

# N96000000913

Daniel M. Ausley  
Requestor's Name

217 John Koca Road  
Address

Tallahassee, FL 32303 (904) 385-6383  
City/State/Zip Phone #

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DIVISION OF CORPORATION

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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

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**ARTICLES OF INCORPORATION OF  
RIVER BLUFFS SUBDIVISION HOMEOWNERS ASSOCIATION, INC.**

In compliance with the requirements of Chapter 617, Florida Statutes, the undersigned, all of whom are residents of Leon County, Florida, and all of whom are of legal 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**

The name of this Corporation shall be RIVER BLUFFS SUBDIVISION HOMEOWNERS ASSOCIATION, INC. and it is hereinafter referred to as the "Association".

**ARTICLE II.  
Registered Office and Agent**

The initial registered office of the Association is located at 217 John Knox Road, Suite 100, Tallahassee, Florida 32303. The initial registered agent is Daniel M. Ausley, whose address is 217 John Knox Road, Suite 100, Tallahassee, Florida 32303. The initial registered agent joins in the execution of these Articles for the express purpose of evidencing acceptance of appointment as registered agent of the corporation, and to acknowledge that he is aware of the duties and responsibilities imposed upon resident agents under the law of Florida. Principal address is same as registered address.

**ARTICLE III.  
Purpose and Powers of the Association**

This Association does not contemplate pecuniary gain or profit to the members thereof, and the purposes for which it is formed are to provide for landscaping control of any common areas,

easement areas and Association property located within that certain RIVER BLUFFS Subdivision in Franklin County, Florida, situated upon the land described on Exhibit "A" attached hereto and made a part hereof, which property has been divided into ten (10) separate single family residential lots, and to protect and promote the esthetic quality of the subdivision and the general welfare of the residents within the subdivision. The Association contemplates the possibility of causing property contiguous to the property described on Exhibit "A" to be brought into and become a part of RIVER BLUFFS Subdivision, with the owners of lots located within said additional property incorporated into the subdivision automatically becoming members of the Association. No additional property may be incorporated into the subdivision unless the incorporated property is made subject to restrictive covenants applicable to the original subdivision property.

In regard to and in connection with the foregoing powers and purposes, the Association may undertake the following:

(a) Exercise 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 Restrictions, Covenants and Easements (hereinafter called "Declaration"), and applicable to the subdivision, said Declaration being recorded in the Office of the Clerk of the Circuit Court of Franklin County, Florida, and as the same may be amended from time to time as therein provided;

(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 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 and maintain real or personal property in connection with the affairs of the Association;

(d) Dedicate, sell, or transfer all or any part of property owned by the Association to any grantee, including public agency, authority, or utility, for such purposes and subject to such conditions as may be agreed to by at least a majority vote of the members of the Association.

(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 a majority of the members of the Association.

(f) 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.

#### ARTICLE IV. Membership

Every person or entity who is a record owner of a fee or undivided fee interest in any lot in RIVER BLUFFS Subdivision, as the same presently exists, and including any property subsequently incorporated into the subdivision as hereinabove provided for, shall be a member of the Association. The foregoing is not

intended to include persons or entities who hold an interest as a contract vendee or as security for the performance of an obligation. Membership and voting rights shall be appurtenant to and may not be separated from ownership of any lot in RIVER BLUFFS Subdivision. Membership rights (including voting rights) of any member may be suspended by action of the Board of Directors if the member has failed to pay prior to delinquency any assessment or charge lawfully imposed upon him or property owed by him.

**ARTICLE V.  
Voting Rights**

The Association shall have one class of voting membership, and each respective member shall be entitled to one vote for each lot owned by that member, subject, however, to the foregoing provision concerning suspension of membership. When more than one person holds an interest in any lot, all such persons shall be members, but the vote for such lot shall be exercised as they determine, and in no event shall more than one vote be cast with respect to any lot.

**ARTICLE VI.  
Officers**

The corporation shall have a president, secretary and treasurer. A person may hold more than one office. Officers shall be elected by the membership on an annual basis.

**ARTICLE VII.  
Initial Officers**

The names and street addresses of the initial officers, who shall serve until the first election are as follows:

President .....Daniel M. Ausley  
234 Lafayette Circle  
Tallahassee, FL 32303

Secretary/Treasurer.....Kelley N. Ausley  
234 Lafayette Circle  
Tallahassee, FL 32303

**ARTICLE VIII.**  
**Directors**

The Association shall be managed by a Board of Directors consisting of three (3) members, who will serve until January 1, 1997, unless they sooner resign. By January 1, 1997, the initial Board shall appoint a successor Board of Directors consisting of three (3) members who shall serve until the 1997 annual meeting, at which meeting the members of the Association shall elect three (3) directors. Within thirty (30) days following their election the directors shall by lot determine that one of the directors shall serve for a term of three (3) years; that one of the directors shall serve for a term of two (2) years; and that one of the directors shall serve for a term of one year. As each director's term expires and at each annual meeting thereafter, a new director shall be elected by the members of the Association for a term of two (2) years. If for any reason the Association does not elect directors as herein provided, the directors in office during the time when an election should have been held, shall continue to serve until their successors are in fact elected. If a director dies or resigns during his term, the remaining directors shall appoint a successor to complete the term of the deceased or resigned director. With the exception of the members of the initial Board, all Board members shall be lotowners in RIVER BLUFFS

Subdivision. A person may be elected to serve as many terms as director as the members choose.

The initial Directors and their respective addresses are:

- (a) Daniel M. Ausley  
234 Lafayette Circle  
Tallahassee, FL 32303
- (b) Kelley N. Ausley  
234 Lafayette Circle  
Tallahassee, FL 32303
- (c) Margaret B. Ausley  
316 East Jefferson Street  
Tallahassee, FL 32301

#### ARTICLE IX. Establishment of Committees

The Board of Directors may from time to time create and establish such committees of the Board or outside of the Board as it determines appropriate or desirable towards carrying out the purposes and powers of the Association, including but not limited to an Architectural Control Committee. The Board of Directors may delegate to a committee such powers and duties as the Board deems appropriate.

#### 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 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 corporation shall exist perpetually unless sooner dissolved.

**ARTICLE XII.  
Amendments**

Amendment of these Articles shall require the assent of at least three-fourths (3/4) of the total number of votes authorized under these Articles, and amendment of the By-Laws of the Association shall require a majority vote of the members of the Association. The initial By-Laws shall be adopted by the initial Board of Directors.

**ARTICLE XIII.  
Subscribers**

The names and addresses of the subscribers are:

- (a) Daniel M. Ausley  
217 John Knox Road  
Suite 100  
Tallahassee, FL 32303
- (b) Kelley N. Ausley  
217 John Knox Road  
Suite 100  
Tallahassee, FL 32303



IN WITNESS WHEREOF, the undersigned, being the original incorporating Subscribers to the foregoing Articles of Incorporation, have hereunto set their hands and seals this 21st day of February, 1996.

*Daniel M. Ausley*  
DANIEL M. AUSLEY  
Subscriber & Resident Agent

*Kelley N. Ausley*  
KELLEY N. AUSLEY  
Subscriber

STATE OF FLORIDA  
COUNTY OF LEON

I HEREBY CERTIFY that on this 21st day of February, 1996, personally appeared DANIEL M. AUSLEY and KELLEY N. AUSLEY, personally known to me ~~or who provided~~ \_\_\_\_\_ as identification, who acknowledged before me that they executed the foregoing instrument freely and voluntarily for the uses and purposes therein set forth and expressed.

*Sue T. Beard*  
NOTARY PUBLIC, State of Florida



SUE T BEARD  
My Commission CC501834  
Expires Dec. 02, 1998

**CERTIFICATE DESIGNATING REGISTERED AGENT  
AND REGISTERED OFFICE**

In compliance with Florida Statutes Sections 48.091 and 607.0501, the following is submitted:

Homeowners Association, Inc.

RIVER BLUFFS Subdivision, desiring to organize as a corporation under the laws of the State of Florida, has designated 217 John Knox Road, Suite 100, Tallahassee, Florida 32303, as its initial Registered Office and has named Daniel M. Ausley, located at said address, as its initial Registered Agent.

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Daniel M. Ausley  
President  
Date: 2/21/96

Having been named registered agent and to accept service of process for the above-stated corporation at the place designated in this certificate, the undersigned hereby accepts said appointment and agrees to act in this capacity. The undersigned further agrees to comply with the provisions of all statutes relating to the proper and complete performance of his duties and is familiar with and accepts the obligations of his position as registered agent.

Daniel M. Ausley  
Daniel M. Ausley  
Registered Agent  
Date: 2/21/96

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## EXHIBIT "A"

Begin at an iron pipe marking the intersection of the Northerly right-of-way boundary of Avenue G North in the Town of Carrabelle with the East boundary of Section 19, Township 7 South, Range 4 West, Franklin County, Florida, and thence run South 89 degrees 53 minutes 42 seconds West along said right-of-way boundary 1209.19 feet to a St. Joe Paper Company monument, thence run South 89 degrees 53 minutes 08 seconds West along said right-of-way boundary 8.65 feet to the Easterly right-of-way boundary of Ryan Drive, thence run along said right-of-way boundary as follows: North 45 degrees 22 minutes 54 seconds East 777.25 feet to a point of curve to the left, thence Northeasterly along said curve with a radius of 1206.28 feet, thru a central angle of 45 degrees 14 minutes 10 seconds for an arc distance of 952.38 feet, thence North 00 degrees 08 minutes 44 seconds West 4.93 feet to an old axle, thence leaving said right-of-way boundary run South 89 degrees 56 minutes 00 seconds East 88.24 feet to a St. Joe Paper Company monument, thence run South 00 degrees 27 minutes 52 seconds East 420.00 feet, thence run South 89 degrees 38 minutes 50 seconds East 209.94 feet to a St. Joe Paper Company monument on the East boundary of said Section 19, thence run South 00 degrees 29 minutes 03 seconds East along said East boundary 982.85 feet to the POINT OF BEGINNING.

ALSO:

Commence at an iron pipe marking the intersection of the Northerly right-of-way boundary of Avenue G North in the Town of Carrabelle with the East boundary of Section 19, Township 7 South, Range 4 West, Franklin County, Florida, and thence run South 89 degrees 53 minutes 42 seconds West along said right-of-way boundary 1209.19 feet to a St. Joe Paper Company monument, thence run South 89 degrees 53 minutes 08 seconds West along said right-of-way boundary 151.31 feet to the Westerly right-of-way boundary of Ryan Drive for the POINT OF BEGINNING. From said POINT OF BEGINNING continue South 89 degrees 53 minutes 08 seconds West 67.09 feet to a concrete monument, thence run North 89 degrees 58 minutes 43 seconds West 489.01 feet to the approximate mean highwater line of the Carrabelle River, thence run along said mean highwater line as follows: North 27 degrees 08 minutes 11 seconds East 149.08 feet, thence North 24 degrees 01 minutes 10 seconds East 128.80 feet, thence North 22 degrees 58 minutes 58 seconds East 32.89 feet, thence North 17 degrees 36 minutes 34 seconds East 51.83 feet, thence North 20 degrees 46 minutes 42 seconds East 92.49 feet, thence North 30 degrees 04 minutes 51 seconds East 55.48 feet, thence North 06 degrees 34 minutes 00 seconds East 40.98 feet, thence North 01 degrees 36 minutes 23 seconds East 72.60 feet, thence North 09 degrees 41 minutes 58 seconds East 131.66 feet, thence North 01 degrees 51 minutes 45 seconds East 88.88 feet, thence North 09 degrees 05 minutes 56 seconds East 141.89 feet, thence North 11 degrees 53 minutes 54 seconds East 217.74 feet, thence North 14 degrees 47 minutes 46 seconds East 115.71 feet, thence North 06 degrees 13 minutes 04 seconds East 85.22 feet, thence North 05 degrees 16 minutes 18 seconds East 62.26 feet, thence leaving said mean highwater line run South 89 degrees 56 minutes 00 seconds East 1157.53 feet to a re-rod on the Westerly right-of-way boundary of said Ryan Drive, thence run along said right-of-way boundary as follows: South 00 degrees 08 minutes 44 seconds East 4.79 feet to a point on a curve to the right, thence Southwesterly along said curve with a radius of 1106.28 feet, thru a central angle of 45 degrees 14 minutes 10 seconds for an arc distance of 873.43 feet, thence South 45 degrees 22 minutes 54 seconds West 879.08 feet to the POINT OF BEGINNING.