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DEPARTMENT OF STATE
DIVISION OF CORPORATION
TALLAHASSEE, FLORIDA

2020 JAN 21 AM 7:11

FILED

FEB 17 2020

S. YOUNG

COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: Square Lake Homeowners Association, Inc.

DOCUMENT NUMBER: N96000000617

The enclosed *Articles of Amendment* and fee are submitted for filing.

Please return all correspondence concerning this matter to the following:

Steven H. Mezer, Esq.
(Name of Contact Person)

Becker & Poliakoff, P.A.
(Firm/ Company)

1511 N. Westshore Blvd., Suite 1000
(Address)

Tampa, FL 33607
(City/ State and Zip Code)

smezer@beckerlawyers.com
E-mail address: (to be used for future annual report notification)

For further information concerning this matter, please call:

Steven H. Mezer, Esq. at 813 527-3900
(Name of Contact Person) (Area Code) (Daytime Telephone Number)

Enclosed is a check for the following amount made payable to the Florida Department of State:

- | | | | |
|---|--|---|--|
| ☒ \$35 Filing Fee | ☐ \$43.75 Filing Fee &
Certificate of Status | ☐ \$43.75 Filing Fee &
Certified Copy
(Additional copy is
enclosed) | ☐ \$52.50 Filing Fee
Certificate of Status
Certified Copy
(Additional Copy is
Enclosed) |
|---|--|---|--|

Mailing Address
Amendment Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Street Address
Amendment Section
Division of Corporations
The Centre of Tallahassee
2415 N. Monroe Street, Suite 810
Tallahassee, FL 32303

AMENDED AND RESTATED

2020 JAN 21 AM 7:11

ARTICLES OF INCORPORATION

The incorporators of a non-profit corporation under the Florida Statutes, adopted the following Articles of Incorporation for such corporation.

ARTICLE 1

NAME OF CORPORATION

The name of the corporation (hereinafter called the Association) is: SQUARE LAKE HOMEOWNERS ASSOCIATION, INC. The principal address and the registered address of the corporation shall be: 950 Square Lake Drive, Bartow, Florida 33830. The mailing address of the corporation is 950 Square Lake Drive, Bartow, Florida 33830.

ARTICLE 2

PURPOSE OF ASSOCIATION

The purpose for which the Association is formed is to provide for Square Lake Planned Unit Development the maintenance and preservation of the residential lots and Common Areas, to include: operation and maintenance of the surface water management system as permitted by the Southwest Florida Water Management District including all lakes, retention areas, water management areas, ditches, culverts, structures, and related appurtenances, within a certain subdivided tract of real property described as "Square Lake", a subdivision and any re-plat portions thereof in Polk County, Florida, and to promote the health, safety and welfare of the residents within the above described subdivision and such additions thereto as may hereafter be brought within the jurisdiction of the Association for such purposes.

In furtherance of such purposes, the Association shall have the power to:

- a. Perform all of the duties and obligations of the Association as set forth in the Declaration of Covenants, Conditions and Restrictions (the Declaration) to the Subdivision and recorded in Polk County, Florida and as amended from time to time;
- b. Affix, levy, and collect, and enforce payment by any lawful means all charges and assessments pursuant to the terms of the Declaration, and pay all expenses in connection therewith, and all office and other expenses incidental to the conduct of the business of the Association, including all licenses, taxes, or governmental charges levied on or imposed against the property of the Association;
- c. Acquire (by gift, purchase, or otherwise), own, hold, and improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate to public use, or otherwise dispose of real and personal property in connection with the affairs of the Association;

- d. Dedicate, sell or transfer all or any part of the Common Areas to the county, any municipality, public agency, authority or utility for such purposes and subject to such conditions as may be agreed upon by the members. No such dedication or transfer shall be effective, unless an instrument has been signed by a majority of members, agreeing to such dedication, sale or transfer; and
- e. Have and exercise any and all powers, rights, and privileges that a nonprofit corporation or a homeowners' association organized under the Florida statutes by law may now hereafter have or exercise.

The Association is organized and shall be operated exclusively for the purposes set forth above. The activities of the Association will be financed by the assessments against members as provided in the Declaration, and no part of any net earnings of the Association will inure to the benefit of any Member.

ARTICLE 3

MEMBERS OF THE CORPORATION

The Members of this Corporation shall be every person or entity who is a record owner of a fee or undivided fee interest in any Parcel that is subject by covenants of record to assessment by the Association, including contract sellers, but excluding persons or entities holding title merely as security for performance of an obligation, shall be a Member of the Association. Membership shall be appurtenant to and may not be separated from ownership of a Parcel which is subject to assessment by the Association.

ARTICLE 4

DURATION OF THE ASSOCIATION

The period of duration of the Association shall be perpetual.

ARTICLE 5

NAME AND RESIDENCE OF SUBSCRIBERS

The name and residence address of each subscriber is:

NAME	ADDRESS
MAYME S. BURDIN CLARK	950 Square Lake Drive Bartow, FL 33830
RICHARD CLARK	950 Square Lake Drive Bartow, FL 33830

ARTICLE 6

MANAGEMENT OF THE ASSOCIATION

The affairs of the Association shall be managed by a Board of Directors, a President, Vice President, and Secretary-Treasurer, who shall at all times be members of the Board of Directors. Elections of such officers shall be held at the first meeting of the Board of Directors following each annual meeting of members or as agreed to by the Board.

ARTICLE 7

MAKING BY-LAWS AND AMENDMENTS

The By-Laws and amendments may be made, altered, amended or rescinded at any annual meeting of the Association, or at any special meeting of the Members called for such purpose, on the affirmative vote of a majority of the existing Members at the time of and present at such meeting.

ARTICLE 8

MEMBERSHIP IN THE ASSOCIATION

The membership in the Association and initial control thereof shall be as follows:

Every Owner of a Parcel shall be a Member of the Association. Membership shall be appurtenant to and may not be separated from ownership of a Parcel. Members shall be entitled to one vote for each Parcel owned. When more than one person holds an interest in a given Parcel, all such persons shall be members and the vote for such Parcel shall be exercised as they may determine among themselves. In the event more than one (1) vote is cast for any Parcel, all such votes shall be void.

ARTICLE 9

DISSOLUTION OF ASSOCIATION ASSETS

On dissolution, the assets of the Association, to include the surface water management system, shall be distributed to an appropriate agency of local government to be used for purposes similar to those for which the Association was created. In the event such distribution is refused acceptance, such assets shall be granted, conveyed, and assigned to, any appropriate agency of local government organized and operated for such similar purposes or to any governmental entity for a public purpose.

The date of each amendment(s) adoption: _____, if other than the date this document was signed.

Effective date if applicable: _____
(no more than 90 days after amendment file date)

Note: If the date inserted in this block does not meet the applicable statutory filing requirements, this date will not be listed as the document's effective date on the Department of State's records.

Adoption of Amendment(s) (CHECK ONE)

☒ The amendment(s) was/were adopted by the members and the number of votes cast for the amendment(s) was/were sufficient for approval.

☐ There are no members or members entitled to vote on the amendment(s). The amendment(s) was/were adopted by the board of directors.

Dated 1-13-2020

Signature Dwayne Powell
(By the chairman or vice chairman of the board, president or other officer-if directors have not been selected, by an incorporator - if in the hands of a receiver, trustee, or other court appointed fiduciary by that fiduciary)

DWAYNE POWELL
(Typed or printed name of person signing)

PRESIDENT
(Title of person signing)