

O'NEILL, CHAPIN, MARKS, LIEBMAN, POPPER & COOPER

ATTORNEYS AND COUNSELORS AT LAW

A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS

BERNARD C. O'NEILL, JR., P.A.
BRUCE E. CHAPIN, P.A.
ROBERT O. MARKS, P.A.
JOHN B. LIEBMAN, P.A.
DAVID H. POPPER, P.A.
MARK O. COOPER, P.A.
GEORGE E. CARR
LISA M. CVETIG
RODNEY C. LUNDY

200 EAST ROBINSON STREET
SUITE 868
ORLANDO, FLORIDA 32801
TELEPHONE (407) 425-2781
TELECOMER (407) 423-1182

N 9500000221
December 19, 1994

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

700001361517
-12/22/94--01105--016
***+122.50 ***+122.50

RE: Brittany Gardens Homeowners Association, Inc.

Ladies and Gentlemen:

Please accept the enclosed Articles of Incorporation of Brittany Gardens Homeowners Association, Inc. for filing as a not-for-profit Florida corporation.

I enclose my firm's check, in the amount of \$122.50, for the filing fee (\$70.00) and also for the return of a certified copy (\$52.50).

Your immediate attention is appreciated.

Sincerely,

Robert O. Marks
Robert O. Marks

ROM/pbo
enclosures

*WNY-27271
all 28
all 22
1/16/94*

12/27/94
DK

FILED
65 JUN 17 1994
42



FLORIDA DEPARTMENT OF STATE
Jim Smith
Secretary of State

December 27, 1994

ROBERT O. MARKS
200 EAST ROBINSON STREET
STE. 665
ORLANDO, FL 32801

SUBJECT: BRITTANY GARDENS HOMEOWNERS ASSOCIATION, INC.
Ref. Number: W94000027271

We have received your document for BRITTANY GARDENS HOMEOWNERS ASSOCIATION, INC. and check(s) totaling \$122.50. However, the enclosed document has not been filed and is being returned to you for the following reason(s):

The registered agent and registered office listed in your articles of incorporation must be consistent 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 (904) 487-6878.

Terri Buckley
Corporate Specialist

Letter Number: 294A00054371

This instrument prepared by
Robert O. Marks, 200 E. Robinson St.
Orlando, Florida 32801

FILED
MAY 11 1962
CLERK OF CIRCUIT COURT
ORLANDO, FLORIDA

ARTICLES OF INCORPORATION
OF
BRITTANY GARDENS HOMEOWNERS ASSOCIATION, INC.

In compliance with the requirements of Chapter 617 of the Florida Statutes, the undersigned, all of whom are residents of Florida and all of whom are of full age, have this day voluntarily associated themselves together for the purpose of forming a corporation not for profit and do hereby certify:

ARTICLE I

The name of the corporation is BRITTANY GARDENS HOMEOWNERS ASSOCIATION, INC., hereinafter called the "Association".

ARTICLE II

The street address of the initial registered office/ mailing address of this corporation is: 200 EAST ROBINSON STREET, ORLANDO, FLORIDA 32801, and the name of the initial registered agent of this corporation at that address is: ROBERT MARKS.

ARTICLE III

PURPOSE AND POWERS OF THE ASSOCIATION

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the residence Lots and Common Area within that certain tract of property described as; and to promote the health, safety and welfare of the residents within the above-described property and any additions thereto as may hereafter be brought within the jurisdiction of this Association for this purpose to:

(a) exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in that certain Declaration of Covenants, Conditions and Restrictions, hereinafter called the "Declaration", applicable to the property and recorded or to be recorded in the Office of the Clerk of the Circuit Court of Seminole County, Florida, as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth at length;

(b) fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied or imposed against the property of the Association;

(c) 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;

(d) borrow money, and with the assent of two-thirds (2/3) of each class of members mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(e) dedicate, sell or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of each class of members, agreeing to such dedication, sale or transfer;

(f) participate in mergers and consolidations with other nonprofit corporations organized for the same purpose or annex additional residential property and Common Area, provided that any such merger, consolidation or annexation shall have the assent of two-thirds (2/3) of each class of members;

OFFICIAL RECORDS
PAGE
2598 0534
SEMINOLE CO. FL.

(g) have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Florida by law may now or hereafter have or exercise.

ARTICLE V
MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest any lot which is subject to covenants of record to assessment by the Association, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons 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 subject to assessment by the Association.

ARTICLE VI
VOTING RIGHTS

The Association shall have two classes of voting membership:

Class A. Class A members shall be all Owners, with the exception of the Declarant, and shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members. The vote for such Lot shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any Lot.

Class B. The Class B member (s) shall be the Declarant (as defined in the Declaration), and shall be entitled to three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

(a) when the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership; or

(b) on December 31, 1996

2598 0535
OFFICIAL RECORDS
BOOK PAGE
SEMINOLE CO. FL.

ARTICLE VII

BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of three (3) Directors, who need not be members of the Association.

The number of directors may be changed by amendment of the By-Laws of the Association. The names and addresses of the persons who are to act in the capacity of directors until the selection of their successors are:

<u>NAME</u>	<u>ADDRESS</u>
<u>ALEX GREENSPOON</u>	851 East State Road 434 Suite 192 Longwood, Florida 32750
<u>DENISE BROWN</u>	114 Lido Road Winter Springs, Florida 32708

At the first annual meeting the members shall elect one director for a term of one year, one director for a term of two years and one director for a term of three years; and at each annual meeting thereafter the members shall elect one director for a term of three years.

ARTICLE VIII

DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each class of members. 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 this 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 purpose.

OFFICIAL RECORDS
BOOK PAGE
2598 0536
SEMINOLE CO., FL.

ARTICLE IX

DURATION

The Corporation shall exist perpetually.

ARTICLE X

AMENDMENTS

Amendment of these Articles shall require the assent of 75 percent (75%) of the entire membership.

OFFICIAL RECORDS
BOOK PAGE
2598 0537
SEMINOLE CO. FL.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, We, the undersigned, constituting the incorporators of this Association, have executed these ARTICLES OF INCORPORATION, this 26 day of May, 1993.

WITNESSETH:

Ann Hudson
ANN HUDSON

Sheila Greenspoon
SHEILA GREENSPOON

717 AIRWAYS
HAWAIIANS
FL 32757

Alex Greenspoon
ALEX GREENSPOON

Denise Brown

DENISE BROWN

114 LIDO Rd.
WINTER SPRINGS,
FL 32708

STATE OF FLORIDA
COUNTY OF ORANGE:

I HEREBY CERTIFY that before me, a Notary Public duly authorized in the State and County named above, to take acknowledgements, personally appeared ALEXANDER GREENSPOON, ROBERT MARKS AND DENISE BROWN, to me known to be the persons who executed the foregoing Articles of Incorporation and they acknowledged before me that they executed these Articles of Incorporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the state and county aforesaid this 26th day of May 1993.

Laura Beckel
Notary Public State of Florida
BY COMMISSION EXPIRES MAY 31, 1995

DESIGNATION OF AGENT AND PLACE FOR SERVICE OF PROCESS

Pursuant to Chapter 48,091, Florida Statutes, the following is submitted in compliance with said Act:

First: That BRITTANY GARDENS HOMEOWNERS ASSOCIATION, INC., desiring to organize under the Laws of the State of Florida with its principal office as indicated in the Articles of Incorporation at Orlando, State of Florida, has named ROBERT MARKS, located at 200 EAST ROBINSON STREET, ORLANDO, FLORIDA 32801, County of Orange, State of Florida, as its agent to accept service of process within this State.

ACKNOWLEDGMENT

Having been named to accept service of process for the above-stated corporation, at the place designated in this Certificate, I hereby accept to act in this capacity and agree to comply with the provisions of said Act, relative to keeping open said office.

Robert J. Marks

ROBERT MARKS
Registered Agent

200 E. ROBINSON ST.
ORLANDO, FL. 32801

OFFICIAL RECORDS
BOOK PAGE
2598
0538
SERIALIZED
MAY 20 1993
STATE OF FLORIDA

MAY 17 1993
FILED