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**FLORIDA PROFIT/NON PROFIT CORPORATION**  
**Tattersall at Tymber Creek Homeowners Association Inc.**

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**ARTICLES OF INCORPORATION  
OF  
TATTERSALL AT TYMBER CREEK HOMEOWNERS ASSOCIATION, INC.  
(A Non-Profit Florida Corporation)**

We, the undersigned, hereby associate ourselves together for the purpose of becoming incorporated under the laws of the State of Florida, in accordance with the provision of the Statutes of said State, providing for the formation, liabilities, rights, privileges, and immunities of corporations not for profit.

**ARTICLE I  
CORPORATION NAME**

The name of the corporation is TATTERSALL AT TYMBER CREEK HOMEOWNERS ASSOCIATION, INC., hereinafter referred to as the "Association".

**ARTICLE II  
PRINCIPAL OFFICE**

The principal office of the Association is located at 908 Taylor Road, Suite A, Port Orange, FL 32127.

**ARTICLE III  
REGISTERED AGENT**

Palmetto Charter Services, Inc., whose address is 149 S. Ridgewood Avenue, Suite 700, Daytona Beach, FL 32114, is hereby appointed the initial registered agent of this Association.

**ARTICLE IV  
PURPOSE AND POWERS OF THE ASSOCIATION**

The general nature of the business to be transacted is as follows:

- A. To Enforce the terms, covenants, conditions and restrictions appertaining to THE MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TATTERSALL AT TYMBER CREEK.
- B. To establish and collect adequate assessments from the members of the Association for the purpose of operating, maintaining, repairing, improving, and administering said property and storm water management system and to collect and enforce liens for such assessments, by suit, if necessary. The assessments shall be used for the maintenance and repair of the stormwater management systems and mitigation or preservation areas, including but not limited to work within retention areas, drainage structures and drainage easements.
- C. The Association shall operate, maintain and manage the stormwater management system(s) in a manner consistent with the requirements of Agency Permit No. 103558-3 and applicable St. Johns River Water Management District rules, and shall assist in the enforcement of the restrictions and covenants contained herein.

**ARTICLE V  
TERM OF EXISTENCE AND DURATION**

Existence of the Association shall commence with filing the Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The Association shall exist in perpetuity.

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#### ARTICLE VI MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest in any lot, which is subject by covenants of record to assessment by the Association, shall automatically be a member of the Association. The rights and obligations of Members in the Association shall be as defined in the Declaration and subject to the terms and conditions set forth in the Bylaws.

The foregoing is not intended to include person or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any lot, which is the subject to assessment by the Association.

#### ARTICLE VII BOARD OF DIRECTORS

The affairs of the Association shall be managed by a Board of Directors initially composed of three (3) directors. Directors need not be members of the Association. The number of directors may be changed by amendment to the Bylaws but shall not be less than three (3). Election or appointment of the Directors shall be as prescribed in the Bylaws. The names and addresses of the person who are to act in the capacity of directors until the selection of their successors are:

JAMES W. PAYTAS, III  
908 TAYLOR ROAD, SUITE A  
PORT ORANGE, FL 32127

JAMES W. PAYTAS JR.  
908 TAYLOR ROAD, SUITE A  
PORT ORANGE, FL 32127

JAMES MATHER  
908 TAYLOR ROAD, SUITE A  
PORT ORANGE, FL 32127

#### ARTICLE VIII BYLAWS

Bylaws of the Association shall be adopted by the Board of Directors and thereafter may be altered, amended or rescinded in the manner provided for in the Bylaws. In the event of a conflict between the provisions of these Articles and the provisions of the Bylaws, the provisions of these Articles shall control.

#### ARTICLE IX DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by holders of not less than three-fourths (3/4) of the total votes. Upon dissolution of the Association, other than incident to a 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 the Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any non-profit corporation, association, trust or other organization to be devoted to such similar purposes. In the event of termination, dissolution, or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water or stormwater management system must be transferred to and accepted by an entity which would comply

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with Rule 62-330.310, F.A.C., and Applicant's Handbook Volume I, Section 12.3, and be approved by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.

**ARTICLE X  
AMENDMENT OF ARTICLES OF INCORPORATION**

An affirmative vote of two-thirds (2/3) of the qualified voting members of the corporation shall be necessary to amend these Articles of Incorporation.

**ARTICLE XI  
INCORPORATOR**

The name and address of the incorporator of this corporation is as follows:

JAMES W. PAYTAS, III  
908 TAYLOR ROAD, SUITE A  
PORT ORANGE, FL 32127


*[Remainder of Page Intentionally Left Blank; Signature Page to Follow]*

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IN WITNESS WHEREOF, the undersigned incorporator does hereby execute and acknowledge these Articles of Incorporation this 18th day of October, 2023.

  
\_\_\_\_\_  
JAMES W. PAYTAS, III, Incorporator

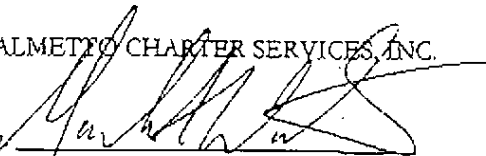
**CERTIFICATE DESIGNATING PLACE OF BUSINESS OR DOMICILE FOR THE SERVICE  
OF PROCESS WITHIN THIS STATE, NAMING AGENT UPON WHOM PROCESS MAY BE  
SERVED**

In pursuance of the provisions of Chapters 48 and 617, Florida Statutes, the following is submitted, in compliance with said Act:

That TATTERSALL AT TYMBER CREEK HOMEOWNERS ASSOCIATION, INC., desiring to organize under the laws of the State of FLORIDA with its principal office, 908 Taylor Road, Suite A, Port Orange, FL 32127, has named Palmetto Charter Services, Inc. located at 149 S. Ridgewood Avenue, Suite 700, Daytona Beach, FL 32114, County of Volusia, State of Florida, as its agent to accept process within this state.

**ACKNOWLEDGEMENT:**

Having been named as registered agent to accept service of process for the above stated corporation at the place designated in these Articles of Incorporation, I am familiar with and accept the appointment as registered agent and agree to act in this capacity.

PALMETTO CHARTER SERVICES, INC.  
  
By \_\_\_\_\_  
Name: Mark A. Watts  
Title: President

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