

N990000001971

**CAPITAL CONNECTION, INC.**

417 E. Virginia Street, Suite 1 • Tallahassee, Florida 32302  
(850) 224-8870 • 1-800-342-8062 • Fax (850) 222-1222

Scottsdale Patio Homes  
Property Owner's Association,  
Inc

800002812978-3  
-03/22/99-01040-009  
\*\*\*\*\*78.75 \*\*\*\*\*78.75

- FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS
- 99 MAR 30 PM 1:06
- ☒ Art of Inc. File \_\_\_\_\_
- ☐ LTD Partnership File \_\_\_\_\_
- ☐ Foreign Corp. File \_\_\_\_\_
- ☐ L.C. File \_\_\_\_\_
- ☐ Fictitious Name File \_\_\_\_\_
- ☐ Trade/Service Mark \_\_\_\_\_
- ☐ Merger File \_\_\_\_\_
- ☐ Art. of Amend. File \_\_\_\_\_
- ☐ RA Resignation \_\_\_\_\_
- ☐ Dissolution / Withdrawal \_\_\_\_\_
- ☒ Annual Report / Reinstatement \_\_\_\_\_
- ☐ Cert. Copy \_\_\_\_\_
- ☐ Photo Copy \_\_\_\_\_
- ☐ Certificate of Good Standing \_\_\_\_\_
- ☐ Certificate of Status \_\_\_\_\_
- ☐ Certificate of Fictitious Name \_\_\_\_\_
- ☐ Corp Record Search \_\_\_\_\_
- ☐ Officer Search \_\_\_\_\_
- ☐ Fictitious Search \_\_\_\_\_
- ☐ Fictitious Owner Search \_\_\_\_\_
- ☐ Vehicle Search \_\_\_\_\_
- ☐ Driving Record \_\_\_\_\_
- ☐ UCC 1 or 3 File \_\_\_\_\_
- ☐ UCC 11 Search \_\_\_\_\_
- ☐ UCC 11 Retrieval \_\_\_\_\_
- ☐ Courier \_\_\_\_\_
- 99 MAR 22 AM 9:45  
DIVISION OF CORPORATIONS
- 5087-143  
013

Signature \_\_\_\_\_

Requested by:                     

Name

Date

Time

Walk-In \_\_\_\_\_

Will Pick Up \_\_\_\_\_



FLORIDA DEPARTMENT OF STATE

Katherine Harris  
Secretary of State

March 22, 1999

CAPITAL CONNECTION, INC.  
417 E. VIRGINIA STREET, STE. 1  
TALLAHASSEE, FL 32302

SUBJECT: SCOTTSDALE PATIO HOMES PROPERTY OWNER'S  
ASSOCIATION, INC.  
Ref. Number: W99000006803

We have received your document for SCOTTSDALE PATIO HOMES  
PROPERTY OWNER'S ASSOCIATION, INC. and your check(s) totaling \$78.75.  
However, the enclosed document has not been filed and is being returned for the  
following correction(s):

You must list the corporation's principal office and/or a mailing address in the  
document.

The registered agent and street address must be consistent wherever it appears  
in your document.

The document must contain a registered agent with a Florida street address and  
a signed statement of acceptance. (i.e. I hereby am familiar with and accept the  
duties and responsibilities of Registered Agent.)

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: 799A00013997

**ARTICLES OF INCORPORATION**

**OF**

**SCOTTSDALE PATIO HOMES**

**PROPERTY OWNERS' ASSOCIATION, INC.**

FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
99 MAR 30 PM 1:06

WE, the undersigned, acting as incorporators of a non-profit corporation under Chapter 617 of the Florida Statutes, do hereby adopt the following articles of incorporation for such corporation.

**ARTICLE I**

The name of the corporation (hereinafter called the "Association") is SCOTTSDALE PATIO HOMES PROPERTY OWNERS' ASSOCIATION, INC..

**ARTICLE II**

The specific primary purposes for which the Association is formed are to provide for maintenance, preservation, and architectural control of the lots and common areas within a certain subdivided tract of real property described as follows: SCOTTSDALE PATIO HOMES, Plat Book 106, at Page 11, of the Public Records of Polk County, Florida, and to promote the health, safety, and welfare of the owners and occupants within the above-described subdivision and such additions thereto as may hereafter be brought within the jurisdiction of the Association for such purpose.

In furtherance of such purposes, the Association shall have power to:

- a) Perform all of the duties and obligations of the Association as set forth in a certain Declaration of Covenants, Conditions and Restriction for SCOTTSDALE PATIO HOMES (the "Declaration") applicable to the subdivision recorded in Plat Book , 106 at Page 11, of the Public Records of Polk County, Florida.
- b) Affix, levy and collect, and enforce payment by any lawful means of all charges and assessments pursuant to the terms of the Declaration; and pay all expenses in connection therewith, and all office and other expenses incidental to the conduct of the business of the Association, including all licenses, taxes, or governmental charges levied on or imposed against the property of the Association;
- c) Acquire (by gift, purchase, or otherwise), own, hold and improve, build upon, operate maintain, convey, sell, lease, transfer, dedicate to public use, or otherwise dispose of real and personal property in connection with the affairs of the Association;
- d) Borrow money and, subject to the consent by vote or written instrument of two-thirds of each class of members, mortgage, pledge, convey by Deed of 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 the common areas to any municipality, public agency, authority, or utility for such purposes and subject to such conditions as may be agreed upon by the members.
- f) Participate in mergers and consolidations with other non-profit corporations organized for the same purposes, or annex additional property or common areas, provided that any merger, consolidation, or annexation shall have the assent by vote or written instrument of two-thirds of each class of members.
- g) Have and exercise any and all powers, rights, and privileges that a non-profit corporation organized under Chapter 617 of the Florida Statutes by law may now or hereafter have or exercise.
- h) Operate and maintain common property, specifically the surface water management system as permitted by the Southwest Florida Water Management District including all lakes, retention areas, culverts, and related appurtenances.

The Association is organized and shall be operated exclusively for the purposes set forth above. The activities of the Association will be financed by assessments against members as provided in the Declaration, and no part of any net earnings of the Association will inure to the benefit of any member.

### ARTICLE III

Every person or entity who is a record owner of a fee or undivided fee interest in any lot which is subject to the covenants of record at assessment by the Association, shall be a member of the Association, provided that any such person or entity who holds such interest merely as security for the performance of an obligation shall not be a member. The membership requirement shall not apply to any mortgagee or third person. The record owner may designate that the occupant of a lot be a member in his place.

### ARTICLE IV

The period of duration of the Association shall be perpetual.

### ARTICLE V

The name and residence address of each subscriber is:

Name: Joseph J. Nolan  
Address: 1666 Williamsburg Square, Ste. 300  
City/State: Lakeland, Florida 33803

## ARTICLE VI

The affairs of the Association shall be managed by a Board of Directors.

## ARTICLE VII

The number of persons constituting the first Board of Directors of the Association shall be three (3) and the names and addresses of the persons who shall serve as Directors until the first election are:

<u>Name:</u>	<u>Address:</u>
Tom Sheridan	1401 South Florida Avenue Lakeland, Florida 33803
Martin E. Higgenbotham	1666 Williamsburg Square Lakeland, Florida 33803
George L. Mitchell	1310 East Lemon Street Lakeland, Florida 33801

The Directors shall be elected in accordance with the bylaws at each annual meeting of the corporation as further set out in the bylaws.

## ARTICLE VIII

The bylaws of the Association may be made, altered, Or rescinded at any annual meeting of the Association, or at any special meeting duly called for such purpose, on the affirmative vote of two-thirds of members existing at the time and present at such meeting except that the initial bylaws of the Association shall be made and adopted by the Board of Directors.

## ARTICLE VIII

Amendments to these Articles of Incorporation may be proposed by any member of the Association. These articles may be amended at any annual meeting of the Association, or at any special meeting duly called and held for such purpose, on the affirmative vote of a majority of each class of members existing at the time of and present at such meeting.

## ARTICLE X

The street address of the initial registered office is 1666 Williamsburg Square, Ste. 300, Lakeland, Florida 33803 and the name of the initial registered agent at that office is Joseph J. Nolan.

**Section 1.** The officers of the corporation shall be a President, a Vice-President, and a Secretary-Treasurer and such other officers as may be provided in the bylaws.

**Section 2.** The names of the persons who are to serve as officers of this corporation until the first meeting of the Board of Directors are:

<u>Name:</u>	<u>Address:</u>
Tom Sheridan	1401 South Florida Avenue Lakeland, Florida 33803
Martin E. Higgenbotham	1666 Williamsburg Square Lakeland, Florida 33803
George L. Mitchell	1310 East Lemon Street Lakeland, Florida 33801

**Section 3.** The officers shall be elected at the annual meeting of the Board of Directors or as otherwise provided in the bylaws.

**Section 4.** The duties of said officers shall be as described in the bylaws to the corporation.

**Section 5.** The address of the corporation is:

Address: 1310 East Lemon Street  
City/State: Lakeland, Florida 33801

#### ARTICLE XI

**Section 1.** Individual or member. NO Part of the earnings of this corporation shall inure to the benefit of any

**Section 2.** The corporation shall not carry on propaganda or otherwise act to influence legislation.

#### ARTICLE XII

On dissolution, the assets of the Association shall be distributed to an appropriate public agency to be used for purposes similar to those for which the Association was created. In the event such distribution is refused acceptance, such assets shall be granted, conveyed, and assigned to any nonprofit corporation, association, trust, or other organization organized and operated for such similar purposes.

Executed at Lakeland, Florida, on March 25, 1999.

  
Joseph J. Nolan

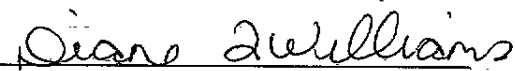
STATE OF FLORIDA  
COUNTY OF POLK

I **HEREBY CERTIFY** that on this 25th day of March, 1999, before me, an officer duly qualified to take acknowledgements, personally appeared **Joseph J. Nolan**, well known to me as the persons described in and who executed the foregoing instrument and acknowledged before me the execution of same and they did not take an oath.

**WITNESS** my hand and official seal in the County and State last aforesaid this 25th day of March, 1999.

My Commission Expires:



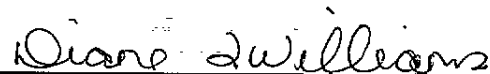
  
NOTARY PUBLIC  
Printed Name: Diane L. Williams

**ACCEPTANCE OF REGISTERED AGENT**

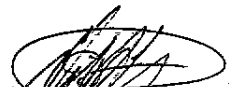
I, Joseph J. Nolan, am familiar with and accept the duties and responsibilities of the Registered Agent.

Executed at Lakeland, Florida this 25th day of March, 1999.

Witnesses as to Registered Agent:

  
Witness Printed Name: Diane L. Williams

  
Joseph J. Nolan, Registered Agent

  
Witness Printed Name: Victor R. Flack

STATE OF FLORIDA  
COUNTY OF POLK

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgements, personally appeared JOSEPH J. NOLAN, well known to me as the person described in and who executed the foregoing instrument and acknowledged before me the execution of same and he did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 25th day of March, 1999.

My Commission Expires:

(SEAL)



Diane L. Williams  
NOTARY PUBLIC  
Printed Name: Diane L. Williams

FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
99 MAR 30 PM 1:06