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ORDER NO. : 573095

CUSTOMER NO: 80472A

CUSTOMER: Robert D. Sumner, Esq
SUMNER & WARREN, P.A.

P. O. Drawer 1047

Dade City, FL 33526-1047

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TALLAHASSEE, FLORIDA

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RUSH WILL WAIT

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NAME: COLONY RANCH ESTATES PROPERTY
OWNERS ASSOCIATION, INC.

☐ ARTICLES OF INCORPORATION
☐ CERTIFICATE OF LIMITED PARTNERSHIP

PLEASE RETURN THE FOLLOWING AS PROOF OF FILING:

☐ CERTIFIED COPY
☐ PLAIN STAMPED COPY
☐ CERTIFICATE OF GOOD STANDING

CONTACT PERSON: Jodie Krebs

EXAMINER'S INITIALS:

T. BROWN APR - 6 1995

ARTICLES OF INCORPORATION OF
COLONY RANCH ESTATES PROPERTY OWNERS ASSOCIATION, INC.,
A FLORIDA CORPORATION NOT FOR PROFIT

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

The undersigned subscriber, desiring to form a corporation not for profit under Chapter 617, Florida Statutes, as amended, hereby adopts the following Articles of Incorporation:

ARTICLE I
NAME

The name of this Corporation is COLONY RANCH ESTATES PROPERTY OWNERS ASSOCIATION, INC. The street address of the principal office of this Corporation is 38440 Fifth Avenue, Zephyrhills, Florida 33540, and the mailing address of the principal office of this Corporation is Post Office Box 1647, Zephyrhills, Florida 33539.

The Corporation is hereinafter sometimes referred to as the "Association".

ARTICLE II
PURPOSES

The Corporation does not contemplate pecuniary gain or profit, direct or indirect, to its members. The purpose for which it is formed is to promote the health, safety and welfare of the property owners in that certain subdivision known as COLONY RANCH ESTATES SUBDIVISION , legally described as follows, to-wit:

That part of Tracts 5, 11, 12, 22, 23 and 24 lying South of Fairview Heights Road, and all of Tracts 21, 25 through 28, 37 through 44, 53 through 60, 69 through 76, and 85 through 92, of ZEPHYRHILLS COLONY COMPANY LANDS, in Section 32, Township 25 South, Range 21 East, as recorded in Plat Book 1, page 55, Public Records of Pasco County, Florida;

and for this purpose to:

(a) own, acquire, build, operate, and maintain streets, roads and rights-of-way incident thereto, drainage facilities, ditches, and landscape buffers (hereinafter referred to as the ingress-egress/utility easements), all for the benefit of the owners of the properties within the subdivision known as COLONY RANCH ESTATES SUBDIVISION, the said easements for ingress-egress and utilities being described in the legal description of each individual tract and reflected on the overall survey of the subdivision;

(b) fix assessments (or charges) to be levied against the properties within the subdivision known as COLONY RANCH ESTATES SUBDIVISION, and/or the owners of the said properties;

(c) enforce any and all covenants, restrictions and agreements applicable to the properties within the subdivision known as COLONY RANCH ESTATES SUBDIVISION;

(d) pay taxes, if any, and insurance on the properties consisting of the ingress-egress/utility easements and any other portions of the properties provided for in the recorded covenants and restrictions applicable to the properties within the subdivision known as COLONY RANCH ESTATES SUBDIVISION;

(a) insofar as permitted by law, to do any other thing that, in the opinion of the Board of Directors, will promote the common benefit and enjoyment of the residents of the properties within the subdivision known as COLONY RANCH ESTATES SUBDIVISION.

ARTICLE III POWERS

The powers of the Association shall include, but not be limited to, the following:

1. The Association shall have all of the common law and statutory powers of a corporation not for profit not in conflict with the terms of these Articles.

2. The Association shall have all the powers and duties set forth in the covenants and restrictions recorded against the properties within the subdivision known as COLONY RANCH ESTATES SUBDIVISION, in addition to all of the powers and duties reasonably necessary to own, operate, maintain, repair and replace the property consisting of the ingress-egress/utility easements, including all drainage facilities and ditches, and to provide such services as are required for the benefit of the Owners of tracts within the subdivision known as COLONY RANCH ESTATES SUBDIVISION from time to time including, but not limited to, the following:

(a) To establish, levy and assess, and collect such assessments as may be necessary to operate the Association and carry on its activities, including operation and maintenance of the property consisting of the ingress-egress/utility easements and to

create such reserves for extraordinary expenditures as may be deemed appropriate in the discretion of the Board of Directors;

(b) To purchase insurance upon the property consisting of the ingress-egress/utility easements and for the protection of the Association and its Members;

(c) To reconstruct improvements after casualty and to make additional improvements to the property consisting of the ingress-egress/utility easements;

(d) To promulgate and amend rules and regulations respecting the use of the property consisting of the ingress-egress/utility easements;

(e) To enforce by legal means the provisions of the covenants and restrictions recorded against the properties within the subdivision known as COLONY RANCH ESTATES SUBDIVISION, these Articles, the Bylaws of the Association and the Rules and Regulations of the Association;

(f) To contract for the management of the property consisting of the ingress-egress/utility easements and to delegate to such contractor all powers and duties of the Association except such as are specifically required by the covenants and restrictions recorded against the properties within the subdivision known as COLONY RANCH ESTATES SUBDIVISION to have approval of the Board of Directors of the membership of the Association;

(g) To contract for the management or operation of the property consisting of the ingress-egress/utility easements susceptible to separate management or operation;

(h) To employ personnel to perform the services required for proper operation and maintenance of the properties consisting of the ingress-egress/utility easements;

(i) To adopt and establish Bylaws for the operation of the Association;

(j) To contract with public or private utility companies for purposes of providing utility services to the properties within the subdivision known as COLONY RANCH ESTATES SUBDIVISION; and

(k) To require all the property owners to be members.

3. The powers of the Association shall be subject to and shall be exercised in accordance with the provisions of the covenants and restrictions recorded against the properties within the subdivision known as COLONY RANCH ESTATES SUBDIVISION and the Bylaws of the Association.

ARTICLE IV **MEMBERSHIP**

1. Regular Membership:

(a) Every person or entity who is or shall become a record owner of a fee or undivided fee interest in any tract (as such terms are defined in the Declaration hereinafter described) which is or shall be subject to that certain Declaration of Protective Covenants and Deed Restrictions for COLONY RANCH ESTATES SUBDIVISION (hereinafter called the "Declaration") shall be a Member of this Association from the date such Member acquires record title to his tract, provided that any such person or entity

which holds such interest merely as a security for the performance of an obligation shall not be a Member.

(b) A change in Membership in the Association shall be established by recording in the Public Records of Pasco County, Florida, a deed or other instrument establishing record title to a tract in COLONY RANCH ESTATES SUBDIVISION. Upon the delivery to the Association of a recorded copy of such instrument, the owner designated by such instrument shall thereby become a Member of the Association, and the Membership of the prior owner shall at that time be terminated.

(c) The interest of any Member in the property consisting of the ingress-egress/utility easements or in the funds and assets of the Association cannot be conveyed, assigned, mortgaged, hypothecated or transferred in any manner, except as authorized by the Declaration, these Articles, or the Bylaws of the Association.

2. There shall not be more than one (1) voting member for each parcel of property and said member shall be entitled to one (1) vote for each parcel which he owns. A corporation or any individual with an interest in more than one (1) parcel may be designated the voting member for each parcel in which he owns an interest.

ARTICLE V TERM

The Corporation shall have perpetual existence.

ARTICLE VI
THE SUBSCRIBER

The name and post office address of the subscriber of these Articles of Incorporation are as follows:

GEORGE A. NEUKOM, JR.
Post Office Box 1647
Zephyrhills, Florida 33539

ARTICLE VII
OFFICERS

The Officers shall be a President, a Vice President, a Secretary and a Treasurer.

The names and addresses of the Officers who shall serve until their successors are designated by the Board of Directors are as follows:

President:	GEORGE A. NEUKOM, JR. 38440 Fifth Avenue Post Office Box 1647 Zephyrhills, Florida 33539
Vice President:	GEORGE A. NEUKOM, III 38440 Fifth Avenue Post Office Box 1647 Zephyrhills, Florida 33539
Secretary:	GEORGE A. NEUKOM, III 38440 Fifth Avenue Post Office Box 1647 Zephyrhills, Florida 33539
Treasurer:	GEORGE A. NEUKOM, JR. 38440 Fifth Avenue Post Office Box 1647 Zephyrhills, Florida 33539

ARTICLE VIII
BOARD OF DIRECTORS

The affairs of the Corporation shall be managed by a Board of not less than three Directors, who need not be members of the Association.

The names and addresses of those persons who are to act as Directors until the election of their successors are:

GEORGE A. NEUKOM, JR.
38440 Fifth Avenue
Post Office Box 1647
Zephyrhills, Florida 33539

ANN B. NEUKOM
38440 Fifth Avenue
Post Office Box 1647
Zephyrhills, Florida 33539

GEORGE A. NEUKOM, III
38440 Fifth Avenue
Post Office Box 1647
Zephyrhills, Florida 33539

Successor directors shall be appointed or elected in the following manner: NEUKOM PROPERTIES, INC., a Florida corporation, as Developer of COLONY RANCH ESTATES SUBDIVISION, shall appoint two (2) of the three (3) members of the Board, who shall serve at the pleasure of the Developer until the Developer has conveyed to third parties more than seventy-five percent (75%) of the developed tracts (thirty-two (32) tracts). The other members of the Association shall elect the remaining member of the Board. At the first annual meeting following the conveyance of at least thirty-two (32) tracts to third parties, the members of the Association,

including Developer (if Developer is still the owner of any lands within the subdivision), shall elect the members of the Board by a plurality of the votes cast at the meeting. At the first election by the full membership of replacements for the directors appointed by Developer, the directors shall be elected to staggered terms so that each year for the following three (3) years, the term of one (1) of the three (3) directors expires. Thereafter, all directors shall serve for three (3) years.

ARTICLE IX RESIDENT AGENT

The office and street address of the initial registered office of the corporation is 38440 Fifth Avenue, Zephyrhills, Florida 33540, and the initial Registered Agent at such address is GEORGE A. NEUKOM, JR.

ARTICLE X BYLAWS

The Bylaws of the Corporation may be made, altered, amended or rescinded by seventy-five percent (75%) of the votes of all Members present in person or by proxy at a duly called meeting of the Membership; provided that those provisions of the Bylaws which are governed by these Articles of Incorporation may not be amended except as provided in these Articles of Incorporation.

ARTICLE XI AMENDMENT TO THE ARTICLES OF INCORPORATION

1. Proposals to any amendment to the Articles of Incorporation may be made by any of the voting members. Such

proposals shall set forth the proposed alterations, amendment or rescission, shall be in writing, and delivered to the President not less than twenty (20) days prior to the membership meeting at which such proposal is voted upon. The Secretary will give each voting member notice by a copy of the proposal and the time of the meeting at which such proposal will be voted upon. Such notice shall be given not less than fifteen (15) days prior to the date set for such meeting, and in a manner provided in the Bylaws.

2. Any voting member may waive any or all of the requirements of this Article as to notice of a proposal of change of these Articles, either before, at, or after a membership meeting at which a vote is taken to change these Articles.

3. These Articles may be amended by the Members by seventy-five percent (75%) of the votes of all the Members present in person or by proxy at a duly called meeting of the Membership. Provided, however, that so long as the Developer owns a tract within the subdivision known as COLONY RANCH ESTATES SUBDIVISION, no such amendment may be made without the consent of the Developer; and provided further that no such amendment shall affect or interfere with vested property rights previously acquired by an owner or a first mortgagee.

ARTICLE XII
DEDICATION OF PROPERTIES OR TRANSFER
OF FUNCTION TO PUBLIC AGENCY OR UTILITY

The Corporation shall have the power to dispose of its real properties only as authorized under the recorded Declaration of

Protective Covenants and Deed Restrictions applicable to COLONY RANCH ESTATES SUBDIVISION.

ARTICLE XIII
DISPOSITION OF ASSETS UPON DISSOLUTION

Upon dissolution of the Corporation, the assets, both real and personal, of the Corporation shall be dedicated to an appropriate public agency or utility to be devoted to purposes as nearly as practicable the same as those to which they were required to be devoted by the Corporation. 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 purposes as nearly as practicable the same as those to which they were required to be devoted by the Corporation. No such disposition of the Association's properties shall be effective to divest or diminish any right or title to any Member vested in him under the recorded covenants and restrictions applicable to COLONY RANCH ESTATES SUBDIVISION unless made in accordance with the provisions of such covenants and restrictions.

IN WITNESS WHEREOF, the said subscriber has hereunto set his hand and seal this 5th day of April, 1995.

Signed, Sealed and Delivered
in the Presence of:

Robert D. Sumner

GEORGE A. NEUKOM, JR.

(SEAL)

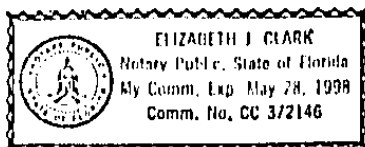
Elizabeth J. Clark

STATE OF FLORIDA
COUNTY OF PASCO

The foregoing instrument was executed and acknowledged before
me this 5th day of April, 1995, by GEORGE A. NEUKOM, JR.,
who:

☒ is personally known to me; or

☐ has produced _____
as identification.;



Elizabeth J. Clark
(Signature of Notary Public)
Elizabeth J. Clark
(Printed or Typed Name of Notary)
Notary Public - State of Florida
Commission No. CC 372146
My Commission Expires: May 28, 1998

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

FILED
95 APR -6 PM 11:33
SECRET
TALLAHASSEE, FLORIDA

In pursuance of Chapter 48.091, Florida Statutes, the following is submitted in compliance with said Act:

First--That COLONY RANCH ESTATES PROPERTY OWNERS 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 City of Zephyrhills, County of Pasco, State of Florida, has named GEORGE A. NEUKOM, JR., located at 38410 Fifth Avenue, City of Zephyrhills, County of Pasco, 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 provision of said Act relative to keeping open said office.


GEORGE A. NEUKOM, JR.

(Date)

April 5, 1995