

7795000002150

CAPITAL CONNECTION, INC.

417 E. Virginia St., Suite 1, Tallahassee, FL 32301, (904) 224-8870
Mailing Address: Post Office Box 10149, Tallahassee, FL 32302
TOLL FREE No. 1 800 342-8062
FAX (904) 222-1222

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Service: Top Priority _____ Regular _____
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FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS

95 MAY -4 PM 1:44

W95-9347

4/5/95

REQUEST	TAKEN	CONFIRMED	APPROVED
DATE	_____	_____	_____
TIME	_____	_____	CK No. _____
BY	_____	_____	_____

WALK-IN Will Pick Up 53

RE: Risinger Heights Home Owners
Association, Inc.

C.C. FEE. DISBURSED

Capital Express™
☒ Art. of Inc. File
☐ Corp. Record Search
☐ Ltd. Partnership File
☐ Foreign Corp. File
☒ () Cert. Copy(s)

Art. of Amend. File
Dissolution/Withdrawal 000001473880
C U S. -05/03/95--01098--012
Fictitious Name File ****122.50 ****122.50

Name Reservation
Annual Report/Reinstatement
Reg. Agent Service
Document Filing

Corporate Kit
Vehicle Search
Driving Record
Document Retrieval

UCC 1 or 3 File
UCC 11 Search
UCC 11 Retrieval
File No.'s, _____ Copies
Courier Service
Shipping/Handling
Phone () _____
Top Priority _____
Express Mail Prop. _____
FAX () _____ pgs.

SUBTOTALS

FEE.....	\$
DISBURSED.....	\$
SURCHARGE.....	\$
TAX on corporate supplies.....	\$
SUBTOTAL.....	\$
PREPAID.....	\$
BALANCE DUE.....	\$
	\$

Please remit invoice number with payment
TERMS: NET 10 DAYS FROM INVOICE DATE
1 1/2% per month on Past Due Amounts
Past 30 Days, 18% per Annum

THANK YOU
from
Your Capital



FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State

May 3, 1995

CAPITAL CONNECTION
P.O. BOX 10349
TALLAHASSEE, FL 32302

SUBJECT: RISINGER HEIGHTS HOME OWNERS ASSOCIATION, INC.
Ref. Number: W9500009347

We have received your document for RISINGER HEIGHTS HOME OWNERS ASSOCIATION, INC. and your check(s) totaling \$122.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

Section 617.0202(d), Florida Statutes, requires the manner in which directors are elected or appointed be contained in the articles of incorporation. A statement making reference to the bylaws is acceptable.

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) 487-6928.

Agnes Bundick
Corporate Specialist

Letter Number: 895A00021406

Corrected

ARTICLES OF INCORPORATION
OF

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
95 MAY -4 PM 1:44

RISINGER HEIGHTS HOME OWNERS ASSOCIATION, INC.

A Corporation Not For Profit

The undersigned, for the purpose of forming a nonprofit corporation under Florida Statutes Chapter 617, does hereby make and adopt the following proposed Articles of Incorporation:

ARTICLE I: NAME

The name of this corporation shall be RISINGER HOME OWNERS ASSOCIATION, INC., and the principal place of business shall be at 122 S. Berkley Road, Unit #1, Auburndale, Polk County, Florida 33823. For convenience, the corporation shall hereinafter be referred to as the "Association."

ARTICLE II: PURPOSES

The Association is organized for the following purposes.

A. To insure that the lands in the subdivision hereinafter defined shall remain an area of high standards, containing landscaping, irrigation and lighting designed primarily for the comfort, convenience and accommodation of lot owners in Risinger Heights Subdivision;

B. To maintain, at its expense, the landscaping, irrigation and lighting systems;

C. To enforce through appropriate legal means the covenants, restrictions, reservations and servitudes impressed upon the lands within the subdivision of VAN B. RISINGER, hereinafter referred to as "Developer."

D. To exercise all rights and powers conferred by the laws of the State of Florida upon nonprofit corporations, including without limiting the generality of the foregoing, to acquire by bequest, devise, gift, purchase, lease or otherwise any property of any sort or nature without limitation as to its amount or value, and to hold, invest, reinvest, manage, use, apply, employ, sell, expend, disburse, lease, mortgage, convey, option, donate or otherwise dispose of such property and the income, principal and proceeds of such property, for any of the purposes set forth herein.

E. To operate and maintain the Association's common property, specifically the surface water management system as permitted by the Southwest Florida Water Management District, including all lakes, retention areas, culverts and related appurtenances.

F. To do such other things as are incidental to the purposes of the corporation or necessary or desirable in order to accomplish them.

G. The Association shall make no distribution of income to its members, directors or officers. The Association shall not exist or be operated for pecuniary profit. The Association may, however, reimburse its members for actual expenses incurred for or on behalf of the Association, and may pay compensation in a reasonable amount to its members for any actual services rendered to the Association as permitted by law.

ARTICLE III: POWERS

The powers of the Association shall include and be governed by the following provisions:

1. The Association shall have all of the common law and statutory powers of a corporation not for profit which are not in conflict with the terms of these Articles, and shall further have any exercise any and all powers, rights and privileges which a corporation organized under Chapter 617, Florida Statutes, may now or hereafter have or exercise.

2. The Association shall have all of the powers and duties expressly conferred upon it as set forth in the Declaration of Covenants, Conditions, Easements, and Restrictions (the "Declaration") that may from time to time be filed with respect to RISINGER HEIGHTS SUBDIVISION and such additions of lands thereto as may be brought within the jurisdiction of the Association ("the Subdivision") as provided in the Declaration and all of the powers and duties reasonably necessary to fulfill the obligations and perform the services as set forth in the Declaration herein mentioned, including, but not limited to, the following:

a. To fix, levy, collect and enforce payment by any lawful means, all charges and assessments pursuant to the terms of the Declaration;

b. 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. To acquire (by gift, purchase or otherwise) own, hold, improve, build upon, operate, maintain, convey, sell, lease and transfer, dedicate for public use, or otherwise dispose of real

and personal property in connection with the affairs of the Association;

d. Borrow money, and with the assent of 2/3rds of each class of members, mortgage, pledge, deed of trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

e. Participate in mergers and consolidations with other nonprofit corporations organized for the same purposes, provided that any such merger or consolidation shall have the assent of 3/4ths of the members;

f. To perform such other activities of the Association which, in the opinion of the Board of Directors thereof, shall be reasonably appropriate to its accomplishment of the purposes for which it is organized and the performance of its duties and obligations;

g. To use the proceeds of assessments in the exercise of its powers and duties;

h. To enforce by legal means the provisions of the Declaration with respect to lands in the subdivision, these Articles, the Bylaws of the Association, and the regulations adopted by the Association;

i. To employ personnel to perform the services as required for the proper operation of the Association;

j. To sue and be sued;

k. To operate and maintain the Association's common property, specifically the surface water management system as

permitted by the Southwest Florida Water Management District, including all lakes, retention areas, culverts and related appurtenances; and

1. To establish rules and regulations.

3. All funds and title to all property acquired by the Association and the proceeds thereof shall be held in trust for the members in accordance with the provisions of these Articles of Incorporation and Bylaws.

4. The powers of the Association shall be subject to and shall be exercised in accordance with the provisions of the Bylaws.

5. The foregoing powers shall, except where otherwise expressed, be in no way limited or restricted by reference to, or influence from, the terms of any other clause of this or any other Articles of these Articles of Incorporation, and shall be construed as purposes, as well as powers, and notwithstanding the expressed enumeration of purposes elsewhere expressed in these Articles.

ARTICLE IV: MEMBERSHIP

1. Every person or entity who is a record owner of a lot within the subdivision and which is subject by covenants of record to assessment by the Association, 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.

2. Change of ownership in the Association shall be established by the recording in the Public Records of Polk County, Florida, or a deed or other instrument establishing a record title to a lot and shall be evidenced by delivery to the Association of a certified copy of such instrument. The membership of the prior owner shall be terminated as of the date of execution of such deed or other instrument.

3. The share of a member and the funds and assets of the Association cannot be assigned, hypothecated or transferred in any manner except upon transfer of his lot.

4. The Association shall have voting members which may be divided into such classes as shall be provided in the Declaration for the Subdivision.

ARTICLE V: DURATION

The corporation is to exist perpetually; however, if the Association is dissolved, the property consisting of the Surface Water Management System shall be conveyed to an appropriate agency of local government, but if not accepted by said agency, the said Surface Water Management System shall be dedicated to a similar non-profit corporation.

ARTICLE VI: DIRECTORS

1. The affairs of the Association shall be managed by a board of not less than three (3) nor more than four (4) directors. The names and addresses of the initial directors, who shall hold office until the first meeting of members or until the successors are elected and qualified, are as follows:

<u>Name</u>	<u>Address</u>
Charles H. Kindred, Jr.	122 S. Berkley Road Unit #1 Auburndale, Florida 33823
Van B. Risinger	282 Hernando Dr., S.E. Winter Haven, FL 33884
Karen J. Risinger	282 Hernando Dr., S.E. Winter Haven, FL 33884

2. The Developer shall have the right to terminate its control of the Association at any time. The directors herein named shall serve until the first election of directors. Any vacancy in their number occurring before the first election shall be filled by the remaining directors.

The officers and directors will be elected by the method set in the bylaws.

ARTICLE VII: OFFICERS

The affairs of the Association shall be administered by officers elected by the Board of Directors at its first meeting following the annual meeting of the members of the Association, which officers shall serve at the pleasure of the Board of Directors. The name and address of the officers who shall serve until their successors are designated by the Board of Directors are as follows:

President	Charles H. Kindred, Jr.
Secretary	Charles H. Kindred, Jr.
Treasurer	Charles H. Kindred, Jr.

ARTICLE VIII: BYLAWS

The first Bylaws of the corporation shall be adopted by the Board of Directors, and may be altered, amended or rescinded in the manner provided by the Bylaws.

ARTICLE IX: AMENDMENTS

The members may amend these Articles of Incorporation at any regular or special meeting, provided that notice of the meeting has been given to all members at least ten (10) days in advance of the meeting, and provided that such notice states that an amendment or amendments to the Articles of Incorporation will be considered and provided that at least three-fourths (3/4ths) of the entire membership approve any amendment. Any amendment shall be certified to the Secretary of State of Florida, as provided by law.

ARTICLE X: INCORPORATOR

The name and address of the sole incorporator is Charles H. Kindred, Jr., 122 S. Berkley Road, Unit #1, Auburndale, Florida 33823.

ARTICLE XI: INITIAL REGISTERED OFFICE & AGENT

The street address of the initial registered office of this corporation is 122 S. Berkley Road, Auburndale, Florida 33823 and the name of the initial registered agent at that address is Charles H. Kindred, Jr.

IN WITNESS WHEREOF, the subscriber has hereunto affixed his hand and seal this 2nd day of May, 1995.


CHARLES H. KINDRED, JR.

STATE OF FLORIDA
COUNTY OF POLK

BEFORE ME, the undersigned authority, an officer duly authorized to take acknowledgments and administer oaths under the State and County aforesaid, personally appeared CHARLES H. KINDRED,

JR. to me well known to be the incorporator described in the foregoing Articles of Incorporation, and who is personally known to me or who has produced _____ as identification, and he acknowledged that he executed the same for the purposes therein expressed.

WITNESS my hand and official seal at Winter Haven, Polk County, Florida this 2nd day of May, 1995.

(SEAL)

Jackie A. Deck
Notary Public, State of Florida
JACKIE A. DECK
My Commission Expires:

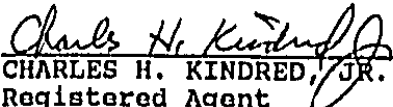


JACKIE A. DECK
MY COMMISSION # CC366879 EXPIRES
May 10, 1998
BONDED THRU TROY FARM INSURANCE, INC

ACCEPTANCE BY REGISTERED AGENT

The undersigned hereby accepts the appointment as Registered Agent of RISINGER HEIGHTS HOME OWNERS ASSOCIATION, INC., which is contained in the foregoing Articles of Incorporation.

Dated this 2nd day of May, 1995.



CHARLES H. KINDRED, JR.
Registered Agent

jad/corp/crlalger.hgt

FILED
DIVISION OF CORPORATIONS
9 MAY -4 PM 1:14