

N99000001901



ACCOUNT NO. : 072100000032

REFERENCE : 184284 9796A

AUTHORIZATION :

COST LIMIT : \$ PPD

ORDER DATE : March 26, 1999

ORDER TIME : 10:55 AM

ORDER NO. : 184284-005

CUSTOMER NO: 9796A

CUSTOMER: Ms. Katheryn O. Terwillinger
CHESSER WINGARD BARR WHITNEY
CHESSER WINGARD BARR WHITNEY
1201 Eglin Parkway

Shalimar, FL 32579

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-03/26/99--01075--003
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DOMESTIC FILING

NAME: SWIFT CREEK COMMUNITY OWNERS'
ASSOCIATION, INC.

EFFECTIVE DATE:

XX ARTICLES OF INCORPORATION
 CERTIFICATE OF LIMITED PARTNERSHIP

PLEASE RETURN THE FOLLOWING AS PROOF OF FILING:

XX CERTIFIED COPY
 PLAIN STAMPED COPY
 CERTIFICATE OF GOOD STANDING

CONTACT PERSON: Christopher Smith

EXAMINER'S INITIALS:

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
99 MAR 26 PM 1:42

99 MAR 26 PM 11:19
DIVISION OF CORPORATIONS
3/26/99

This instrument was prepared
by D. Michael Chesser
Chesser, Wingard, Barr & Fleet, P.A.
1201 Eglin Parkway
Shalimar, Florida 32579
(850) 651-9944
Florida Bar Number: 144850

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS

99 MAR 26 PM 1:43

ARTICLES OF INCORPORATION

OF

SWIFT CREEK COMMUNITY OWNERS' ASSOCIATION, INC.

In order to form a corporation under and in accordance with the provisions and the laws of the State of Florida for the formation of a corporation not for profit, we hereby associate ourselves into a corporation for the purposes and the powers stated in the Articles: to that end we do, by these Articles of Incorporation, set forth the following:

ARTICLE I

The name of the corporation shall be **Swift Creek Community Owners' Association, Inc.**, referred to in these Articles as the "Association", whose business will be conducted from and in the State of Florida.

ARTICLE II

The general nature, objects and purposes of this Association is to provide an organization through which the community project to be known as **Swift Creek Community**, in Niceville, Florida, Okaloosa County, Florida is to be operated. This Association shall operate pursuant to the non-profit corporation statutes of the State of Florida, and the Declaration of Covenants, Conditions, Restrictions and Easements of Swift Creek Community.

ARTICLE III

The principal office of the corporation will be c/o C. Walter Ruckel, Ruckel Properties, Inc., 17 North John Sims Parkway, Valparaiso, Florida 32580.

ARTICLE IV

The term for which this corporation is to exist shall be perpetual.

ARTICLE V

The address of the initial registered agent of the corporation in the State of Florida shall be 17 North John Sims Parkway, P.O. Box 187, Valparaiso, Florida 32580. The name of the initial registered agent of the corporation at the above address shall be **Herbert W. Pangle**. The shareholder may from time to time change the registered office to any other address in the State of Florida or change the registered agent.

ARTICLE VI

The names and addresses of the subscribers to these Articles are as follows:

C. Walter Ruckel	17 North John Sims Parkway P.O. Box 187 Valparaiso, Florida 32580
Robert Earl Carr	17 North John Sims Parkway P.O. Box 187 Valparaiso, Florida 32580
Herbert W. Pangle	17 North John Sims Parkway P.O. Box 187 Valparaiso, Florida 32580

ARTICLE VII

The right to membership in this corporation shall be as defined in the Declaration of Covenants, Conditions, Restrictions and Easements of Swift Creek Community Owners' Association, Inc. All owners within Swift Creek Community shall be members of this Association.

ARTICLE VIII

1. The affairs of the Association shall be managed by the President of the Association, the Secretary and Treasurer, and, if any, by the Assistant Secretary, subject to the directions of the Board.

2. The Board shall elect the President, Secretary, and Treasurer, and as many Vice Presidents, Assistant Secretaries and Treasurers as the Board shall, from time to time, determine. The President shall be elected from among the membership of the Board, but no other officer need be a member of the Board. The same person may hold two (2) offices, the duties of which are not incompatible, provided, however, the office of President and Vice President shall

not be held by the same person, nor shall the office of President and Secretary or Assistant Secretary be held by the same person.

ARTICLE IX

The number of members of the first Board of Directors shall be three (3). The names and addresses of the first Board of Directors shall be as follows:

C. Walter Ruckel	17 North John Sims Parkway P.O. Box 187 Valparaiso, Florida 32580
Robert Earl Carr	17 North John Sims Parkway P.O. Box 187 Valparaiso, Florida 32580
Herbert W. Pangle	17 North John Sims Parkway P.O. Box 187 Valparaiso, Florida 32580

2. The first election by the members of the Association for Directors shall be held within one (1) year. At that election, three (3) directors shall be elected. Thereafter, at each annual meeting, vacancies in the Board shall be filled by election. Any vacancy between annual meetings shall be filled for the remainder of the terms of the vacant seat, by the Board of Directors.

ARTICLE X

Every Director and every Officer of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees reasonably incurred by or imposed upon him in connection with the proceeding to which he may become involved, by reason of his being or having been a director or officer of the Association, or any settlement thereof, whether or not he is a director or officer at the time such expenses are incurred except in such cases wherein the Director or Officer is adjudged guilty of willful misfeasance or malfeasance in the performance of his duties; provided that in the event of a settlement, the indemnification herein shall apply only when the Board approves such settlement and reimbursement as being for the best interest of the Association.

ARTICLE XI

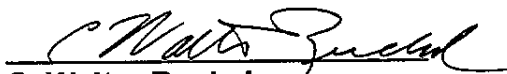
The By-Laws of the Association shall be adopted by the first board and thereafter may be altered, amended or rescinded in the same manner set forth in the By-Laws.

ARTICLE XII

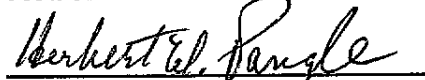
The Articles may be amended in the following manner:

1. Notice of the subject matter of the proposed amendment shall be included in the notice of any meeting at which such proposed amendment is considered.
2. A resolution adopting a proposed amendment may be proposed by the Board of the Association, and after being proposed, it must be submitted for approval of a majority of the members of the Association.

IN WITNESS WHEREOF, the undersigned have made and subscribed of these Articles of Incorporation at Valparaiso, Florida on the 25th day of March, 1999.


C. Walter Ruckel

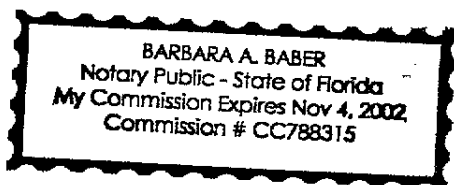

Robert Earl Carr


Herbert W. Pangle

STATE OF FLORIDA
COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this 25th day of March, 1999, by **C. Walter Ruckel**, who is personally known to me or who has produced his driver's licenses as identification.

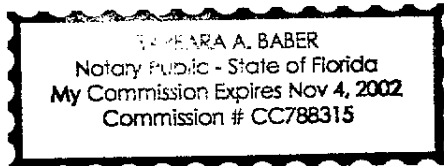
(Seal)




Notary Public

STATE OF FLORIDA
COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this 25th day of March, 1999, by **Robert Earl Carr**, who is personally known to me or who has produced his driver's licenses as identification.

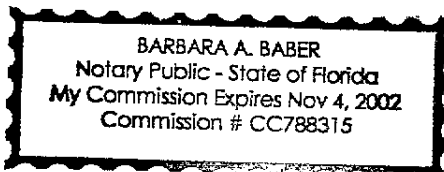


(Seal)

Barbara A. Baber
Notary Public

STATE OF FLORIDA
COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this 25th day of March, 1999, by **Herbert W. Pangle**, who is personally known to me or who has produced his driver's licenses as identification.



(Seal)

Barbara A. Baber
Notary Public

STATE OF FLORIDA
COUNTY OF OKALOOSA

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
99 MAR 26 PM 1:43

ACCEPTANCE BY REGISTERED AGENT

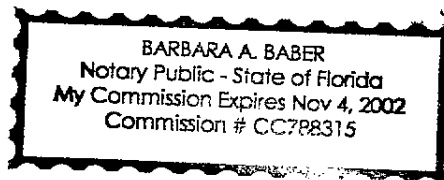
I, **Herbert W. Pangle**, having been named to accept service of process and hereby act in this capacity and agree to comply with the provisions of said act relative to keeping open said office.


Herbert W. Pangle
Registered Agent

STATE OF FLORIDA
COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this 25th day of March, 1999, by **Herbert W. Pangle**, who is personally known to me and who did/did not take an oath.

(Seal)




Notary Public