND RESTATED
ARTICLES OF INCORPORATION

OF

DENSAN PARK
PROPERTY OWNERS ASSOCIATION, INC.

In compliance with the requirements of Chapter 617, Florida Statutes, **DENSAN PARK PROPERTY OWNERS ASSOCIATION, INC.** a corporation not for profit under the laws of the State of Florida as adopted the following Articles of Incorporation for such corporation.

ARTICLE 1. NAME

The name of this corporation shall be **DENSAN PARK PROPERTY OWNERS ASSOCIATION, INC.** (hereinafter referred to as the "Association").

ARTICLE 2. ADDRESS

The principal office address of the Association is 4877 NE 126th Place, Oxford, FL 34484, and the mailing address of the Association is PO Box 386, Oxford, FL 34484.

ARTICLE 3. REGISTERED AGENT

Frances Dann-Akin, whose address is 16570 Hwy. 441, Summerfield, FL 34491 is hereby appointed registered agent of the Association.

ACCEPTANCE

I HEREBY ACCEPT the appointment as Registered Agent of **DENSAN PARK PROPERTY OWNERS ASSOCIATION, INC.** and agree to act in that capacity.

Frances Dann-Akin
Frances Dann-Akin, Registered Agent

ARTICLE 4. DURATION

This Association shall exist perpetually, commencing on the date of filing these Articles with the Secretary of State, Tallahassee, Florida.

ARTICLE 5. PURPOSES

The Association does not contemplate pecuniary gain or profit, direct or indirect, to the members thereof (hereinafter referred to individually as a "Member" and collectively as "Members"), and the specific purposes for which it is formed are to provide for the maintenance, preservation and improvement of the Property comprising DENSAN PARK PHASE ONE, a residential subdivision filed as a Plat and recorded in PLAT BOOK 19, Pages 7 – 7A, Sumter County, Florida, and to promote the health, safety and welfare of the Owners and residents within the Property and any additions thereto as may hereafter be brought within the jurisdiction of the Association. Unless otherwise defined in Chapter 617, Florida Statutes, capitalized terms in these Articles of Incorporation shall have the meaning set forth in the Declaration referenced in Section 6.1 below.

ARTICLE 6. POWERS

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

- 6.1 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 of Covenants, Conditions and Restrictions for DENSAN PARK, originally recorded in Official Records Book 3608, Page 212, of the Public Records of Sumter County, Florida, as amended by the AMENDED and RESTATED Declaration of Covenants, Conditions and Restrictions for DENSAN PARK, dated October 12, 2020, to be recorded in the Official Records of Sumter County, Florida (the "Declaration");
- 6.2 To establish, collect, and disburse Common Assessments, or Special Assessments, as the case may be, to be used for the maintenance and upkeep of the Common Areas and the Storm Water and Surface Water Management System located within DENSAN PARK; and to establish and collect Enforcement Assessments against specific Owners for the purposes set forth in the Declaration; including the right to impose and enforce liens as a means of enforcement, all as provided for in the Declaration.
- 6.3 To manage, operate, maintain, repair, and improve the Common Areas and any Storm Water and Surface Water Management System located within DENSAN PARK, or any property owned by a third party for which the Association by rule, regulation, Declaration, easement, agreement or contract, has a right or duty to provide such services. The Association shall operate, maintain, and manage the Storm Water and Surface Water Management System in a manner consistent with the Southwest Florida Water Management District requirements and applicable

District rules, and shall assist in the enforcement of the Declaration which relates to the Storm Water and Surface Water Management System;

- 6.4 Any and all powers, rights and privileges which a corporation organized under Chapter 617, Florida Statutes, by law may now, or hereafter, have or exercise;
- 6.5 To fix, levy, collect and enforce payment of, by any lawful means, all charges or Assessments pursuant to the terms of the Declaration, including, but not limited to, for the operation of the Storm Water and Surface Water Management System;
- 6.6 To acquire (by gift, purchase, or otherwise), manage, control, own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use, or otherwise dispose of real or personal property subjected to the Declaration or any other property for which the Association by rule, regulation, Declaration, or contract has a right or duty to provide such services;
- 6.7 To borrow money, and by action of the Association, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred, in accordance with provisions of the Declaration;
- 6.8 To dedicate, sell, or transfer all or any part of the Common Area to any public agency, authority or utility, in accordance with provisions of the Declaration;
- 6.9 To enter into, make, perform, or enforce contracts of every kind and description, and to perform all other acts necessary, appropriate, or advisable in carrying out any purpose of the Association , with or in association with any other association, corporation, or other entity or agency, public or private;
- 6.10 To enforce covenants, conditions, or restrictions affecting any property governed by or subject to the Declaration, to the extent the Association may be authorized to do so under the Declaration;
- 6.11 To engage in activities which will actively foster, promote and advance the interests of Owners of real property subject to the Declaration;
- 6.12 To adopt the Bylaws as may be necessary or desirable for the proper management of the affairs of the Association; provided, however, such Bylaws may not be inconsistent with or contrary to any provisions of these Articles of Incorporation; and
- 6.13 To promulgate or enforce rules, regulations or agreements to effectuate all of the purposes for which the Association is organized, as allowed or required under terms of the Declaration.
- 6.14 To appoint committees, at the discretion of the Board of Directors, to carry out duties that may be required or allowed of the Board under terms of the Declaration.

ARTICLE 7. MEMBERSHIP

Every Owner of a Lot as defined in the Declaration shall automatically be a Member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Lot. All Members agree to be bound by the terms and provisions of these Articles and such Bylaws as may be promulgated by the Association from time to time.

ARTICLE 8. MEMBER'S VOTING RIGHTS

8.1 The Association shall have two classes of voting members.

Class A: Class A Members shall be all Owners in the subdivision, with the exception of, until conversion from Class B membership, the Declarant. Each Owner shall be entitled to one vote for each Lot owned. When more than one person holds an interest in a given Lot, all such persons shall be Members and the vote for such Lot shall be exercised as they may determine among themselves, however in no event shall more than one vote be cast with respect to any Lot.

Class B: The Class B Member shall be the Declarant, its successors and assigns. The Class B Member shall be entitled to nine (9) votes per Lot owned. Notwithstanding the foregoing, the voting rights of Declarant, after the transition of the homeowners' association control from Declarant to the non-developer members, as set forth in Florida Statutes Section 720.307, has occurred, the Class B Member shall be deemed to be a Class A Member and shall thereafter be limited to one (1) vote per Lot.

8.2 Quorum. Unless a lower number is provided in the bylaws, the percentage of voting interests required to constitute a quorum at a meeting of the Members shall be 30 percent of the total voting interests.

8.3 Unless otherwise provided in the bylaws, decisions that require a vote of the Members must be made by the concurrence of at least a majority of the voting interests present, in person or by proxy, at a meeting at which a quorum has been attained.

8.4 Members shall have the right to cast such votes on a non-cumulative basis (unless otherwise required by law) on all matters coming before the Association for which a vote of the Members is allowed or required.

ARTICLE 9. DIRECTORS

9.1 The affairs of the Association shall be managed by a Board of Directors consisting of not less than three (3) nor more than five (5) persons, who need not be Members of the Association, each of whom shall meet the requirements of Section 720.3033,

Florida Statutes upon appointment or election, and shall continuously remain in compliance with all requirements set forth therein.

9.2 The Initial Directors of the Association shall be as follows:

Dennis Ferguson
4877 NE 126th Place
Oxford Fla 34484

Sandra Ferguson
4877 NE 126th Place
Oxford Fla 34484

Michael Ferguson
4877 NE 126th Place
Oxford Fla 34484

Richard Ferguson
4877 NE 126th Place
Oxford Fla 34484

Jennifer Ferguson
4877 NE 126th Place
Oxford Fla 34484

9.3 Subsequent election of Directors shall be held in accordance with the requirements of Chapter 720, Florida Statutes. The Initial Board of Directors shall adopt By-laws which shall provide for staggered terms of the Directors. There shall initially be two Directors for a one-year term and three Directors for a two-year term, to be designated by the Board of Directors at their organizational meeting. Thereafter, when each election is held, Directors then shall be elected for two-year term. Any Director may be re-elected but may not serve more than eight consecutive years unless approved by an affirmative vote of two-thirds of the voting interests voting in the election, or unless there are not enough eligible candidates to fill the vacancies.

9.4 The votes of each Member shall be cast on a non-cumulative basis in the election of Directors.

ARTICLE 10. ASSESSMENTS

10.1 The Directors are required to establish a Common Assessment to be levied against each Lot sufficient to maintain, extend, or improve the Common Areas and any other areas which are maintained or partially maintained by the Association, any Storm Water or Surface Water Management System located within the Property, or otherwise necessary to pay Common Expenses of the Association. The Directors shall notify the Owners of the amount of the then Common Assessment

in such detail as required by law. 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.

- 10.2 Except as may be limited by Section 720.315, Florida Statutes, the Directors may propose and adopt one or more other Assessments, including, but not limited to, Special Assessments and Enforcement Assessments, and may assess and enforce fines, as set forth in the Declaration.
- 10.3 The Directors shall keep separate records of all Assessments or fines made and collected pursuant to this Article, and all the monies deposited into, and disbursed from the accounts of the Association, and shall make said records available, at reasonable hours and in a reasonable manner, to any Member of the Association requesting access to same, in accordance with requirements of Florida Statutes.

ARTICLE 11. DISSOLUTION OF THE ASSOCIATION

- 11.1 The term of the Association shall be perpetual unless dissolved only as provided in the Declaration, the Bylaws of the Association, and the laws of the State of Florida.
- 11.2 In the event of termination, dissolution, or final liquidation of the Association, the responsibility for the operation and maintenance of the Surface Water or Storm Water Management System located within DENSAN PARK must be transferred to and accepted by an entity which will comply with any requirements of the Southwest Florida Water Management District, including but not limited to, Section 40C-42.027, F.A.C., and be approved by the Southwest Florida Water Management District prior to such termination, dissolution, or liquidation.
- 11.3 Upon dissolution, the Association's assets (including any real property and improvements thereon) remaining after payment to creditors and payment of all costs and expenses relating to such dissolution shall be distributed in the following priority:
 - 11.3.1 To any municipal or governmental authority which is willing to accept such assets and use them for the purposes similar to those for which this Association was created; and, if none, then,
 - 11.3.2 To any nonprofit corporation, association, trust, or other organization to be used for similar purposes.

ARTICLE 12. AMENDMENT OF ARTICLES

- 12.1 Notice of the subject matter of a proposed amendment shall be included in the written notice of any meeting at which a proposed amendment of these Articles is considered.
- 12.2 Adoption of the amendment will require the affirmative vote of two-thirds of the votes entitled to be cast at that time.
- 12.3 No amendment to these Articles of Incorporation affecting in any way the ownership, maintenance, or operation of any Storm Water or Surface Water Management System within DENSAN PARK shall be effective without the written consent of the Southwest Florida Water Management District.

ARTICLE 13. OFFICERS

The Board of Directors shall elect the President, Secretary, and Treasurer, and as many Vice Presidents, Assistant Secretaries, and Assistant Treasurers as the Board of Directors shall from time to time determine.

ARTICLE 14. BYLAWS

The initial Bylaws shall be adopted by the Board of Directors. The power to alter, amend, or repeal the bylaws or adopt new bylaws shall be vested in the Board of Directors.

ARTICLE 15. INDEMNIFICATION OF OFFICERS AND DIRECTORS

The Association shall and does hereby indemnify and hold harmless every Director and every Officer, their heirs, executors, and administrators, against all loss, cost, and expenses reasonably incurred in connection with any action, suit, or proceeding to which he or she may be made a part by reason of his being or having been a Director or Officer of the Association, including reasonable counsel fees, except as to matters wherein he shall be fully adjudged in such action, suit or proceeding, to be liable for or guilty of gross negligence or willful misconduct. The foregoing rights shall be in addition to, and not exclusive of, all other rights to which such Director or Officer may be entitled.

ARTICLE 16. TRANSACTION IN WHICH DIRECTORS OR OFFICERS ARE INTERESTED

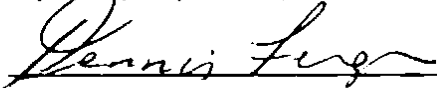
No contract or transaction between the Association and one or more of the Directors or Officers, or between the Association and any other corporation, partnership, association, or other organization including without limitation, a corporation in which one or more of its Officers or Directors are Officers or Directors of this Association shall be invalid, void, or voidable solely because said Officers' or Directors' votes are counted for

such purposes. No Director or Officer 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.

The foregoing Articles of Incorporation of DENSAN PARK Property Owners Association, Inc. are hereby subscribed by its Incorporator on this 12 day of October, 2020.

DENSAN PARTNERS, LLC, a Florida limited
Liability company, Incorporator

By: 

Dennis Ferguson, Manager

Dated: 10/12/2020

FLORIDA JURAT

FS 117.05(13) — Effective January 1, 2020

State of Florida

County of Sumter }

Sworn to (or affirmed) and subscribed before me by means of

☒ Physical Presence.

— OR —

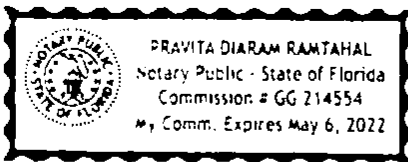
☐ Online Notarization.

this 12 day of October, 2020, by
Day Month Year

Dennis Ferguson
Name of Person Swearing or Affirming

Pravita D. Ramtahal
Signature of Notary Public — State of Florida

Pravita Diaram Ramtahal
Name of Notary Typed, Printed or Stamped



☐ Personally Known

☒ Produced Identification

Type of Identification Produced: D.L.

Place Notary Seal Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Articles of Inc of Densen Park.

Document Date: October, 12, 2020 Number of Pages: 8

Signer(s) Other Than Named Above: —