



**FLORIDA DEPARTMENT OF STATE**

**Sandra B. Mortham**  
Secretary of State

September 25, 1997

**KEITH H. WADSWORTH, ESQ.**  
**PETERSON & MYERS, P.A.**  
**P O BOX 1079**  
**LAKE WALES, FL 33853**

The Articles of Incorporation for HART LAKE HILLS HOMEOWNERS ASSOCIATION, INC. were filed on September 18, 1997 and assigned document number N97000005463. Please refer to this number whenever corresponding with this office regarding the above corporation. The certification you requested is enclosed.

**PLEASE NOTE: COMPLIANCE WITH THE FOLLOWING PROCEDURES IS ESSENTIAL TO MAINTAINING YOUR CORPORATE STATUS. FAILURE TO DO SO MAY RESULT IN DISSOLUTION OF YOUR CORPORATION.**

**A CORPORATION ANNUAL REPORT MUST BE FILED WITH THIS OFFICE BETWEEN JANUARY 1 AND MAY 1 OF EACH YEAR BEGINNING WITH THE CALENDAR YEAR FOLLOWING THE YEAR OF THE FILING DATE NOTED ABOVE AND EACH YEAR THEREAFTER. FAILURE TO FILE THE ANNUAL REPORT ON TIME MAY RESULT IN ADMINISTRATIVE DISSOLUTION OF YOUR CORPORATION.**

**A FEDERAL EMPLOYER IDENTIFICATION (FEI) NUMBER MUST BE SHOWN ON THE ANNUAL REPORT FORM PRIOR TO ITS FILING WITH THIS OFFICE. CONTACT THE INTERNAL REVENUE SERVICE TO RECEIVE THE FEI NUMBER IN TIME TO FILE THE ANNUAL REPORT AT 1-800-829-3676 AND REQUEST FORM SS-4.**

*1-800-829-4933*

**SHOULD YOUR CORPORATE MAILING ADDRESS CHANGE, YOU MUST NOTIFY THIS OFFICE IN WRITING, TO INSURE IMPORTANT MAILINGS SUCH AS THE ANNUAL REPORT NOTICES REACH YOU.**

Should you have any questions regarding corporations, please contact this office at the address given below.

**Pamela Hall, Document Specialist**  
**New Filings Section**

**Letter Number: 397A00047523**



Department of State

I certify the attached is a true and correct copy of the Articles of Incorporation of HART LAKE HILLS HOMEOWNERS ASSOCIATION, INC., a Florida corporation, filed on September 18, 1997, as shown by the records of this office.

The document number of this corporation is N97000005463.

Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capitol, this the  
Twenty-fifth day of September, 1997



CR2EO22 (2-95)

Sandra B. Northam  
Secretary of State

**ARTICLES OF INCORPORATION  
OF  
HART LAKE HILLS HOMEOWNERS ASSOCIATION, INC.  
(a nonprofit corporation)**

FILED

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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

I, the undersigned natural person of legal age, who is a citizen of the State of Florida, acting as incorporator of a 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 (called the association) is **HART LAKE HILLS HOMEOWNER'S ASSOCIATION, INC.**

**ARTICLE II**

The association is a non-profit corporation.

**ARTICLE III**

The period of its duration is perpetual.

**ARTICLE IV**

The specific primary purposes for which the association is formed are to provide for maintenance, preservation and architectural control of the residence lots and common area within a certain subdivided tract of real property described on Exhibit "A" attached hereto and incorporated herein, and to promote the health, safety, and welfare of the residents 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 and Restriction (the declaration) applicable to the subdivision and as recorded in the public records of Polk County, Florida. Such declaration is incorporated by reference herein.

(b) Affix, levy, and collect all charges and assessments pursuant to the terms of the declaration, and enforce payment thereof by any lawful means; and pay all expenses in connection therewith, and all office and other expenses incident to the conduct of the business of the association, including all licenses, taxes, or governmental charges levied or imposed on the property of the association;



(c) Acquire, own, hold, improve, build on, 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 on by the members. No such dedication or transfer shall be effective unless an instrument has been signed by two-thirds of each class of members, agreeing to such dedication, sale, or transfer.

(f) Participate in mergers and consolidations with other nonprofit corporations organized for the same purposes, or annex additional residential property and common areas, provided that any merger, consolidation, or annexation shall have the consent 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 corporation organized under Chapter 617 of the Florida Statutes by law may now or hereafter have or exercise.

The association is organized and shall be operated exclusively for the aforementioned purposes. The activities of the association shall be financed by assessments on members as provided in the declaration, and no part of any net earnings shall inure to the benefit of any member.

## ARTICLE V

The street address of the initial registered office of the association is 400 Eagle Lake Loop Road, Winter Haven, FL 33882, and the name of its initial registered agent as such address is Leslie W. Dunson, Jr. The principal business address for the association is 400 Eagle Lake Loop Road, Winter Haven, FL 33882. The mailing address for the association is 400 Eagle Lake Loop Road, Winter Haven, FL 33882.

## ARTICLE VI

Every person or entity who is a record owner of a fee or undivided fee interest in any lot which is subject by covenants of record to assessments by the association, including contract sellers, but excluding persons holding title merely as security for performance of an obligation, shall be a member of the association. Membership shall be appurtenant to and may not be separated from ownership of a lot which is subject to assessment by the association.

## ARTICLE VII

The Association shall have two classes of voting membership:

1. **Class A:** The Class A members shall consist of all lot owners, except for the Developer, as defined in the declaration. Class A members shall be entitled to one vote per lot. When more than one person or entity holds an interest as an owner in any one lot, all such persons and entities shall be members of the association, but the single vote for such lot shall be cast as the majority in interest of such owners shall determine. In no event shall more than one vote be cast with respect to any one lot, except as provided below for Lots owned by the Developer.

2. **Class B:** The Class B member shall be the Developer, as defined in the declaration. As a Class B member, the Developer shall be entitled to four (4) votes for each lot owned by it. The Class B membership shall cease to exist and shall be converted to Class A membership upon the first to occur of either of the following two events:

- a. When the total votes outstanding in the Class A membership equals the total votes outstanding in the Class B membership; or
- b. When, in its discretion, the Developer voluntarily terminates in writing its Class B membership.

Upon the first to occur of the above two events and termination of the Class B membership, the Developer shall become a Class A member and shall be entitled to one vote for each lot owned by it.

## ARTICLE VIII

The number of directors constituting the initial board of directors of the association is three (3), and the names and addresses of the persons who are to serve as the initial directors are:

Leslie W. Dunson, Jr.  
400 Eagle Lake Loop Road  
Winter Haven, FL 33882

James E. Stephens, Jr.  
P.O. Box 589  
Winter Haven, FL 33882

Lisa Dunson  
P.O. Box 585  
Winter Haven, FL 33882

The directors shall be elected and serve according to manner set forth in the Bylaws of the association.

## ARTICLE IX

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.


## ARTICLE X

The name and street address of the incorporator is:

Leslie W. Dunson, Jr.  
400 Eagle Lake Loop Road  
Winter Haven, FL 33882

IN WITNESS WHEREOF, the undersigned, for the purpose of forming this corporation not for profit under the laws of the State of Florida, has executed these Articles of Incorporation this 27th day of August, 1997.

Signed, sealed and delivered  
in the presence of:

  
Print Name: Keith H. Wadsworth

  
Print Name: Andrea L. Porreca

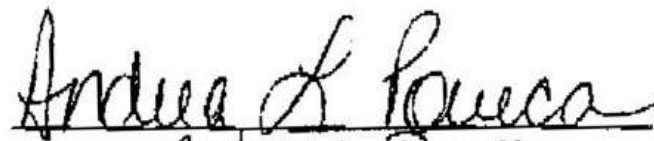
  
LESLIE W. DUNSON, JR.  
as incorporator

STATE OF FLORIDA

COUNTY OF POLK

The foregoing Articles of Incorporation was acknowledged before me this 27th day of August, 1997, by LESLIE W. DUNSON, JR., who is personally known to me or who has produced a drivers license as identification.



  
Notary Name: Andrea L. Porreca  
State of Florida  
My Commission Expires: 2/20/98

ACCEPTANCE OF REGISTERED AGENT

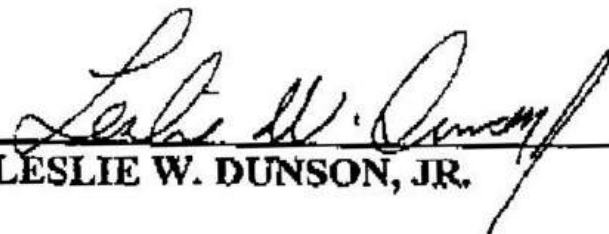
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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

Having been named as registered agent to accept service of process for the above named corporation, at the place designated, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I state that I am familiar with, and accept, the obligations of my position as registered agent.

Dated: August 22, 1997

  
LESLIE W. DUNSON, JR.

## EXHIBIT "A"

The S½ of SW¼ of SW¼, less Hwy right-of-way, of Section 13; and the N½ of NW¼ of NW¼, less Hwy right-of-way, of Section 24; and the S½ of NW¼ of NW¼, less Hwy right-of-way, of Section 24, and all being in Township 29 South, Range 26 East, Polk County, Florida.

AND

The W½ of SE¼ of SW¼ and riparian rights of Section 13; and the NE¼ of NW¼ of that part North of Lake Hart and riparian rights, of Section 24; and the E½ of SE¼ of SW¼ and riparian rights; less that certain parcel beginning 15 feet South and 15 feet West of NE corner of Section 13, thence run West 417 feet South 521 feet East 417 feet North 521 feet to point of beginning of Section 13, all being in Township 29 South, Range 26 East, of Polk County, Florida.