

LAW OFFICES
SCRUGGS & GARMICHAEL, P.A.

ONE S.E. FIRST AVENUE 32601
POST OFFICE DRAWER 23100 32603
GAINESVILLE, FLORIDA

WILLIAM C. ANDREWS
JOHN F. BURCOW III
STAN CUSHMAN
PHILIP DELANEY
MITZI GARMICHAEL
MARION V. PETERSON
JOHN R. STEIN
STEPHEN W. THAYER
MICHAEL L. WILSON
DAVID L. WILSON
DAVID L. WILSON
DAVID L. WILSON

FAX 10041 378-0600
TELEPHONE 10041 378-3242

WEST GAINESVILLE
LAND TITLE PLAZA
2032 N.W. 43rd STREET
SUITE 1102
GAINESVILLE, FLORIDA
FL 32609
PHONE 100 378-3242
FAX 100 378-0600
WILLIAM D. BRIDGEMAN
1033 1980
MICHELLE VAUGHN
1046 1088

RETIRED
RAY D. HELPLING
WILLIAM H. LONG

REPLY TO

Corporate Records Bureau
Division of Corporations
Department of State
Post Office Box 0327
Tallahassee, Florida 32301

RE: Bonnet Cove Homeowners' Association, Inc.

Dear Sir or Madam:

Enclosed please find Articles of Incorporation for Bonnet Cove Homeowners' Association, Inc. Please file same in your usual manner. I have enclosed a check in the amount of \$70.00 for filing fees and registered agent designation. Please stamp the enclosed copy and return the same to me in the enclosed envelope with the certificate of incorporation.

Sincerely yours,

Pamela Kay O'Steen
Pamela Kay O'Steen Legal Assistant
Philip A. DeLaney

PAD:pkc
Enclosures



FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State

October 10, 1996

SCRUGGS & CARMICHAEL, P.A.
% PAMELA F. O'STEEN
P.O. DRAWER 23109
GAINESVILLE, FL 32602

SUBJECT: BONNETT COVE HOMEOWNERS' ASSOCIATION, INC.
Ref. Number: W96000021477

We have received your document for BONNETT COVE HOMEOWNERS' ASSOCIATION, INC. and check(s) totaling \$70.00. However, the enclosed document has not been filed and is being returned to you for the following reason(s):

According to section 607.0202(1)(b) or 617.0202(1)(b), Florida Statutes, you must list the corporation's principal office, and if different, a mailing address in the document. If the principal address and the registered office address are the same, please indicate so in your document.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (904) 487-6934.

Loria Poole
Corporate Specialist

Letter Number: 796A00046205

LAW OFFICES
SCRUGGS & CARMICHAEL, P.A.

ONE S.E. FIRST AVENUE 32601
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JOHN D. STINSON
STEVEN M. CHAMBERLAIN LL.M.
KEVIN DALY
RAYMOND H. IVEY
MARY DAY COKER
JEFFREY R. DOLLINGER

WEST GAINESVILLE:
LAND TITLE PLAZA
2032 NW 43RD STREET
SUITE A-102
GAINESVILLE, FLORIDA 32606
FAX (804) 378-9326
PHONE (804) 378-8242

SIOBHAN L. SCRUGGS
1988-1993
PARKS M. CARMICHAEL
1993-1994
WILLIAM D. PRIDGEMAN
1933-1980
MICHELLE VAUGHNS
1948-1982

RETIRED
RAY D. HELPLING
WILLIAM H. LONG

REPLY TO:

October 1, 1990

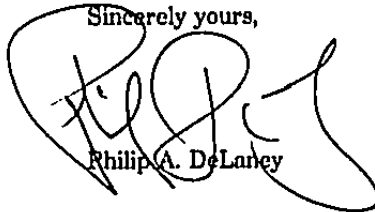
Corporate Records Bureau
Division of Corporations
Department of State
Attn: Loria Poole, Corporate Specialist
Post Office Box 6327
Tallahassee, Florida 32314

RE: Bonnet Cove Homeowners' Association, Inc.
Ref. Number W06000021477

Dear Ms. Poole:

Enclosed please find the revised Articles of Incorporation for Bonnet Cove Homeowners' Association, Inc. with the changes referenced in your letter dated October 10, 1990. Please file same in your usual manner and stamp the enclosed copy and return the same to me in the enclosed envelope with the certificate of incorporation.

Sincerely yours,



Philip A. DeLaney

PAD:pkc
Enclosures

RECEIVED
FEB 15 1985

**ARTICLES OF INCORPORATION OF
BONNET COVE HOMEOWNERS' ASSOCIATION, INC.**

ARTICLE ONE. TERM OF EXISTENCE

The existence of the Association will commence upon filing of these Articles with the Department of State of the State of Florida and shall continue thereafter in perpetuity.

ARTICLE TWO. NAME

The name of this corporation is Bonnet Cove Homeowners' Association, Inc.

ARTICLE THREE. PURPOSE

The Association, is a Florida not-for-profit corporation organized for the purpose of insuring and the management, maintenance, operation and care of real and personal property, including but without limitation, all road rights-of-way, ditches, culverts, retention or detention areas, drainage, other surfacewater management works which are owned by the association or the owners in common of Bonnet Cove (a/k/a Lake Bonnet Phase II) Subdivision, and:

- A. To fix and make assessments against the parcels of the members and collect the assessments by any lawful means;
- B. To borrow money if necessary to insure, maintain or further improve the Common Areas owned by the association but for no other purpose;
- C. To use and expand the proceeds of assessments and borrowings in a manner consistent with the purposes for which this association is formed;
- D. To maintain, repair, replace, operate, and care for real and personal property, including but without limitation, all road rights-of-way, ditches, culverts, retention or detention areas, drainage, other surfacewater management works which are owned by the association or the owners in common in a manner consistent with the permits issued by Alachua County and/or by the Suwannee River Water Management District and the operation and maintenance plan attached thereto;
- E. Purchase and maintain insurance;
- F. To make, amend, impose, and enforce by any lawful means, reasonable rules and regulations use of the Common Areas and association property;
- G. To contract for services with others to accomplish the purposes set forth herein;
- H. To do and perform anything required by these articles, the bylaws, or the declaration to be done by the owners, but is not done by the owner in a timely manner, at the expense of owner;
- I. To do and perform any obligations imposed upon the association by the declarations or by any permit or authorization from any unit of local, regional, state, or the federal government and to enforce by any legal means the provisions of these articles, the bylaws and the declaration;

The foregoing specific duties and responsibilities are not construed in any way as limiting the powers of the association. Rather, the association will have and exercise all of the powers conferred upon associations so formed or authorized by law.

**ARTICLES OF INCORPORATION OF
BONNET COVE HOMEOWNERS' ASSOCIATION, INC.**
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ARTICLE FOUR. MEMBERSHIP

The association shall have a membership distinct from the Board of Trustees. Any person sui juris owning an interest in any Parcel in Bonnet Cove is eligible for membership in the association. Each of the aforesaid Parcels shall exercise one vote within its membership class established by the Declaration of Covenants in the management of the affairs of the association. Provided always, that the association in its Bylaws or Declarations shall be empowered to establish classes of voting membership which, once established, shall not in any manner be affected by any amendment(s) to these Articles of Incorporation. Provided always, that when one or more than one person or entity is the owner of any Parcel, all such persons or entities shall be members, but they shall be entitled collectively to only one vote per Parcel within their class of membership voting in the management of the affairs of the association which shall be exercised as they shall unanimously determine.

**ARTICLE FIVE. LOCATION OF REGISTERED OFFICE
AND NAME OF INITIAL REGISTERED AGENT**

The street address of the initial registered office of this corporation, and the principal mailing address is 5517 S.W. 69th Terrace, Gainesville, Florida 32608, and the initial resident agent is David M. Miller.

ARTICLE SIX. INITIAL TRUSTEES AND THE INCORPORATORS

There shall be not less than three Trustees constituting the initial Board of Trustees.

The name and address of each person who is to serve as an initial Trustee and an incorporator is:

<u>NAME</u>	<u>ADDRESS</u>
David M. Miller	5517 S.W. 69th Terrace Gainesville, Florida 32608
Thomas P. Hicks, Jr.	5517 S.W. 69th Terrace Gainesville, Florida 32608
Stephanie Wallen	5517 S.W. 69th Terrace Gainesville, Florida 32608

ARTICLE SEVEN. MANAGEMENT OF CORPORATE AFFAIRS

(a) **BOARD OF TRUSTEES:** The powers of this corporation shall be exercised, its properties controlled, and its affairs conducted by a Board of Trustees. The number of trustees of the corporation shall be not less than three; provided, however, that such number may be changed by a bylaw duly adopted by the members.

The Trustees named in ARTICLE SIX shall hold office until the first annual meeting of members, to be held on the first Monday in March, 1997, at 7:30 o'clock P.M. at 5517 S.W. 69th Terrace, Gainesville, Florida 32608, or such other time and place as the membership shall be notified, at which time an election of trustees shall be held who shall then serve until the time of the next annual meeting.

Trustees elected at the first annual meeting, and all times thereafter, shall serve for a term of one year until the next annual meeting of members following the election of Trustees and until the qualification of the successors in office. Annual meetings shall be held at 7:30 o'clock P.M. on the first Monday in March of each year at the principal office of the association, or at such other place or places as the Board

**ARTICLES OF INCORPORATION OF
BONNET COVE HOMEOWNERS' ASSOCIATION, INC.**

Page 3

of Trustees may designate from time to time by resolution and written notice to the members.

(b) **CORPORATE OFFICERS:** The Board of Trustees shall annually elect a president and a secretary-treasurer, and such officers as the bylaws of the corporation may authorize the trustees to elect from time to time. Such officers shall be initially elected at the organizational meeting of the Board of Trustees. Until such election is held, the following persons shall serve as corporate officers:

David M. Miller-	President-	5517 S.W. 60th Terrace Gainesville, Florida 32608
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Stephanie Wallen-	Secretary/Treasurer-	5517 S.W. 60th Terrace Gainesville, Florida 32608
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ARTICLE EIGHT. INITIAL CONTROL BY DEVELOPER

Notwithstanding the other provisions contained in these articles to the contrary, Special Investments, Inc., or its successors in interest, hereinafter referred to as "**DEVELOPER**" shall control the construction and maintenance of all permitted improvements until the developer relinquishes that right or ceases to be the owner of any Parcel. The developer, prior to relinquishing control of the association or otherwise allowing control to transfer to the trustees of the association, shall provide at least 30 days written notice to the Suwannee River Water Management District that all terms and conditions placed upon the developer by permits or authorizations from the Suwannee River Water Management District have been satisfied in full and that transfer is proposed to occur on a specific date.

ARTICLE NINE. BYLAWS AND AMENDMENT OF ARTICLES

The Bylaws will be adopted and may be amended by the Trustees or members, consistent with these articles and the declarations. Amendments which directly or indirectly impact operation and maintenance of the surfacewater management system, including but without limitation, all road rights-of-way, ditches, culverts, retention or detention areas, drainage, other surfacewater management works, which are owned by the association or the owners in common, may be made after approval by the Suwannee River Management District or Alachua County as the case may be. Such approval shall be in the form of a modification to any and all permits issued by the Suwannee River Management District under the lawfully adopted rules of the Suwannee River Management District in effect at the time of application for such modification. Amendment to the articles or the bylaws which does not impact operation or maintenance of the system may be made without authorization of the Suwannee River Management District; however, copies of such amendments shall be forwarded to the District within 30 days of approval.

ARTICLE TEN. INTERESTED PARTY TRANSACTIONS

The property of this association is irrevocably dedicated to the purposes set forth in **ARTICLE THREE**, and no part of the net income or assets of this association shall ever inure to the benefit of any trustee, officer or member thereof, or to the benefit of any private individual or entity whatsoever.

ARTICLE ELEVEN. DISSOLUTION OF ASSOCIATION

Prior to dissolution of this association, all property, interest in property, whether real, personal, or mixed, which is directly or indirectly related to the road rights-of-way or culverts surfacewater management system; including but not without limitation, all roads, ditches, culverts, retention or detention areas, drainage, other surfacewater management works which are owned by the association or the owners in common, will be dedicated to the appropriate unit of government or otherwise transferred

ARTICLES OF INCORPORATION OF
BONNET COVE HOMEOWNERS' ASSOCIATION, INC.

Page 4

to another approved entity. Dedication or approval must be authorized by the Suwannee River Management District through modification of any and all permits or authorizations issued by the Suwannee River Management District. Such modification shall be made under the lawfully adopted rules of the Suwannee River Management District in effect at the time of application for such modification.

ARTICLE TWELVE. EXHIBITS

The acceptance of the designated resident agent is first attached.

Exhibit "A" is the legal description for the entranceway; and, the surfacewater management works, structures and improvements, if any.

Exhibit "B" is the perimeter legal description for Bonnet Cove that is the subject of these articles and the declarations.

Exhibit "C" is the Flood Prone Areas disclosure if any required by the present Rules of the Suwannee River Management District.

These Articles and the initial bylaws adopted hereunder are themselves incorporated into and made a part of the declarations for Bonnet Cove.

We, the undersigned, being the incorporators of this corporation, for the purpose of forming this non-profit corporation under the laws of the State of Florida, have executed these Articles of Incorporation

on September 30, 1996.

David M. Miller
David M. Miller

Thomas P. Hicks, Jr.
Thomas P. Hicks, Jr.

Stephanie Wallen
Stephanie Wallen

STATE OF FLORIDA
COUNTY OF ALACHUA

BEFORE ME, the undersigned authority, this 30th day of September, 1996, personally appeared David M. Miller, Thomas P. Hicks, Jr. and Stephanie Wallen, who being by me first duly sworn, say that they are the persons named herein as incorporators, and they acknowledged before me that they signed the foregoing Articles of Incorporation for the purposes therein expressed.

Beverly A. Buckley
Notary Public State of Florida

(NOTARY SEAL)

Printed Name of Notary

My Commission Expires:



BEVERLY A. BUCKLEY
COMMISSION # CC 555829
EXPIRES JUL 6, 2000
BONDED THRU
ATLANTIC BONDING CO., INC.

**ARTICLES OF INCORPORATION OF
BONNET COVE HOMEOWNERS' ASSOCIATION, INC.**

Page 5

CERTIFICATE DESIGNATING PLACE OF BUSINESS OR DOMICILE FOR THE SERVICE OF PROCESS WITHIN THIS STATE, NAMING AGENT UPON WHOM PROCESS MAY BE SERVED.

In pursuance of Chapter 48.001, Florida Statutes, the following is submitted in compliance with said Act:

First--That Bonnet Cove Homeowners' Association, Inc., desiring to organize under the laws of the State of Florida with its principal office, as indicated in the articles of incorporation at City of Gainesville, County of Alachua, State of Florida, has named David M. Miller located at 5517 S.W. 60th Terrace, City of Gainesville, County of Alachua, State of Florida, 32608, as its agent to accept service of process within this state.

ACKNOWLEDGEMENT:

Having been named to accept service of process for the above-stated corporation, at place designated in this certificate, I hereby accept to act in this capacity, and agree to comply with the provision of said Act relative to keeping open said office.

David M. Miller
David M. Miller, Resident Agent

FILED
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