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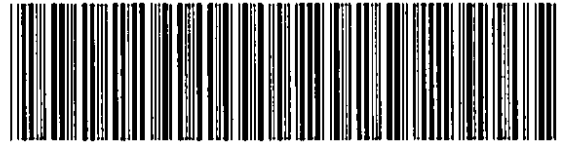
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2020 DEC 30 PM 12:55  
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## COVER LETTER

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

SUBJECT: Fishhawk Reserve Homeowners 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: Daniel F. Pilka, Esq.  
Name (Printed or typed)

213 Providence Road  
Address

Brandon, FL 33511  
City, State & Zip

813-653-3800  
Daytime Telephone number

dpilka@pilka.com  
E-mail address: (to be used for future annual report notification)

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

2020 DEC 30 1:12:53

Prepared by and Return to:  
Daniel F. Pilka, Esquire  
Pilka, Adams & Reed, P.A.  
213 Providence Road  
Brandon, FL 33511  
(813) 653-3800

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## **ARTICLES OF INCORPORATION**

**FOR**

### **FISHHAWK RESERVE HOMEOWNERS ASSOCIATION, INC.**

The undersigned subscriber to these Articles of Incorporation for the purpose of forming a corporation not-for-profit, pursuant to Chapters 617 and 720 of the Florida Statutes, does hereby adopt the following Articles of Incorporation:

#### **ARTICLE 1 NAME**

The name of the corporation is The FishHawk Reserve Homeowner Association, Inc.

#### **ARTICLE II PRINCIPAL OFFICE**

The principal office of the Association is located at 10020 Carr Road, Riverview, Florida 33579. The Board of Directors of the Association may change the location of the principal office of said Association from time to time.

#### **ARTICLE III REGISTERED AGENT**

L. Michael Nelis whose address is 8901 Alafia Way, Riverview, Florida 33578, is hereby appointed the initial registered agent of this Association.

#### **ARTICLE IV DEFINITIONS**

"Articles" shall mean these Articles of Incorporation.

"Developer" shall mean Fishhawk Reserve LLC, a Limited Liability Corporation, its successors and assigns.

"Directors" shall mean the members of the Board of Directors of the Association and their successors in office duly elected and serving in that capacity in accordance with the Bylaws.

"Association" shall mean and refer to The FishHawk Reserve Homeowners Association, Inc.; a Florida corporation not-for-profit; its successors and assigns.

"Declaration" shall mean the Declaration of Covenants, Conditions and Restrictions for FishHawk Reserve recorded in the Public Records of Hillsborough County, Florida, to which a certified copy of these Articles of Incorporation are attached as Exhibit "A." In addition to the foregoing terms, all other defined terms used herein shall have the meanings as set forth in the Declaration.

## **ARTICLE V PURPOSE**

The Association has been formed for the purpose of performing the obligations of the Association under and pursuant to the Declaration and for other purposes.

## **ARTICLE VI POWERS AND DUTIES**

In addition to all powers provided in Chapters 617 and 720 of the Florida Statutes, and in addition to all of the powers provided by the Declarations of Covenants, Conditions and Restriction and Bylaws, the Association shall have the following powers and duties:

A. Perform all of the obligations of the Association under the Declaration and pay all the costs associated with the performance by the Association of the obligations of the Association under the Declaration.

B. Establish a budget annually for the operation of the Association and the performance of all of the duties and obligations of the Association, including; but not limited to, the payment of all professional fees and costs of attorneys, accountants, engineers, surveyors, contractors and agents and all other persons employed by or contracted with by the Association, the cost of a standard fidelity bond covering all Directors, officers and all other employees of the Association in an amount to be determined by the Directors, the cost of workers compensation insurance to the extent necessary to comply with Chapter 440 of the Florida Statutes, the cost of liability insurance insuring the Association against any and all liability to the public and any other insurance deemed necessary by the Directors.

C. Fix, levy, collect, and enforce payment by any lawful means of all charges and assessments pursuant to the terms of the Declaration, these Articles and the

Bylaws of the Association; bring proceedings for collection of charges and assessments in the event of nonpayment; pay all expenses in connection therewith, and all office and other expenses incidental to the conduct of the business of the Association, including all licenses, taxes, or governmental charges levied on or imposed against the property of the Association;

D. Receive a conveyance of the Drainage Easements, subject to the provisions of the Declaration, Articles and Bylaws.

E. 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;

F. With the unanimous approval of the Members, borrow money, and mortgage, pledge, grant a deed in trust or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

G. Operate and maintain the surface water management system associated with the Drainage Facilities and the Drainage Easements.

H. Sue and be sued.

I. Contract for services to provide for the operation and maintenance required to be performed by the Association.

J. Establish rules and regulations with respect to the use and operation of the Drainage Facilities and the surface water management system.

K. Receive an assignment of the Permit or Permits issued by SWFWMD for the operation of the surface water management system and Drainage Facilities.

L. Exercise any and all powers, rights and privileges that a nonprofit corporation organized under Chapters 617 and 720 of the Florida Statutes by law may now or hereafter have or exercise, as well as all other express and implied powers of corporations not-for-profit. The Association shall be operated as a non-profit organization for the benefit of its Members. The Association is organized and shall be operated exclusively for the purposes set forth above and in the Declaration. The activities of the Association will be financed by assessments against members as provided in the Declaration and in accordance with the Bylaws and no part of any net earnings of the Association will inure to the benefit of any member.

**ARTICLE VII**  
**MEMBERS**

Membership in the Association is set forth in the Declaration. At any meeting of Members of the Association, each Member shall be entitled to one vote.

**ARTICLE VIII**  
**DURATION**

The period of duration of the Association shall be perpetual, unless sooner dissolved pursuant to provisions of Florida Statutes Chapters 617 and 720, as amended.

**ARTICLE IX**  
**INCORPORATOR**

The name and residence address of the incorporator is:

NAME: L. Michael Nelis  
ADDRESS: 8901 Alafia Way  
Riverview, FL 33579

**ARTICLE X**  
**DIRECTORS AND OFFICERS**

The affairs of the Association shall be managed by a Board of Directors. The Board of Directors shall be elected by the Members at the annual meeting of the Members. Vacancies on the Board of Directors may be filled until the beginning of the next fiscal year of the Association in such a manner as provided by the Bylaws. The officers shall be: a President, Vice President, Secretary, and Treasurer. They shall be elected by the Board of Directors. The officers and Directors shall perform such duties, hold office for such term, and take office at such time as shall be provided by the Bylaws.

**ARTICLE XI**  
**INITIAL DIRECTORS**

The number of persons constituting the initial Board of Directors of the Association shall be four (4). The initial Board of Directors who shall serve until July 1 immediately following the first election at the regular annual meeting are:

NAMES: L. Michael Nelis  
Dena L. Nelis  
Freeda M. Nelis  
K. Janine Nelis

ADDRESSES:

8901 Alafia Way, Riverview, FL 33578  
8901 Alafia Way, Riverview, FL 33578  
5805 Phoebebest Drive, Lithia, FL 33547  
10851 El Toro, Drive, Riverview, FL 33569

**ARTICLE XII  
BYLAWS**

The Bylaws of the Association may be made, altered, or rescinded as provided for in the Bylaws of the Association. However, the initial Bylaws of the Association shall be made and adopted by the initial Board of Directors of the Association.

**ARTICLE XIII  
AMENDMENT OF ARTICLES OF INCORPORATION**

Amendments to these Articles may be proposed by any Member of the Association. These Articles may be amended at any annual meeting of the Members of the Association, or at any special meeting duly called and held for such purpose, by the unanimous vote of the Members. So long as the Developer owns at least five percent (5%) of the Lots in any Subdivision, no amendment to these Articles may be made without the prior written consent of the Developer, which the Developer may withhold in the Developer's sole and exclusive discretion. There shall be no amendment to these Articles which modifies, amends or changes the obligations and duties of the Association with respect to the Surface Water Management System and the Drainage Facilities without the prior approval of SWFWMD. A copy of each amendment shall be filed with the Secretary of State, pursuant to the provisions of the applicable Florida Statutes and a copy certified by the Secretary of State shall be recorded in the public records of Hillsborough County, Florida.

**ARTICLE XIV  
DISSOLUTION**

The Association may be dissolved with the assent given in writing and signed by all of the Members. So long as the Developer owns any portion of the Property, this Association may not be dissolved without the prior written consent of the Developer, which consent may be unreasonably withheld, in the Developer's sole and exclusive discretion. Upon dissolution of the Association, other than incident to 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 and such public agency shall assume the obligations and perform the duties of the Association as set forth

in the Declaration. 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 which shall assume all of the duties and obligations of the Association under the Declaration.

#### ARTICLE XV FHA/VA APPROVAL

So long as there is a Class B membership in any Association, the following actions will require the prior written approval of the Federal Housing Administration or the Veterans'

Administration: Annexation of additional properties, merger and consolidations, mortgaging of the assets of the Association, dedication of any of the assets of the Association for public purposes, dissolution and amendment to these Articles of Incorporation.

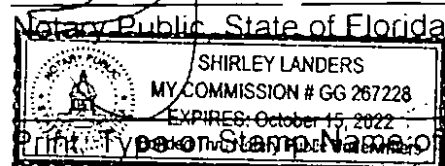
IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida the undersigned subscriber has executed these Articles of Incorporation this 21<sup>st</sup> day of December, 2020.

  
L. Michael Nelis

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of December, by L. Michael Nelis, who is ☐ personally known to me or ☒ who produced a Florida Drivers License as identification.

[SEAL]



#### ACCEPTANCE OF REGISTERED AGENT

The undersigned hereby accepts the appointment as registered agent of the FISHHAWK RESERVE HOMEOWNERS ASSOCIATION, INC., as set forth in the foregoing Articles of Incorporation.



DATED this 21<sup>st</sup> of December, 2020.



L. Michael Nelis  
Registered Agent

2020 DEC 30 PM 12:50

CLERK OF COURT