

795000002585
SIENA HOME CORPORATION

890 STATE ROAD 434 NORTH
ALTAMONTE SPRINGS, FLORIDA 32714
TELEPHONE (407) 788-6355
FAX (407) 682-6194

May 22, 1995

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

300001490053
-05/26/95--01013--019
****122.50 ****122.50

Dear Sir/Madam:

Enclosed herewith you will find the following:

1. Articles of Incorporation for Lake Crescent Pines Homeowners Association, Inc. a Florida not-for-profit corporation; and
2. Our check in the amount of \$122.50.

The breakdown on the check is as follows:

Filing Articles of Incorporation	\$35.00
Registered Agent	35.00
Certified copy of document	<u>52.50</u>
TOTAL	\$122.50

FILED
95 MAY 25 PM 3:23
STATE OF FLORIDA
TALLAHASSEE, FLORIDA

I would appreciate your returning to me the Articles of Incorporation after filing.

Very truly yours,

R.A. Biederman
R.A. Biederman

AB 6/1/95

RAB:jh

enclosure

**ARTICLES OF INCORPORATION
OF
LAKE CRESCENT PINES HOMEOWNERS ASSOCIATION, INC.,
a corporation not for profit**

FILED
95 MAY 25 PM 3:23
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

In compliance with the requirements of Florida Statute 617, the undersigned, all of whom are residents of the State 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 - NAME OF CORPORATION

The name of the corporation is Lake Crescent Pines Homeowners Association, Inc., a corporation not for profit under the provisions of Chapter 617 of the Florida statutes (hereinafter referred to as the "Association")

ARTICLE II - PRINCIPAL PLACE OF BUSINESS

The principal office of the Association is located at 890 State Road 434 North, Altamonte Springs, Florida 32714

ARTICLE III - INITIAL REGISTERED AGENT

JEROME B. FREEDMAN 890 State Road 434 North
Altamonte Springs, FL 32714

**ARTICLE IV
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 Lots and Common Area within that certain tract of property described as:

That real property described on Exhibit "A"
attached hereto and incorporated herein by this
reference,

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 of 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 Clerk of the Court of Lake County, Florida, and 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 purposes 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;

(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.

(h) the Association shall operate, maintain and manage the surface water or stormwater management system(s) in a manner consistent with the St. Johns River Water Management District permit no. 40-069-0143 requirements and applicable District rules, and shall assist in the enforcement of the restrictions and covenants contained therein. The Association shall levy and collect adequate assessments against members of the Association for the maintenance and repair of the surface water or stormwater management systems including but not limited to work within retention areas, drainage structures and drainage easements.

ARTICLE V - MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest in any Lot which is subject by 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 any 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 the date seven (7) years from the date when Declaration is recorded.

ARTICLE VII - BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of not more than nine (9) directors, who need not be members of the Association. The initial number of directors shall be three (3) and may be changed by amendment of the By-Laws of the Association. The names and address of the persons who are to act in the capacity of directors until the selection of their successors are:

BARRY S. GOODMAN	890 State Road 434 North Altamonte Springs, FL 32714
ROBERT A. BIEDERMAN	890 State Road 434 North Altamonte Springs, FL 32714
JEROME B. FREEDMAN	890 State Road 434 North Altamonte Springs, FL 32714

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 - SUBSCRIBERS

The name and address of the subscriber to these Articles of Incorporation is as follows:

JEROME B. FREEDMAN
890 State Road 434 North
Altamonte Springs, Florida 32714

ARTICLE IX - OFFICERS

The affairs of the Association shall be administered by the officers designated in the By-Laws of the Association as shall be elected by the Board of Directors at its first meeting following the first annual meeting of the general membership and they shall serve at the pleasure of the Board of Directors. Pending the election of the permanent officers of this Association by the Board of Directors, the following named persons shall be the temporary officers of the Association until their successors have been duly elected:

BARRY S. GOODMAN	President/Treasurer
JEROME B. FREEDMAN	Vice-President
ROBERT A. BIEDERMAN	Secretary

ARTICLE X - BY-LAWS

By-Laws of the Association will be hereinafter adopted at the first meeting of the Board of Directors. Such By-Laws may be amended or repealed, in whole or in part, at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy, except that the Veterans Administration and/or the Federal Housing Administration shall have the right to veto amendments while there is a Class B membership.

ARTICLE XI - 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 nonprofit corporation, association, trust, or other organization to be devoted to such similar purposes.

In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water or stormwater management system must be transferred to and accepted by an entity which would comply with Section 40C-42.027 F.A.C., and be approved by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.

ARTICLE XII - DURATION

Existence of the Association shall commence with the filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The Association shall exist in perpetuity.

ARTICLE XIII - AMENDMENTS

Amendments to these Articles of Incorporation may be proposed by a resolution executed by at least 25% of each class of members of the Association, which proposal shall be presented to a quorum of members for their vote. Amendment of these Articles shall require the consent of two-thirds (2/3) of each class of members of Association.


ARTICLE XIV - CONFLICT

In the event that any provision of these Articles of Incorporation conflict with any provision of Declaration, the provision of Declaration in conflict therewith shall control.

ARTICLE XV - VA/FHA APPROVAL

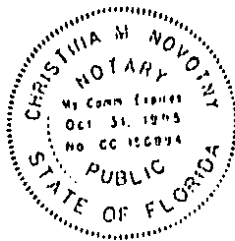
In the event the property described on Exhibit "A" is approved for Veterans Administration financing and/or Federal Housing Administration financing, then as long as there is a Class B membership, the following actions will require the prior approval of the Veterans Administration and/or the Federal Housing Administration; annexation of additional properties, mergers and consolidations, mortgaging of Common area dedication of Common Area, dissolution and amendment of these Articles.

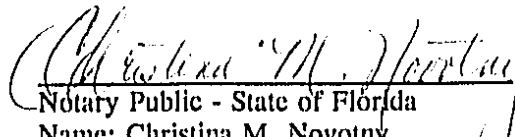
IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, we, the undersigned, constituting the members and incorporators of this Association, have executed these Articles of Incorporation, this 22nd day of May, 1995.


JEROME B. FREEDMAN

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this 22nd day of May, 1995, by JEROME B. FREEDMAN, who is personally known to me and who did not take an oath.




Notary Public - State of Florida
Name: Christina M. Novotny
My Commission Expires: 10/31/95

**ACCEPTANCE OF REGISTERED AGENT DESIGNATED
IN ARTICLES OF INCORPORATION**

FILED
95 MAY 25 PM 3:23
TALLAHASSEE, FLORIDA

JEROME B. FREEDMAN, having a business office identical with the registered office of the corporation named above, and having been designated as the Registered Agent in the above and foregoing Articles, is familiar with and accepts the obligations of the position of Registered Agent under Section 607.0505, Florida Statutes.

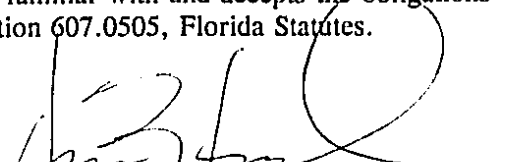

Jerome B. Freedman

EXHIBIT A
PARCEL ONE

That portion of Tracts 1A, 1E and the 30 foot plated roadway lying East of said Tracts in Section 12, Township 23 South, Range 25 East, as recorded in Plat Book 3, Page 4 and Plat Book 5, Page 59, Public Records of Lake County, Florida, described as follows:

Commence at the North 1/4 corner of Section 12, Township 23 South, thence S.00°36'42"W. along the East line of aforesaid plated roadway, said East line also being the Westerly Boundary of the West 3/4 of the Northwest 1/4 of the Northwest 1/4 of said Section 12, a distance of 34.95 feet to the South right-of-way line of Hull Road as described in Official Records Book 782, Page 891 and 892, Public Records of Lake County, Florida and the Point of Beginning. Thence continue S.00°36'41"W. along the aforesaid East line of plated road, a distance of 621.21 feet to the South Boundary of aforesaid Tract 1E; thence N.89°42'55"W. along the said South Boundary, 682.56 feet to the Easterly right-of-way line of Lakeshore Drive (County Road No. 561), said right-of-way line being a non-tangent curve concave Southeasterly and having a radius of 560.00 feet; thence Northeasterly along the said right-of-way line and the arc of said curve, through a central angle of 01°53'25" a chord bearing and distance of N.46°38'50"E., 18.48 feet, an arc distance 18.48 feet to the Point of Tangency of said curve; thence continue along said right-of-way line N. 47°35'33"E., 714.68 feet to a Point of curve of a curve concave Northwesterly and having a radius of 640.00 feet; thence Northeasterly along the said right-of-way line and the arc of said curve through a central angle of 14°25'33" and a chord bearing and distance of N.40°22'46"E., 160.71 feet, an arc distance of 161.14 feet to the aforesaid South right-of-way line of Hull Road; thence N.89°05'56"E. along the said right-of-way line, 43.94 feet to the Point of Beginning.

ALSO:
PARCEL TWO

That part of the Southwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 12, Township 23 South, Range 25 East, Lake County, Florida, described as follows: Begin at the Northeast corner of said Southwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 12, run thence South 00°03'35" West along the East line of said Southwest 1/4 of the Northeast 1/4 a distance of 300.00 feet to a point designated as Point "A", return to the point of beginning, run thence South 89°49'44" West along the North line of said Southwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 12, a distance of 300.00 feet, thence South 45°03'20" East 423.41 feet to the aforementioned Point "A".

ALSO:
PARCEL THREE

The West 3/4 of the Northwest 1/4 of the Northeast 1/4 and the West 3/4 of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 12, Township 23 South, Range 25 East, Lake County, Florida.

LESS:

Right-of-way conveyed by Right-of-Way Deed recorded in Official Records Book 588, Page 84, Public Records of Lake County, Florida.

LESS:

That part of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 12, Township 23 South, Range 25, East, Lake County, Florida; described as follows: Begin at the Southwest corner of said Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 12, run thence North 00°12'32" East along the West line of the Northeast 1/4 of said Section 12, a distance of 315.01 feet, thence North 89°49'44" East 100.00 feet, thence South 00°12'32" West 315.01 feet to the South line of the aforesaid Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4, thence South 89°49'44" West along said South line of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 a distance of 100.00 feet to the point of beginning.

PARCEL FOUR

That portion of the property described in that certain Right-of-Way Deed by Dorothy B. Morrell to and in favor of Lake County, Florida recorded April 15, 1975 in Official Records Book 588, Page 84, Public Records of Lake County, Florida, which is (i) located within the West 3/4 of the Northwest 1/4 of the Northeast 1/4 of Section 12, Township 23 South, Range 25 East or Tract 1A lying Easterly of Lakeshore Drive, CLERMONT FARMS, according to the Plat thereof, as recorded in Plat Book 3, Page 4 and Plat Book 5, Page 59, Public Records of Lake County, Florida and (ii) lying outside of the right-of-way of Hull Road as set forth in