

N35489

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FLORIDA DEPARTMENT OF STATE
Division of Corporations

September 5, 2007

KENT KLARNER
CHEVALIER SUBDIVISION HOMEOWNERS' ASSOC
POST OFFICE BOX 34460
PENSACOLA, FL 34460

SUBJECT: CHEVALIER SUBDIVISION HOMEOWNERS' ASSOCIATION, INC.
Ref. Number: N35484

We have received your document for CHEVALIER SUBDIVISION HOMEOWNERS' ASSOCIATION, INC. and check(s) totaling \$105.00. However, the enclosed document has not been filed and is being returned to you for the following reason(s):

Our records indicate the current name of the entity is as it appears on the enclosed computer printout. Please correct the name throughout the document.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6908.

Sylvia Gilbert
Document Specialist

Letter Number: 007A00052888

*9/17/07
Returned - corrected as
discussed on the telephone.
Thank you
Kent Klerner*

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COVER LETTER

TO: Amendment Section
Division of Corporations

SUBJECT: CHEVALIER HOMEOWNER'S ASSOCIATION
(Name of Surviving Corporation)

The enclosed Articles of Merger and fee are submitted for filing.

Please return all correspondence concerning this matter to following:

KENT KLARNER

(Contact Person)

CHEVALIER HOMEOWNER'S ASSOCIATION

(Firm/Company)

P.O. BOX 34460

(Address)

PENSACOLA, FL. 32507

(City/State and Zip Code)

For further information concerning this matter, please call:

KENT KLARNER

(Name of Contact Person)

At (850) 492-5643

(Area Code & Daytime Telephone Number)

☐ Certified copy (optional) \$8.75 (Please send an additional copy of your document if a certified copy is requested)

STREET ADDRESS:

Amendment Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, Florida 32301

MAILING ADDRESS:

Amendment Section
Division of Corporations
P.O. Box 6327
Tallahassee, Florida 32314

ARTICLES OF MERGER

(Not for Profit Corporations)

The following articles of merger are submitted in accordance with the Florida Not For Profit Corporation Act, pursuant to section 617.1105, Florida Statutes.

First: The name and jurisdiction of the surviving corporation:

<u>Name</u>	<u>Jurisdiction</u>	<u>Document Number</u> (If known/ applicable)
CHEVALIER SUBDIVISION HOMEOWNER'S ASSOCIATION, INC.	FLORIDA	N35484

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07 OCT - 1 PM '96
TALLAHASSEE, FLORIDA
SECRETARY OF STATE

Second: The name and jurisdiction of each merging corporation:

<u>Name</u>	<u>Jurisdiction</u>	<u>Document Number</u> (If known/ applicable)
CHEVALIER SUBDIVISION PHASE 3 HOMEOWNERS ASSOCIATION, INC.	FLORIDA	N96000005414

Third: The Plan of Merger is attached.

Fourth: The merger shall become effective on the date the Articles of Merger are filed with the Florida Department of State

OR / / (Enter a specific date. NOTE: An effective date cannot be prior to the date of filing or more than 90 days after merger file date).

(Attach additional sheets if necessary)

Fifth: ADOPTION OF MERGER BY SURVIVING CORPORATION
(COMPLETE ONLY ONE SECTION)

SECTION I

The plan of merger was adopted by the members of the surviving corporation on JANUARY 25, 2007.
The number of votes cast for the merger was sufficient for approval and the vote for the plan was as follows:
118 FOR 1 AGAINST

SECTION II

(CHECK IF APPLICABLE) ☐ The plan or merger was adopted by written consent of the members and executed in accordance with section 617.0701, Florida Statutes.

SECTION III

There are no members or members entitled to vote on the plan of merger.
The plan of merger was adopted by the board of directors on _____. The number of directors in office was _____. The vote for the plan was as follows: _____ FOR _____ AGAINST

Sixth: ADOPTION OF MERGER BY MERGING CORPORATION(S)
(COMPLETE ONLY ONE SECTION)

SECTION I

The plan of merger was adopted by the members of the merging corporation(s) on JANUARY 25, 2007. The number of votes cast for the merger was sufficient for approval and the vote for the plan was as follows: 118 FOR 1 AGAINST

SECTION II

(CHECK IF APPLICABLE) ☐ The plan or merger was adopted by written consent of the members and executed in accordance with section 617.0701, Florida Statutes.

SECTION III

There are no members or members entitled to vote on the plan of merger.
The plan of merger was adopted by the board of directors on _____. The number of directors in office was _____. The vote for the plan was as follows: _____ FOR _____ AGAINST

Seventh: SIGNATURES FOR EACH CORPORATION

Name of Corporation

Signature of the chairman/
vice chairman of the board
or an officer.

Typed or Printed Name of Individual & Title

CHEVALIER SUBDIVISION
HOMEOWNER'S ASSN ~~FOR~~ ^(INC) *[Signature]*
CHEVALIER SUBDIVISION
HOMEOWNER'S ASSN P3 *[Signature]*
_(INC)

ROBERT FOLMAN, PRESIDENT

KENT KLARNER, PRESIDENT

PLAN OF MERGER

The following plan of merger is submitted in compliance with section 617.1101, Florida Statutes and in accordance with the laws of any other applicable jurisdiction of incorporation.

The name and jurisdiction of the surviving corporation:

<u>Name</u>	<u>Jurisdiction</u>
CHEVALIER SUBDIVISION HOMEOWNER'S ASSOCIATION (INC)	PENSACOLA, FL. 32507

The name and jurisdiction of each merging corporation:

<u>Name</u>	<u>Jurisdiction</u>
CHEVALIER SUBDIVISION Phase 3 HOMEOWNER'S ASSOCIATION (INC)	PENSACOLA, FL. 32507

The terms and conditions of the merger are as follows:

COVENANTS AND BYLAWS OF BOTH
~~PHASE 1 AND PHASE 2~~ CORPORATIONS
WILL REMAIN IN EFFECT.

A statement of any changes in the articles of incorporation of the surviving corporation to be effected by the merger is as follows:

NONE

Other provisions relating to the merger are as follows:

NONE

**CHEVALIER Subdivision Phase
Homeowner's Association
P.O. Box 34460
Pensacola, FL 32507**

Merger Action Plan.

Purpose. To outline and identify the procedures and processes required to effect the merger of Chevalier Subdivision (Phase 1 and 2) and Chevalier Subdivision (Phase 3) Homeowner's Associations.

The boundaries for each homeowner's association are contained in the Covenants of each respective Homeowner's Association.

Background. The Covenants and bylaws of each respective homeowner's association are essential as both documents for each respective homeowner's association were developed by the subdivision developers. The boards of both homeowner's association have discussed the concept of merging the two homeowner's association for a period of time. In January 2006 the Phase I and 2 Homeowner's voted to conduct the merger. The Phase 3 Homeowners did not vote to conduct the merger during the January 2006 meeting, but did task the board to review the concept for the merger and report back to the homeowner's association. After a series of meeting with the board of Phase 1 and 2, the board for Phase 3 conducted a Homeowner's Association Meeting on June 22, 2006 and recommended the merger to the homeowners as a matter of mutual interest and vote by the homeowners at the January 2007 meeting be accomplished.. The benefits of the merger:

- Larger group being represented by a single board for the purpose monitoring and influencing the development of the area surrounding the subdivision.
- Reduce the operating costs for each Subdivision Phase by centralizing management of landscaping and subdivision common areas, maintaining one insurance policy, maintaining one bank account, maintaining one power company account.
- Enhanced communications throughout the subdivision community by ensuring all homeowners are receiving the same information irrespective of location in the subdivision.
- Reduce cost by conducting one meeting as opposed to separate meetings by Phase.
- Increase participation in the management and operations of the homeowner's association by providing a larger base for participation in committees responsible for conducting the subdivision's community activities.

Concept of Merger. Following approval of the merger, the following delineates the required activities to effect the merger.

a. **Board.** The boards for Chevalier Subdivision (Phase 1 and 2) and Chevalier Subdivision (Phase 3) will be disestablished. A new board will be established consisting of the current members of each respective board. Composition of the board will be limited to no more than seven (7) members. Members of the new board must meet no later than 28 February 2007 the purpose of naming individuals to serve as President, Vice President, Treasurer, Secretary, and 3 Members At Large. This board will serve until the Subdivision Annual Meeting in January 2008, at which time a new board will be nominated and elected. Publication on the composition of the Board will be accomplished by a community newsletter no later than March 15, 2007. Additionally, the new board will submit an amended registration to the Florida Department of State Division of Corporations.


b. **Covenants and By-laws** The covenants and by-laws currently in effect for Phase 1 and 2, and Phase 3, will remain in effect and both will be managed by the new board. This determination was made after a review of these documents revealed close similarities in the documents. Copies of the Covenants and By-laws for Chevalier Subdivision (Phase 1 and 2) and Chevalier Subdivision (Phase 3) will be submitted with the Action Plan to the State of Florida.

c. **Finances.** The newly established board will combine the budgets for both Chevalier Subdivision (Phase 1 and 2) and (Phase 3) into a single budget under the heading of Chevalier Subdivision Homeowner's Association. Publication of a combined budget will be included in a community newsletter no later than March 15, 2007.


d. **Dues.** Annual Homeowner's Association dues will be \$75.00 per year with payment to be received by February 28, 2007. A letter providing information on date dues are to be forwarded and to what address. This adjustment in dues brings the entire subdivision into parity and based on the cost savings enumerated above will have no negative impact on maintaining the activities of the community.

Effective Date. The merger will take effect on 1 February 2007. This action plan with copies of covenants and by-laws of each respective subdivision will be forwarded to the State of Florida for recording.

APPROVED:


Robert Folmar
President, Phase 1 and 2
Chevalier Subdivision

APPROVED:


Kent Klarnar
President, Phase 3
Chevalier Subdivision