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TRANSMITTAL LETTER

Department of State
Division of Corporations
P. O. Box 6327
Tallahassee, FL 32314

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-11/06/98--01054--020
****131.25 *****87.50

SUBJECT: ARTICLES OF INCORPORATION / New Oak Pointe Homeowner's Assoc, Inc
(Proposed corporate name - must include suffix)

Enclosed is an original and one(1) copy of the articles of incorporation and a check for :

☐ \$70.00
Filing Fee

☐ \$78.75
Filing Fee
& Certificate

☐ \$122.50
Filing Fee
& Certified Copy

☒ \$131.25
Filing Fee,
Certified Copy
& Certificate

ADDITIONAL COPY REQUIRED

FROM: DAVID STRATTON / GULF COAST DEAN HOMES, INC
Name (Printed or typed)

2803 SUGAR RIDGE WAY
Address

VALRICO, FL 33594
City, State & Zip

813-654-9515 / 813-622-45
Daytime Telephone number

FILED
99 MAR 23 PM 1:02
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

CB
3-23-99
4

NOTE: Please provide the original and one copy of the articles.



FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State

November 9, 1998

DAVID STRATTON
2803 SUGAR RIDGE WAY
VALRICO, FL 33594

SUBJECT: OAK POINTE HOMEOWNER'S ASSOCIATION, INC.
Ref. Number: W98000025236

We have received your document for OAK POINTE HOMEOWNER'S ASSOCIATION, INC. and your check(s) totaling \$131.25. However, the enclosed document has not been filed and is being returned for the following correction(s):

We regret that we were unable to contact you by phone. Please return the corrected document with a letter providing us with an address and telephone number where you can be reached during working hours.

The registered agent must have a Florida street address. A post office box is not acceptable.

The purpose contained in your articles of incorporation should be more specific. Please correct your articles to reflect the specific purpose for which the corporation is being organized.

Please return the original and one copy of 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 (850) 487-6930.

Carolyn Batten
Document Specialist

Letter Number: 898A00054222

99 MAR 23 PM 1:02
FILED
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

ARTICLES OF INCORPORATION
NEW OAK POINTE HOMEOWNER'S ASSOCIATION, INC.
A Florida Corporation Not for Profit

The undersigned incorporators, all residents of the State of Florida and of full age, hereby associate ourselves together and make, subscribe, acknowledge and file with the Department of State of the State of Florida these Articles of Incorporation for the purpose of forming a corporation not for profit under Chapter 617 of the laws of the State of Florida.

ARTICLE I
NAME

The name of this corporation is NEW OAK POINTE HOMEOWNERS' ASSOCIATION, INC., a Florida corporation not for profit (hereinafter called the "Association" in these Articles).

ARTICLE II
OFFICE AND REGISTERED AGENT

This Association's registered office is Gulf Coast Dream Homes, Inc., 504 E. Baker Street, Plant City, FL, and its registered agent is David Stratton who maintains a business office at 504 E. Baker Street, Plant City, FL. Both this Association's registered office and registered agent may be changed from time to time by the Board of Directors as provided by law.

ARTICLE III
PURPOSE

This Association does not contemplate pecuniary gain or profit to its members and the specific purposes for which it is formed are to provide for the maintenance, preservation, and architectural control of all common areas, specifically the surface water management system and other residential lots within that certain tract of property (hereinafter called the Property) in Hillsborough County, Florida and more particularly described as OAK POINTE, a parcel located in and being a part of the Southwest 1/4 of the Northwest 1/4 of Section 32, Township 28 South, Range 22 East, also being a part of Lots 1 and 4 in Block 1 and a part of Lot 23 in Block 2 and part of dedicated right of way for Lee Street in Oak Pointe Subdivision Unit 1, as recorded in Plat Book 50, page 19 of the Public Records of Hillsborough county, Florida, and also being a part of Lots 3, 4, 4, and 6 and portions of dedicated right of ways in plat of Whitehurst's Subdivision, described as Oak Pointe, as recorded in Deed Book 82, Page 58 of the Public Records of Hillsborough County, Florida.

ARTICLE IV
POWERS

Without limitation this Association is empowered to:

(a) Declaration. Exercise all rights, powers, privileges and perform all duties of this Association set forth in that certain Declaration of Covenants, Conditions, and Restrictions (hereinafter called the Declaration) applicable to the property and recorded or to be recorded in Public Records of Hillsborough 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 in full;

(b) Property. In any lawful manner, acquire, own, hold, improve, manage, operate, maintain, repair, replace, operate, convey, sell, lease, transfer, assign, and otherwise dispose of property of any nature whatsoever including but not limited to: real, personal, mixed, tangible or intangible, in connection with this Association's affairs.

(c) Assessments. Fix, levy, collect, and enforce by any lawful means all charges or assessments established by, or pursuant to, the Declaration; and to use and expend the proceeds of assessments in the exercise of its powers and duties hereunder.

(d) Costs. Pay all costs, expenses, and obligations lawfully incurred in connection with this Association's affairs including, without limitation, all licenses, taxes, or other governmental charges levied or imposed against this Association's property.

(e) Borrowing. Borrow money and, with the approval of seventy-five percent (75%) of each class of members, mortgage, pledge, deed in trust, hypothecate, assign, grant security interests in, or otherwise transfer any or all of its property as security for money borrowed, debts incurred, or any of its other obligations.

(f) Dedications. With the approval of seventy-five percent (75%) of the members, dedicate, sell or transfer all or any part of its property to any public agency, authority, or utility for such purposes, and subject to such conditions, as seventy-five percent (75%) of the members determine.

(g) Mergers. The Association may be merged with another Homeowners Association as per the DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS OF Oak Pointe, Article VI, Section 1b).

(h) Rules. From time to time adopt, alter, amend, rescind, and enforce reasonable rules and regulations governing the use of the Lots, Common Area, and Corporate Property consistent with the rights and duties established by the Declaration and these Articles.

(i) General. Have and exercise all common law rights, powers, and privileges and those that a corporation not for profit may now or hereafter have or exercise under the laws of the State of Florida, together with all other rights, powers, and privileges reasonable to be implied from the existence of any right, power, or privilege so granted, or granted by the Declaration of these Articles, or reasonable necessary to effectuate the exercise of any right, power, or privilege so granted.

(j) Enforcement. To enforce by legal means the obligations of the members of the corporation; the provisions of the Declaration, and the provisions of the dedication or conveyance of the Corporate Property to the corporation with respect to the use and maintenance thereof.

ARTICLE V

MEMBERSHIP

Every person who from time to time holds the record fee simple title to, or any undivided fee simple interest in any Lot that is subject to the provisions of the Declaration is a member of this Association,

including contract sellers, but excluding all of the persons who hold any interest in any Lot merely as security for the performance of an obligation. An Owner of more than one Lot is entitled to one membership for each Lot owned. Membership is appurtenant to, and may not be separated from, ownership of at least one Lot that is subject to the provisions of the Declaration, and membership may not be transferred other than by transfer of title to such Lot. Each membership is transferred automatically by conveyance of title of a Lot. An Owner who is contract vendor may assign his membership and voting rights to a contract vendee in possession.

ARTICLE VI

VOTING RIGHTS

The Association shall have two classes of voting membership:

Class A. Class A members shall be all Owners, with the exception of the Declarant (as defined in the Declaration), and shall be entitled to one vote for each Lot owned. 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 shall be the Declarant, and shall be entitled to three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership on the happening of the following events, whichever occurs earlier:

- (a) when the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership; or
- (b) on the anniversary date three years from the date when the first Lot is conveyed to an individual purchaser.

ARTICLE VII

BOARD OF DIRECTORS

Section 1. This Association's affairs are managed by a Board of Directors initially composed of three Directors. The number of Directors from time to time may be changed by amendment to this Association's Bylaws, but at all times it must be an odd number of three or more. The initial Directors named below shall serve until this Association's first annual meeting. The term of office for all Directors is one year., Before any such annual meeting, all vacancies occurring on the Board of Directors, if any, will be filled by majority vote of the remaining Directors, even if less than a quorum. Any Director may succeed himself or herself in office. All Directors will be elected by secret written ballot. At this 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. Each member may cast as many votes for each vacancy as such member has; and the person receiving the largest number of votes cast for each vacancy is elected. Cumulative voting is not permitted. Directors need not be Association members.

Section 2. The names and addresses of the persons who will serve as Directors until their successors have been fully elected and qualify, unless they sooner die, resign, or are removed, are:

David Stratton
Gulf Coast Dream Homes, Inc.
504 E. Baker Street
Plant City, FL 33566

Mary H. Stratton
Gulf Coast Dream Homes, Inc.
504 E. Baker Street
Plant City, FL 33566

Clyde E. (Gene) Smith
Gulf Coast Dream Homes, Inc.
504 E. Baker Street
Plant City, FL 33566

ARTICLE VIII

INCORPORATOR

The name and address of the incorporator is:

David Stratton
Gulf Coast Dream Homes, Inc.
504 E Baker Street
Plant City, FL 33566

ARTICLE IX

DISSOLUTION

This Association may be dissolved in the manner from time to time as provided by the laws of the State of Florida and with the assent given in writing and signed by not less than two-thirds (2/3) of each class of members. Upon dissolution of this Association in any manner other than incident to a merger or consolidation, all of this Association's assets must be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. If dedication is refused, such assets must be granted, conveyed, and assigned to any nonprofit corporation, association, trust, or other organization to be devoted to such similar purposes. In no event, however, may any assets inure to the benefit of any member or other private individual.

ARTICLE X

DURATION

This Association exists for so long as the Properties are used in whole or in part as a residential community and, in all events, for at least twenty-five (25) years following the date the Declaration is recorded, after which time it shall be automatically extended for successive periods of ten (10) years.

ARTICLE XI

BYLAWS

This Association's Bylaws initially will be adopted by the Board of Directors. Thereafter, the Bylaws may be altered, amended, or rescinded with the approval of seventy-five percent (75%) of each class of members, except as those provisions for Amendment to the Bylaws which are provided in the Declaration or any supplemental Declaration in which case those provisions shall control such Amendments.

ARTICLE XII

AMENDMENTS

Amendments to these Articles may be proposed and adopted in the manner from time to time provided by the laws of the State of Florida, provided that each such amendment must have the approval in writing of seventy-five percent (75%) of each class of members, except as to those provisions for Amendment to the Bylaw which are provided in the Declaration or any Supplemental Declaration in which case those provisions shall control such Amendments.

ARTICLE XIII

INTERPRETATION

Express reference is made to the Declaration where necessary to interpret, construe, and clarify the provisions of the Articles. Without limitation, all terms defined in the Declaration have the same meaning where used in these Articles. By subscribing and filing these Articles, the incorporators intend its provisions to be consistent with the provisions of the Declaration and to be interpreted, construed, and applied with those of the Declaration to avoid inconsistencies or conflicting results.

ARTICLE XIV

FHA/VA APPROVAL

As long as there is a Class B membership, the following actions will require the prior approval of the Federal Housing Administration or the Veterans Administration:

annexation of additional properties, mergers and consolidations, mortgaging of Common Area, dedication of Common Areas, dissolution and amendment of these Articles, except as provided for under Article IV (g).

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, I, the undersigned, constituting the incorporator of this Association, have executed these Articles of Incorporation this 22ND day of MARCH, 1999.

David Stratton
David Stratton, Incorporator

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

NEW OAK POINTE HOMEOWNERS' ASSOCIATION, INC., desiring to organize under the laws of the State of Florida, as a corporation not for profit with its principal office, as indicated in its Articles of Incorporation, at 504 E. Baker Street, Plant City, Florida, 33566, County of Hillsborough, State of Florida, has named David Stratton, whose business office is Gulf Coast Dream Homes, Inc., 504 E. Baker Street, Plant City, Florida, 33566, as its registered agent to accept service of process within Florida.

ACCEPTANCE AS REGISTERED AGENT

Having been named as registered agent and to accept service or process for the foregoing corporation at the place designated in this certificate, I hereby and accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes, including the duties and obligations imposed by Section 617.0503, relative to proper and complete performance of my duties and I am familiar with and accept the obligations of my position as registered agent.

David Stratton
Registered Agent

Date: 22 MAR 1999

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99 MAR 23 PM 1:02
SECRETARY OF STATE
TALLAHASSEE, FLORIDA