

N9500003238

Pennington & Haben

(Registrant's Name)

215 S. Monroe St.

(Address)

Tallahassee, FL 32303

(City, State, Zip)

(Phone #)

222-3533

800001533308

-07/10/95--01023--003

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OFFICE USE ONLY

CORPORATION NAME(S) & DOCUMENT NUMBER(S) (if known):

1. Hartsfield Road Stormwater Management Assoc.

(Corporation Name)

(Document #)

2.

(Corporation Name)

(Document #)

3.

(Corporation Name)

(Document #)

4.

(Corporation Name)

(Document #)

☒ Walk in

☐ Pick up time

☒ Certified Copy

☐ Mail out

☒ Will wait

☐ Photocopy

☐ Certificate of Status

RECEIVED
95 JUL 10 11 09 51
DIVISION OF REGISTRATION

NEW FILINGS	
<input type="checkbox"/>	Profit
<input type="checkbox"/>	NonProfit
<input type="checkbox"/>	Limited Liability
<input type="checkbox"/>	Domestication
<input type="checkbox"/>	Other

AMENDMENTS	
<input type="checkbox"/>	Amendment
<input type="checkbox"/>	Resignation of R.A., Officer/Director
<input type="checkbox"/>	Change of Registered Agent
<input type="checkbox"/>	Dissolution/Withdrawal
<input type="checkbox"/>	Merger

OTHER FILINGS	
<input type="checkbox"/>	Annual Report
<input type="checkbox"/>	Fictitious Name
<input type="checkbox"/>	Name Reservation

REGISTRATION/ QUALIFICATION	
<input type="checkbox"/>	Foreign
<input type="checkbox"/>	Limited Partnership
<input type="checkbox"/>	Reinstatement
<input type="checkbox"/>	Trademark
<input type="checkbox"/>	Other

FILED
95 JUL 10 11 11 10
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Examiner's Initials

ARTICLES OF INCORPORATION
OF
HARTSFIELD ROAD STORMWATER MANAGEMENT FACILITY
PROPERTY OWNERS' ASSOCIATION, INC.

FILED
95 JUL 10 AM 11:13
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

In compliance with Chapter 617, Florida Statutes, the undersigned, all of whom are the residents of or duly formed business entities operating in 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.

The name of this corporation is HARTSFIELD ROAD STORMWATER MANAGEMENT FACILITY PROPERTY OWNERS' ASSOCIATION, / INC. hereinafter called the "Association".

ARTICLE II.

The principal office of the Association is located at 578-C Appleyard Drive, Tallahassee, Florida 32304.

ARTICLE III.

Dan C. Marshall, Sr., whose address is 578-C Appleyard Drive, Tallahassee, Florida 32304, is hereby appointed the initial registered agent of this Association.

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 is to provide for the maintenance, preservation and operation of the Stormwater Maintenance Facility described in

Exhibit "A" attached hereto and incorporated herein, and in connection therewith 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 these Articles and in the Bylaws of the Association;

(b) fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of these Articles and in the Bylaws of the Association;

(c) 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 described in Exhibit "A";

(d) acquire (by gift, purchase or otherwise), own, hold, improve, use, 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;

(e) borrow money, and with the assent of two-thirds (2/3) of the 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;

(f) dedicate, sell or transfer all or any property of the Association to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members (provided, however, no such dedication or transfer shall be effective unless an instrument has been signed by two-thirds (2/3)

of the members, agreeing to such dedication, sale or transfer);

(g) participate in mergers and consolidations with other nonprofit corporations organized for the same purposes provided that any such merger, consolidation or annexation shall have the assent of two-thirds (2/3) of the members; and,

(h) 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 possess.

ARTICLE V. MEMBERSHIP

Membership shall be divided into two classes. Class A members shall be the owner or owners of the property described in Exhibit "A." Class B members shall be all persons or entities who are record owners of a fee or undivided fee interest in any parcel of private property which drains to the facility described in Exhibit "A" and shall be members 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.

ARTICLE VI. VOTING RIGHTS

The members shall be all of the Owners of any parcel as described in Article V. The owners of the Stormwater Management Facility being Class A members shall be entitled to nine (9) votes for that parcel. Class B members shall be entitled to one vote for each parcel owned. When more than one person holds an interest in any parcel, all such persons shall be members. The vote for such parcel shall be exercised as they determine, but in no event shall

more than one vote be cast with respect to any parcel by Class B members. Class A membership shall cease to exist at the time that the property described in Exhibit "A" is conveyed to the Association.

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 and directors' terms of office may be changed by amendment to 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>
Dan C. Marshall, Sr.	578-C Appleyard Drive Tallahassee, Fl. 32304
Dan C. Marshall, Jr.	578-C Appleyard Drive Tallahassee, Fl. 32304
Dennis Marshall	578-C Appleyard Drive Tallahassee, Fl. 32304

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. OFFICERS

The officers of this Association shall be a President, a Vice President, a Secretary, a Treasurer, and such other officers as the Board of Directors may from time to time by resolution create. The

election, term, removal and duties of the officers shall be as set forth in the By-Laws.

ARTICLE X. DISSOLUTION

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

ARTICLE XI. DURATION

The Association shall exist perpetually.

ARTICLE XII. AMENDMENTS

(1) Amendments to these Articles shall be made in the following manner:

(a) The Board of Directors shall adopt a resolution setting forth the proposed amendment and, if members have been admitted, directing that it be submitted to a vote at a meeting of members, which may be either the annual or a special meeting. If no members have been admitted, the amendment shall be adopted by a vote of the majority of Directors and the provisions for adoption by members shall not apply.

(b) Written notice setting forth the proposed amendment

or a summary of the changes to be affected thereby shall be given to each member of record entitled to vote thereon within the time and in the manner provided by these Articles, the By-Laws or general law for the giving of notice of meetings of members. If the meeting is an annual meeting, the proposed amendment or such summary may be included in the notice of such annual meeting.

(c) At such meeting, a vote of the members entitled to vote thereon shall be taken on the proposed amendment. The proposed amendment shall be adopted upon receiving the affirmative vote of two-thirds (2/3) of the votes of members entitled to vote thereon.

(2) Any number of amendments may be submitted to the members and voted upon by them at one meeting.

(3) If all of the Directors and all of the members eligible to vote sign a written statement manifesting their intention that an amendment to these Articles of Incorporation be adopted, then the amendment shall thereby be adopted as though subsection (1) had been satisfied.

(4) The members may amend these Articles of Incorporation, without an act of the Directors, at a meeting for which notice of the changes to be made is given.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, the undersigned, constituting an incorporator of this Association, has executed these Articles of Incorporation this 10th day of July, 1995.

WITNESSES:

James Smith
Leah L. Holley

Dan C. Marshall, Sr.
DAN C. MARSHALL, SR.

STATE OF FLORIDA

COUNTY OF Alachua

BEFORE ME, the undersigned officer, duly authorized to take acknowledgements and administer oaths, personally appeared DAN C. MARSHALL, SR. and being first duly sworn and upon his oath, stated that he signed the above Articles of Incorporation for the conditions and purposes therein expressed this 10th day of July, 1995.

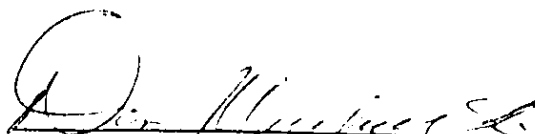
Leah L. Holley
NOTARY PUBLIC - STATE OF FLORIDA
VICKI L. HOLLEY
MY COMMISSION # CC358827 EXPIRES
April 21, 1998
BONDED THRU TROY FAIR INSURANCE, INC.

PRINTED NAME OF NOTARY; COMMISSION
NUMBER AND EXPIRATION OF COMMISSION

Personally Known to me _____
or produced the following identification: FL Drivers License

ACCEPTANCE BY REGISTERED AGENT

DAN C. MARSHALL, SR. having been named as the registered agent in the foregoing Articles of Incorporation of HARTSFIELD ROAD / INC. STORMWATER MANAGEMENT FACILITY PROPERTY OWNERS' ASSOCIATION, to accept service of process for the corporation at 578-C Appleyard Drive, Tallahassee, Florida, 32304, hereby agrees to act as the registered agent and comply with the laws of the State of Florida relative to such position.


DAN C. MARSHALL, SR.

CERTIFICATE OF DESIGNATION
REGISTERED AGENT/REGISTERED OFFICE

Pursuant to the provisions of Chapter 617, Florida Statutes, the undersigned non profit corporation, organized under the laws of the State of Florida, submits the following statement in designating the registered office/registered agent, in the State of Florida.

1. The name of the non profit corporation is: HARTSFIELD ROAD
STORMWATER MANAGEMENT FACILITY PROPERTY OWNERS' ASSOCIATION, INC..

2. The name and address of the registered agent and office is:

DAN C. MARSHALL, SR.

(NAME)

578-C Appleyard Drive

(P.O. BOX NOT ACCEPTABLE)

Tallahassee, Florida 32304

(CITY/STATE/ZIP)

S. NATURE Dan Marshall Sr.
TITLE Incorporator/Director
DATE July 10, 1995

HAVING BEEN NAMED AS REGISTERED AGENT AND TO ACCEPT SERVICE OF PROCESS FOR THE ABOVE STATED NON PROFIT CORPORATION AT THE PLACE DESIGNATED IN THIS CERTIFICATE, I HEREBY ACCEPT THE APPOINTMENT AS REGISTERED AGENT AND AGREE TO ACT IN THIS CAPACITY. I FURTHER AGREE TO COMPLY WITH THE PROVISIONS OF ALL STATUTES RELATING TO THE PROPER AND COMPLETE PERFORMANCE OF MY DUTIES, AND I AM FAMILIAR WITH AND ACCEPT THE OBLIGATIONS OF MY POSITION AS REGISTERED AGENT.

SIGNATURE Dan Marshall Sr.
DATE July 10, 1995