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NORMAN C. CUMMINS PATRICIA R. MULLLER STEPLIEN II. JULISON HARRY I. HACKNI Y PHONE #92/787-5411 TAX #92/169-1912

August 27, 1996

Division of Corporations Department of State Post Office Box 6327 Tallahassee, FL 32314 150 M (100) 1 (10 M (5 M (5 M) - (16) 20/06 - 30/049 - 300 ++++122,50 - 4++122,50

Re: Articles of Incorporation of FAIRVIEW ESTATES HOMEOWNERS' ASSOCIATION, INC.

Gentlemen:

Enclosed please find the original and one copy of the Articles of Incorporation for the above-named corporation. Please file the original Articles and certify the enclosed copy as the certified copy, and return same to me. Enclosed is my firm's check in the sum of \$122.50 to cover the filing costs, as follows:

1. Filing Fee \$ 35.00

2. Certified Copy \$ 52.50

3. Registered Agent Designation \$ 35.00

Total \$122.50

Please do not hesitate to contact me if you have any questions.

Yours very truly,

PATRICIA R. MUELLER

PRM/psc Enclosure

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ARTICLES OF INCORPORATION

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FAIRVIEW ESTATES HOMEOWNERS' ASSOCIATION, INC. A FLORIDA CORPORATION NOT FOR PROFIT

The undersigned incorporators by those articles associate themselves for the purpose of forming a corporation not for profit pursuant to the laws of the State of Florida, and adopt the following articles of incorporation:

ARTICLE I

NAME

The name of this corporation is Fairview Estates Homeowners' Association, Inc. For convenience, the corporation shall be referred to in this instrument as the "Association", these articles of incorporation as the "Articles" and the bylaws of the association as the "Bylaws".

ARTICLE II

EFFECTIVE DATE AND DURATION

The effective date of Incorporation shall be the date of filing with the Secretary of State. The association shall have perpetual existence.

ARTICLE III

PURPOSE

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 residence Lots and Common Area within that certain tract of property described as Fairview Estates, a subdivision in Lake County, Florida, 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 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, Restrictions, and Easements, hereinafter called the "Declaration", applicable to the property and recorded or to be recorded in the Public Records 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, lovy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Doctaration; to pay all expenses in connection therewith and all effice 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, convoy, sell, lease, transfor, 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 a majority 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 any common property to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to be the members. No such dedication or transfer shall be effective unless an instrument has been signed by a majority of each class of members, agreeing to such dedication, sale or transfer;
- (f) participate in mergers and consolidations with other non-profit 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 a majority 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) 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 requirements and applicable District rules, and assist in the enforcement of the restrictions and covenants contained herein or is said Declaration.
- (i) levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the surface water or stormwater management system, and use such assessments 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 IV

MEMBERS

Every person or entity who is a record owner of a fee or undivided fee interest of any Lot which is subject to covenants of record and 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 held an interest morely 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.

ARTICLE V

VOTING RIGHTS

The Association shall have two classes of voting membership:

Class A. Class A members shall be all Owners and shall be entitled to one vote for each Lot owned; provided, however, so long as there is Class B membership, Declarant shall not be a Class A member. 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 four (4) votes for each platted Lot owned. The Class B membership shall cease and be converted to Class A membership at Turnover as said term is defined, after which the Declarant shall be an Owner as said term is defined.

ARTICLE VI

FIRST BOARD OF DIRECTORS

The number of persons constituting the first board of directors shall be three and their names and addresses are as follows:

Leo P. Steinmetz P.O. Box 217, Lady Lake, Florida 32159

Nancy P. Steinmetz P.O. Box 217, Lady Lake, Florida 32159

Gregory L. Steinmetz P.O. Box 217, Lady Lake, Florida 32159

Directors shall be elected as provided in the Bylaws.

ARTICLE VII

PRINCIPAL OFFICE

The Principal office of the Association is located at 107 E. Lady Lake Boulevard, Lady Lake, Florida 32159.

ARTICLE VIII

INITIAL REGISTERED OFFICE AND REGISTERED AGENT

The street address of the initial registered office of this corporation is 107 E. Lady Lake Boulevard, Lady Lake, Florida, and the name of the initial registered agent of this corporation at that address is Nancy P. Steinmetz.

ARTICLE IX

AMENDMENTS

The Articles of Incorporation may be amended by the members at any regular, special or annual meeting of the members, called for such purpose, or in the case of an annual meeting, provided notice of the proposed changes have been furnished in writing to all members or persons entitled or persons entitled to vote thereon, at least thirty (30) days prior to said meeting. Amendments may be proposed by the Directors or upon the vote of twenty-five percent (25%) of the membership. Such amendment shall be effective when approved by two-thirds (2/3) of the votes of the entire membership.

ARTICLE X

BYLAWS

The Bylaws of the Association shall be adopted by the Board of Directors. The Bylaws may be amended, altered, or rescinded by a majority of a quorum present, in person or by proxy, at any regular or special meeting of the members.

ARTICLE XI

DISSOLUTION OF ASSOCIATION

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

ARTICLE XII

INCORPORATOR

The name and address of the incorporator to those articles is as follows:

Loo P. Steinmetz

P.O. Box 217, Lady Lake, Florida 32159

IN WITNESS WHEREOF the undersigned incorporator has executed these Articles of Incorporation on April 29, 1996.

LEO P. STÉINMETZ

STATE OF FLORIDA COUNTY OF LAKE

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgements, personally appeared LEO P. STEINMETZ, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he executed the same, and an oath was not taken. (X) Said person is personally known to me, or (__) Said person provided the following type of identification:_____.

Witness my hand and official seal in the County and State last aforesaid this 29 day of April, 1996.

Notary Public

My Commission Expires:

PATRICIA TI. MUELLER MY COMMISSION & CC 3355C5 EXPIRES: January 23, 1998

Donded Thru Natary Public Underwriters

REGISTERED AGENT ACCEPTANCE

Having been named as Registered Agent to accept service of process for the above referenced corporation, at the place designated in the Articles of Incorporation, I hereby accept the appointment as Registered Agent, and I am familiar with and agree to comply with the provisions of the said Act relative to the obligations of that position and keeping open said office.

Date: April <u>29</u>, 1996

NANCY P. STEINMETZ

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