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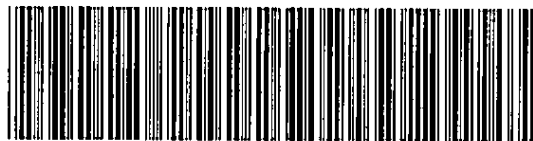
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**GLENN T. SUNDIN, ATTORNEY**

560 Hidden Creek Drive  
Merritt Island, Florida 32952  
(321) 455-1511

September 26, 2021

Department of State  
Division of Corporations  
Corporate filings  
Post Office Box 6327  
Tallahassee, Florida 32314

Re: Formation of Legacy Commons Condominium Association, Inc.

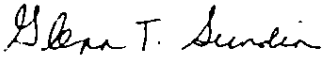
Dear Madam or Sir:

Find enclosed the original Articles of Incorporation for the above-referenced non-profit corporation. Please process the enclosed Articles and provide us with a certified copy of the same.

We have also enclosed a check made payable to the Florida Secretary of State in the amount of \$78.75 to cover the applicable filing fees.

Thank you for your assistance in this matter and please call if you have any questions or comments.

Sincerely,

  
Glenn T. Sundin

Enclosures

**ARTICLES OF INCORPORATION**  
**OF**  
**LEGACY COMMONS CONDOMINIUM ASSOCIATION, INC.**  
A Not-for-Profit Corporation

The undersigned hereby associate themselves for the purpose of forming a corporation not for profit under and pursuant to Chapter 617, Florida Statutes, and do hereby state as follows:

**ARTICLE I**

**Name**

The name of this Corporation shall be **Legacy Commons Condominium Association, Inc.** (the "Association"). The terms contained in these Articles of Incorporation shall have the same meaning as set forth in the Declaration unless otherwise defined herein.

**ARTICLE II**

**Address**

The Association's principal address and its mailing address is 775 W. 1200 N., Suite 100, Springville, Utah 84663.

**ARTICLE III**

**Term of Existence**

This Corporation shall have perpetual existence, commencing upon the filing of these Articles of Incorporation with the Florida Department of State.

**ARTICLE IV**

**Purpose**

The purposes for which this Association is formed are as follows:

A. To form as "Association" as defined in Chapter 718, Florida Statutes, ("Condominium Act"), and, as such, to operate, maintain, and administer the Condominium Property of, and to perform the acts and duties necessary and desirable for the management of the Units and Common Elements in Legacy Common Condominium (the "Condominium"); and to own, operate, lease, sell and trade property, whether real or personal, including Units in the Condominium, as may be necessary or convenient in the administration of the Condominium Property.

B. To carry out the duties and obligations and receive the

C. To establish bylaws for the operation of the Condominium Property ("Bylaws"), provide for the administration of the Association and rules and regulations for governing the same, and enforce the provisions of the Condominium Act, the Declarations, these Articles of Incorporation and the Bylaws.

D. The Association shall have all of the common law and statutory powers provided under the laws of the State of Florida, and those powers provided by the Condominium Act, the Declarations, these Articles and the Bylaws of the Association.

#### **ARTICLE V** **MEMBERS**

A. All Unit Owners in the Condominium shall automatically be members of the Association and membership shall automatically terminate when title to a Member's Unit is conveyed. If a member conveys title to the Member's Unit under the provisions of the Declaration, the new Unit Owner shall automatically acquire membership in the Association.

B. Each Unit shall have a vote equal to its percentage of ownership of the Common Elements in all elections of the Association. An individual, corporation or other entity owning an interest in more than one Unit may be designated as the voting Member for each Unit in which he or it owns an interest.

C. The share of a member in the funds and assets of the Association cannot be assigned, hypothecated or transferred in any manner except as an appurtenance to his unit. No part of the income of the Association shall be distributed to its members, directors or officers.

#### **ARTICLE VI** **DIRECTORS**

A. The affairs and property of the Association shall be managed and governed by a Board of Administration composed of not less than three (3) persons ("Directors"). The first Board of Administration shall have three (3) members and, in the future, the number shall be determined from time to time in accordance with Association's Bylaws.

B. The Directors named in Article VII shall serve until the first election of a director or directors as provided in the Bylaws and any vacancies in their number occurring before the first election shall be filled by the remaining Directors. Thereafter, Directors shall be elected by the Members in accordance with the Bylaws at the regular annual meetings of the membership of the Association. Directors shall be elected to serve for a term of one (1) year and, in the event of a vacancy, the remaining Directors

may appoint a Director to serve the balance for said unexpired term.

C. All officers shall be elected by the Board of Administration in accordance with the Bylaws at the regular annual meeting of the Board as established by the Bylaws. The Board of Administration shall elect from among the Members a President, Vice President, Secretary, Treasurer and such other officers as it shall deem desirable. The President shall be elected from among the membership of the Board of Administration but no other officer need be a Director.

**ARTICLE VII**  
**First Board of Administration**

The following persons shall constitute the first Board of Administration and shall serve until the first election of the Board of Administration at the first regular meeting of the membership:

<u>Name</u>	<u>Address</u>
Michael Morley	678 W. 350 N. Spanish Fork, Utah 84660
Taft Morley	697 E. Park Drive Elk Ridge, Utah 84651
Jennifer Lind	727 W. Center Street Springville, Utah 84663

**ARTICLE VIII**  
**Officers**

Subject to the direction of the Board of Administration, the affairs of the Association shall be administered by officers who shall be elected by and serve at the pleasure of the Board of Administration. The following persons shall constitute the initial officers of the Association and they shall continue to serve as such officers until removed by the Board of Administration:

<u>Name</u>		<u>Position</u>
Michael Morley	-	President
Taft Morley	-	Vice President
Jennifer Lind	-	Secretary
Jennifer Lind	-	Treasurer

## ARTICLE IX

### Bylaws

A. The Bylaws of this Association shall be adopted by the Board of Administration and attached to the Declaration to be filed in the Public Records of Brevard County, Florida. The Bylaws may be amended by the members in the manner provided in said Bylaws.

B. No amendment to these Articles or the Bylaws shall be passed which would change the rights and privileges of the Developer referred to in the Declaration, and the Exhibits attached thereto, without the Developer's written approval and joinder.

## ARTICLE X

### Amendments

A. Proposals for amendments to these Articles of Incorporation which do not conflict with the Condominium Act may be made by ten percent (10%) of the voting interests of the members. Such proposals shall be in writing and shall be delivered to the President who shall thereupon call a special meeting of the members not less than ten (10) days or more than sixty (60) days following his receipt of the proposed amendment. Should the President fail to call such special meeting, the members may, in lieu thereof, call a special meeting. Such request shall state the purpose or purposes of the proposed amendment(s). Notice of such special meeting shall be given and posted in the manner provided in the Bylaws. An affirmative vote of two-thirds (2/3) of the voting interest of the members shall be required for approval of the proposed amendment or amendments.

B. Any member may waive any or all of the requirements of this Article as to the submission of proposed amendments to these Articles of Incorporation to the President or notice of special meetings to vote thereon either before, at or after a membership meeting at which a vote is taken to amend these Articles.

C. Notwithstanding anything herein to the contrary, these Articles may be amended only by the Developer of the Condominium during such time as the Developer shall own any Unit in the Condominium, or any lands adjacent to the Condominium; and that the Developer may amend these Articles consistent with the provisions of the Declaration allowing certain amendments to be effected by the Developer alone.

## ARTICLE XI

### Indemnification

Every Director and officer of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees reasonably incurred by or

imposed upon him, in connection with any proceeding or any settlement thereof, to which he may be a party, or in which he may become involved by reason of his being or having been a Director or officer of the Association, whether or not he is a Director or officer at any time such expenses are incurred, except in such cases wherein the Director or officer is adjudged guilty of willful misfeasance or malfeasance in the performance of his duties; provided that all settlements must be approved by the Board of Administration as being in the best interest of the Association. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which such Director or officer may be entitled.

#### ARTICLE XII

##### Quorum

A quorum at members' meetings shall be attained by the presence, either in person or by proxy, of persons to cast thirty percent (30%) of the voting interests of members. If voting rights of any Owner are suspended pursuant to the provisions of the Declaration or the Bylaws, then the vote(s) of such Owner shall not be counted for the purpose of determining the presence of a quorum and a total number of authorized votes shall be reduced accordingly during the period of such suspension.

#### ARTICLE XIII

##### Initial Registered Office and Agent

The street address of the initial registered office of this Association is 560 Hidden Creek Drive, Merritt Island, Florida 32952, and the name of its initial registered agent at such address is Glenn T. Sundin, Attorney.

#### ARTICLE XIV

##### Incorporator

The name and street address of the person signing these Articles of Incorporation is:

##### Name

##### Address

Glenn T. Sundin, Attorney

560 Hidden Creek Drive  
Merritt Island, Florida 32952

#### ARTICLE XV

##### Stormwater Management

The Association shall operate and maintain and manage the surface water or stormwater management system(s) in a manner consistent with two (2) Drainage Easements granted to the City of Titusville, Florida both of which are recorded in Official Records

Books 2720, Page 2437 and Official Records Book 925, Page 355 recorded in the Public Records of Brevard County, Florida. Also, a Drainage Easement recorded Official Records Book 948, Page 543 recorded in the Public Records of Brevard County, Florida. The aforementioned Drainage Easements shall be collectively referred to as the "Drainage Easements". The Association shall assist in the enforcement of the Declaration which relate to the Drainage Easements and the Stormwater Management System. The Association shall levy and collect adequate assessments on members of the Association for the costs of maintenance and operation of the Drainage Easements and Stormwater Management System. In the event of the termination, dissolution, or final liquidation of the Association, the responsibility for the operation and maintenance of the Drainage Easements and Surface Water or Stormwater Management System must be transferred to and accepted by an entity and such transfer shall be approved by the City of Titusville prior to termination, dissolution or liquidation. Notwithstanding anything to the contrary herein, nothing in this paragraph may be amended without the approval of the City of Titusville.

IN WITNESS WHEREOF, the undersigned subscriber has executed these Articles of Incorporation, this 26th day of September, 2021.

Signed, Sealed and Delivered  
In the Presence of:

Michael Lankes  
Printed name: Michael Lankes

Glenn T. Sundin  
Glenn T. Sundin

Carter Lankes  
Printed name: Carter Lankes

**ACKNOWLEDGMENTS**

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 26 day of September, 2021, by **Glenn T. Sundin**, who is personally known to me ☒ yes ☐ no or who has produced \_\_\_\_\_ as identification and who did not take an oath.

NOTARY PUBLIC



**Cheryl L. Lankes**  
COMMISSION # GG 216522  
EXPIRES: may 10, 2022  
BONDED THRU AARON NOTARY

Cheryl L. Lankes  
Printed name: Cheryl L. Lankes  
My Commission Expires: 5-10-22

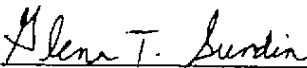


**CERTIFICATE OF REGISTERED AGENT**

Pursuant to Section 48.091, Florida Statutes, the following is submitted:

LEGACY COMMONS CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation, desiring to organize under the laws of the State of Florida, with its principal place of business, as indicated in the Articles of Incorporation, in the County of Brevard, State of Florida, has named Glenn T. Sundin, located at 560 Hidden Creek Drive, Merritt Island, Florida 32952, as its agent to accept service of process within Florida.

Having been named to accept service of process for the above stated corporation, at the place designated in the certificate, I hereby agree to act in this capacity, and I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties.

  
\_\_\_\_\_  
Glenn T. Sundin

Dated the 26 day of September, 2021