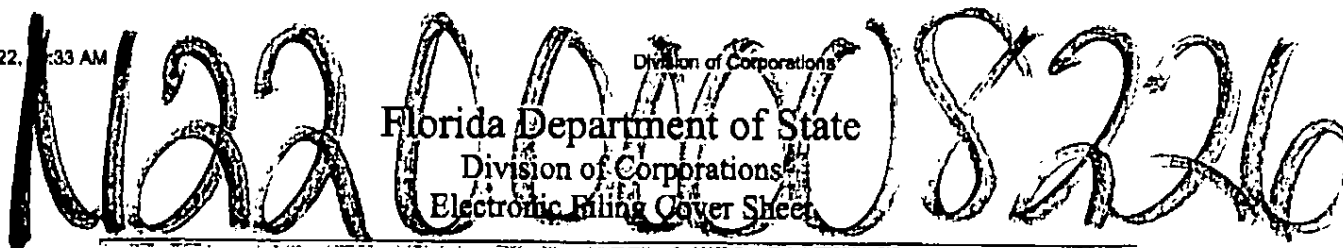


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**FLORIDA PROFIT/NON PROFIT CORPORATION  
BALCARA AT EPPERSON HOMEOWNERS ASSOCIATION, INC.**

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ARTICLES OF INCORPORATION  
OF  
BALCARA AT EPPERSON HOMEOWNERS ASSOCIATION, INC.

The undersigned, acting as incorporator of the captioned corporation pursuant to Chapter 617, *Florida Statutes* and Chapter 720, *Florida Statutes*, adopts the following Articles of Incorporation:

Article 1

Name

The name of the corporation shall be Balcara at Epperson Homeowners Association, Inc., a Florida corporation not for profit (the "Association").

Article 2

Principal Place of Business and Mailing Address

The principal place of business of the Association is 8459 Rockfleet Drive, Wesley Chapel, Florida 33545, and the mailing address of the Association is c/o Balcara Group, LLC, P.O. Box 272188, Houston, Texas 77277-2188.

Article 3

Definitions

The words used in these Articles of Incorporation shall have the same meaning as set forth in that certain Declaration of Protective Covenants, Conditions, Restrictions and Easements for Balcara at Epperson (such Declaration, as amended, supplemented, renewed, or extended from time to time, is hereinafter sometimes referred to as the "Declaration"), unless the context shall prohibit, or the meanings given in Chapter 617, *Florida Statutes*. Statutory references shall be construed as meaning the referenced statute or portion thereof as the same may exist from time to time.

Article 4

Purposes

The Association is organized for the purpose of conducting any and all lawful business. The specific purposes for which the Association is organized are:

4.1. To promote the health, safety, and welfare of the Owners of and Occupants within the Community.

4.2. To own, maintain, repair, and replace the Common Property and such other property and items for which the obligation to maintain and repair has been delegated and accepted by the Association.

4.3. To control the specifications, architecture, design, appearance, elevation and location of, and landscaping around, all buildings and improvements of any type, including walls, fences, swimming pools, antennae, sewers, drains, disposal systems or other structures

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constructed, placed or permitted to remain in the Community, as well as any alteration, improvement, addition or change thereto.

4.4. To operate without profit for the benefit of its Members.

4.5. To perform those functions granted to or reserved by the Association in the Declaration.

#### Article 5 General Powers

The Association shall have all of the powers necessary or desirable to perform the obligations and duties and to exercise the rights and powers set out in these Articles of Incorporation, the Bylaws and the Declaration, including, without limitation, the following:

5.1. To hold funds solely and exclusively for the benefit of the Members for the purposes set forth in these Articles of Incorporation.

5.2. To promulgate and enforce rules, regulations, bylaws, covenants, restrictions and agreements to effectuate the purposes for which the Association is organized.

5.3. To delegate power or powers where such is deemed in the interest of the Association.

5.4. To affix assessments to be levied against Lots within the Community for the purpose of paying for all costs of effectuating the objectives and purposes of the Association and to create reasonable reserves for such expenditures.

5.5. To pay taxes and other charges, if any, levied on or against the Common Property.

5.6. To have all express powers conferred upon the Association by the Declaration and to have all powers conferred upon a corporation by the laws of the State of Florida, including Chapter 617 and Chapter 720, *Florida Statutes*, except as may be prohibited herein.

5.7. To engage in activities which will actively foster, promote and advance the common interests of all Owners and Occupants of the Community, including contracting for services to be provided to the Association.

5.8. To own, convey, buy or otherwise acquire, sell or otherwise dispose of, mortgage or otherwise encumber, exchange, lease, hold, use, operate and otherwise deal in and with real and personal property of all kinds and any right or interest therein for purposes of advancing the common interests of all Owners and Occupants of the Community.

5.9. To borrow money for any purpose, subject to any limitations in the Declaration or Bylaws.

5.10. To sue and be sued.

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5.11. To adopt, alter and amend or repeal such 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 the Declaration.

5.12. To contract for services for the operation, maintenance, and management of the Common Property and all other property dedicated to or maintained by the Association.

Article 6  
Directors

The Board of Directors of the Association shall be comprised of at least three (3) directors and the method of election or appointment of the directors shall be as provided in the Bylaws of the Association.

Article 7  
Members

7.1. Every Person who is the Owner of a fee or undivided fee interest in any Lot that is subject to the Declaration shall be a Member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to Assessment.

7.2. The Association shall have two (2) classes of voting membership, as set forth in the Declaration.

Article 8  
Indemnification and Liability of Officers and Directors

8.1. The Association shall indemnify, to the fullest extent permitted by the Florida Not-For Profit Corporation Act, any person who has been made, or is threatened to be made, a party to an action, suit, or proceeding, whether civil, criminal, administrative, investigative, or otherwise (including an action, suit or proceeding by or in the right of the Association), by reason of the fact that the person is or was a director or officer of the Association. In addition, the Association shall pay for or reimburse any expenses incurred by such persons who are parties to such proceedings, in advance of the final disposition of such proceedings, to the full extent permitted by Chapter 617, *Florida Statutes*.

8.2. To the fullest extent that Chapter 617, *Florida Statutes*, as it exists on the date hereof or as it may hereafter be amended, permits the limitation or elimination of the liability of directors, no director of the Association shall be personally liable to the Association or its members for monetary damages for breach of duty of care or other duty as a director. No amendment to or repeal of this Article shall apply to or have any effect on the liability or alleged liability of any director of the Association for or with respect to any acts or omissions of such director occurring prior to such amendment or repeal. Any repeal or modification of this Article shall be prospective only, and shall not adversely affect any limitation on the personal liability of a director of the Association with reference to any event or events preceding or state of facts existing at the time of such repeal or modification.

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Article 9

Initial Registered Office and Agent

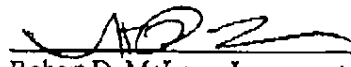
The street address of the Association's initial registered office is 2309 S. MacDill Avenue, Tampa, Florida 33629 and the name of the initial Registered Agent at such address is Rocke, McLean & Sbar, P.A.

Article 10

Incorporator

The name of the Association's incorporator is Robert D. McLean, whose address is 2309 S. MacDill Avenue, Tampa, Florida 33629.

IN WITNESS WHEREOF, the undersigned has executed these Articles of Incorporation this 20<sup>th</sup> day of July, 2022

  
Robert D. McLean, Incorporator


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Certificate Designating  
Registered Agent

Pursuant to the provisions of §48.091 and §617.0501, *Florida Statutes*, BALCARA AT EPPERSON HOMEOWNERS ASSOCIATION, INC., desiring to organize under the laws of the State of Florida, hereby designates Rocke, McLean & Sbar, P.A., a corporation authorized to transact business in the State of Florida, as its Registered Agent for the purpose of accepting service of process within such State and designates 2309 S. MacDill Avenue, Tampa, Florida 33629, the business office of its Registered Agent, as its Registered Office.

BALCARA AT EPPERSON HOMEOWNERS  
ASSOCIATION, INC.

By:   
Robert D. McLean, Incorporator

Acknowledgment

The undersigned hereby accepts its appointment as Registered Agent of the above-named corporation, acknowledges that it is familiar with and accepts the obligations imposed by Florida law upon that position, and agrees to act as such in accordance with the provisions of §48.091 and §617.0501, *Florida Statutes*.

ROCKE, McLEAN & SBAR, P.A.

By:   
Robert D. McLean, Director

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