

LEE JAY COLLING & ASSOCIATES, P. A.

ATTORNEYS AT LAW

N95000000603

LEE JAY COLLING\*  
WILLIAM SHAW DALOCK  
JAMES A. GARLAND

OF COUNSEL

LAVINIA N. McMILLEN

\* ALSO ADMITTED IN MICHIGAN

SUITE 700  
FIRST UNION BUILDING  
20 NORTH ORANGE AVENUE  
ORLANDO, FLORIDA 32801

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PARALEGALS  
WILLIAM R. MALMO  
NADINE S. COLLING

January 25, 1995

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

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RE: Pedalers Pond Mobile Homeowners Association, Inc.

Dear Sir or Madam:

I am enclosing an original and one copy of the Articles of Incorporation for the above-named corporation. In addition, I am enclosing our firm check in the amount of \$122.50 which represents the following fees:

Filing fee	\$ 35.00
Certified copy	52.50
Registered Agent's fee	<u>35.00</u>
Total	\$122.50

FILED  
FEB 2 11 59 AM '95  
DIVISION OF STATE

Please file the original of the enclosed Articles of Incorporation and return a certified copy to the undersigned.

Your prompt attention to this matter would be appreciated.

FEB 7 1995 BSB

Very truly yours,

*Lee Jay Colling*  
Lee Jay Colling

LJC/vlb  
Enclosures

FILED  
FEB - 2 PM 6:10  
CLERK OF DISTRICT COURT

**ARTICLES OF INCORPORATION  
OF  
PEDALERS POND HOMEOWNERS ASSOCIATION, INC.**

A Not-For-Profit Florida Corporation

I, the undersigned, for the purposes of forming a Not-for-Profit corporation under the laws of the State of Florida, and in compliance with the requirements of Chapter 617 and Chapter 723, Florida Statutes, hereby certify as follows:

**ARTICLE I**

**NAME**

The name of this corporation is:

**PEDALERS POND HOMEOWNERS ASSOCIATION, INC.**

The principal office address is 119 Pedalers Pond, 4826 Hwy 27 North  
Lake Wales, Florida 33853

**ARTICLE II**

**REGISTERED AGENT/OFFICE**

The street address of the initial registered office of this corporation is:

First Union Building, Suite 700  
20 North Orange Avenue  
Orlando, FL 32801

The name of the initial Registered Agent of this corporation at that address is:

Lee Jay Colling, Attorney-at-Law

**ARTICLE III**

**NON-STOCK BASIS**

This corporation shall be organized on a non-stock basis and shall not issue shares of stock. The term of the corporation shall be perpetual.

## ARTICLE IV

### MEMBERSHIP

The qualification of members and the manner of their admission to the corporation shall be regulated by the By-Laws. More than two-thirds of the mobile home owners in the park have consented in writing to become members of the corporation.

## ARTICLE V

### PURPOSE AND POWERS

This corporation does not contemplate pecuniary gain or profit to the members thereof, and the specific and primary purposes for which this corporation is formed are:

- A. For the advancement of charitable purposes by the distribution, if possible, of its funds for such purposes.
- B. To operate, if applicable, in such manner as will qualify it as an exempt organization under Section 501(c) of the Internal Revenue Code of 1954, as amended, or under any corresponding provisions of any subsequent federal tax laws, covering the distributions to organizations qualified as tax exempt organizations under the Internal Revenue code, as amended.
- C. To represent the mobile home owners in the park, their successors and assigns, pursuant to the provisions of Chapter 723, Florida Statutes.
- D. To negotiate for, acquire and operate the mobile home park on behalf of the mobile home owners.
- E. To convert the mobile home park, once acquired, to a condominium, a cooperative form, or other type of ownership. Upon acquisition of the property, the Association shall be the entity that creates a cooperative or offers cooperative units for sale or lease in the ordinary course of business, or, if the homeowners choose a different form of ownership, the entity that owns the record interest in the property and that is responsible for the operation of the property.
- F. To contract, sue or be sued with respect to the exercise or non-exercise of its powers. For these purposes, the powers of the Association include, but are not limited to, the maintenance, management, and operation of the park property.

- G. To institute, maintain, settle, or appeal actions or hearings in its name on behalf of all home owners concerning matters of common interest, pursuant to Chapter 723, Florida Statutes, Rule 1.222, Florida Rules of Civil Procedure, and other applicable laws or rules. In addition, the corporation shall have all the powers specified in Sections 617.0302 and 617.0303, Florida Statutes, or its successor statute.
- H. To make and collect assessments and to purchase, lease, maintain, and replace the common areas upon purchase of the mobile home park.
- I. To purchase lots in the park and to acquire and hold, lease, mortgage and convey the property.
- J. To modify or move or create any easement for ingress and egress or for the purposes of utilities if the easement constitutes part of or crosses the park property upon purchase of the mobile home park.
- K. To conduct Bingo games, as provided in Chapter 849.093, Florida Statutes, or its successor statute.
- L. To transact all lawful business and to do such other things as are incidental, necessary or desirable to accomplish the foregoing.

## **ARTICLE VI**

### **DIRECTORS**

The Powers of this corporation shall be exercised, its properties controlled and its affairs conducted by a Board of Directors, consisting of not less than three (3) persons. The initial number of directors of the corporation shall be five (5); provided however, that such number may be changed by a By-Law duly adopted.

The directors named herein as the first Board of Directors shall hold office until the first annual meeting of the membership at which time an election of directors shall be held. The manner in which the Directors shall be elected will be determined in the By-Laws.

The names and addresses of the Initial Board of Directors of this corporation are:

<u>NAME</u>	<u>ADDRESS</u>
Charles Knothe	146 Pedalers Pond 4826 Hwy 27 North Lake Wales, Florida 33853
Carl Comeau	92 Pedalers Pond 4826 Hwy 27 North Lake Wales, Florida 33853
Bea Shaw	119 Pedalers Pond 4826 Hwy 27 North Lake Wales, Florida 33853
Ruth Marko	126 Pedalers Pond 4826 Hwy 27 North Lake Wales, Florida 33853
Bill Shaw	119 Pedalers Pond 4826 Hwy 27 North Lake Wales, Florida 33853

#### ARTICLE VII

#### INCORPORATOR

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

Bea Shaw	119 Pedalers Pond 4826 Hwy 27 North Lake Wales, Florida 33853
Ruth Marko	126 Pedalers Pond 4826 Hwy 27 North Lake Wales, Florida 33853

ARTICLE VIII

BY-LAWS

The initial By-Laws of this corporation shall be adopted at the first meeting of the Board of Directors or as soon thereafter as is practically possible. The By-Laws may be amended or repealed, in whole or in part, in the manner provided therein. Any amendments to the By-Laws shall be binding on all members of this corporation.

ARTICLE IX

AMENDMENT OF ARTICLES

Amendments to these Articles of Incorporation may be proposed by resolution adopted by the Board of Directors and presented to a quorum of the members for their vote in the manner set forth in the By-Laws of this corporation.

The undersigned, being the Incorporator of this corporation, for the purpose of forming this not-for-profit corporation under the laws of the State of Florida, have executed these Articles of Incorporation this 19 day of January 1995.

INCORPORATOR:

Bea Shaw  
BEA SHAW

INCORPORATOR:

Ruth Marko  
RUTH MARKO

STATE OF FLORIDA  
COUNTY OF ORANGE

BEFORE ME, the undersigned authority, this day personally appeared BEA SHAW & RUTH MARKO, the persons described in and who executed the foregoing instrument, and who being first duly sworn and under oath acknowledged, before me, that they have read the foregoing Articles of Incorporation, and that the statements contained therein are true and correct.

- Affiants is personally known to me; or
- Affiants produced their driver's license; or
- Affiants produced as identification: \_\_\_\_\_

SWORN TO and subscribed before me this 19<sup>th</sup> day of January, 1995.

Karen M Taylor  
Signature of Notary Public



FILED

95 FEB -3 PM 6:10

**ACCEPTANCE BY REGISTERED AGENT**

SECRETARY OF STATE  
OF FLORIDA

The undersigned is familiar with and hereby accepts the duties and responsibilities as Registered Agent of PEDALERS POND HOMEOWNERS ASSOCIATION, INC., which is contained in the foregoing Articles of Incorporation.

Dated this 19 day of January 1995.

*Lee Jay Colling*  
Lee Jay Colling  
Registered Agent

**STATE OF FLORIDA  
COUNTY OF ORANGE**

BEFORE ME, the undersigned authority, this day personally appeared LEE JAY COLLING, the person described in and who executed the foregoing instrument, and who being first duly sworn and under oath acknowledged, before me, that he has read the foregoing Acceptance by Registered Agent, and that the statements contained therein are true and correct.

- Affiant is personally known to me; or
- Affiant produced his/her driver's license; or
- Affiant produced as identification: \_\_\_\_\_.

SWORN TO and subscribed before me this 19<sup>th</sup> day of January, 1995.

*Karen M. Taylor*  
Signature of Notary Public

My commission expires:

