

ARTICLES OF INCORPORATION  
OF  
BEACON WOODS EAST HOMEOWNERS' ASSN., INC.

FILED  
APR 19 9 28 AM '82  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

In compliance with the requirements of Chapter 617, Florida Statutes (1980), the undersigned, all of whom are residents of the State of Florida and all of whom are of full age, have this day voluntarily associated themselves together for the purpose of forming a corporation not for profit and do hereby certify:

ARTICLE I

DEFINITIONS

A. As used in these Articles of Incorporation, the following terms shall be defined as hereinafter set forth:

1. The term "Association" shall mean this corporation.
2. The term "Declaration" shall mean the Declaration of Covenants, Conditions and Restrictions imposed upon the real property hereinafter described in Section A of Article III hereof by the recording of said Declaration in the Public Records of Pasco County, Florida, as said Declaration may be amended or supplemented from time to time.

3. The term "Master Declaration" shall mean the Master Declaration of Restrictions imposed upon any one (1) or more portions of the real property described in Exhibit B, attached hereto and by reference hereof made a part.

4. The term "Properties" shall mean all real property which is placed under the control of this Association pursuant to the Declaration and/or the Master Declaration, including but not limited to the real property described in Section A of Article III hereof.

5. The term "Common Area" shall mean all real property, including the improvements thereto, owned from time to time by the Association for the common use and enjoyment of the Owners. The Common Area to be owned by the Association at the time of the conveyance of the first Lot is described in Exhibit C to these Articles, said Exhibit being incorporated herein by reference.

6. The term "Parcel" shall mean and refer to all lands within the Properties which are not: (a) a Common Area, or (b) a Lot designed for

the construction of a single family residence and duly recorded as such on a subdivision plat, or (c) submitted to condominium or cooperative ownership with completed condominium units or cooperative apartments.

## ARTICLE II

### NAME

A. The name of the corporation is BEACON WOODS EAST HOMEOWNERS' ASSN., INC., a Florida corporation not for profit, and is heretofore and hereinafter called the "Association".

## ARTICLE III

### PURPOSE AND POWERS OF THE ASSOCIATION

A. The Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the residence Lots and Common Area within the certain tract of property described as :

Woodward Village Unit 1B, according to the plat thereof as recorded in Plat Book 20 at pages 113 through 116, inclusive, Public Records of Pasco County, Florida.

and such other property within the real property described in Exhibit A, attached hereto and by reference hereof made a part, as may from time to time be placed under the control of this Association pursuant to the Declaration or the Master Declaration and to promote the health, safety and welfare of the residents within the Properties and any additions thereto as may hereafter be brought within the jurisdiction of this Association and for this purpose to:

1. exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in the Declaration and in the Master Declaration, and as the same may be amended from time to time, said Declaration and Master Declaration being incorporated herein as if set forth at length;

2. fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration and the Master Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the con-

duct of the business of the Association, including all licenses, taxes or governmental charges levied or imposed against the Common Area and all other property of the Association;

3. acquire by gift, purchase or otherwise, own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;

4. borrow money, and with the assent of two-thirds (2/3) of the voting members of each class of members, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

5. dedicate, sell or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members; provided that no such dedication or transfer, except that made by the Declarant in the Declaration or any plat of any portion of the real property set forth in Exhibit A as a subdivision or condominium, shall be effective unless an instrument has been signed by a two-thirds (2/3) of each class of members having voting rights, agreeing to such dedication, sale or transfer;

6. participate in mergers and consolidations with other non-profit corporations organized for the same purposes or annex additional residential property and Common Area, provided that any such merger, or consolidation shall have the assent of two-thirds (2/3) of each class of members having voting rights.

7. have and to exercise any and all powers, rights and privileges which a corporation organized under Chapter 617, Florida Statutes (1980), as it may now or hereafter have or exercise.

#### ARTICLE IV

##### MEMBERSHIP AND VOTING RIGHTS

A. Every Owner of a Lot, as the terms "Owner" and "Lot" shall be defined in the Declaration and the Master Declaration, which is within the Properties and which is therefore subject to assessment, shall be a member of the Association. Membership shall be appurtenant to and

may not be separated from ownership of any Lot which is the subject to assessment.

B. The Association shall have not more than three (3) classes of membership as follows:

1. Every Owner of a Lot which is within the Properties and has been made subject to the Declaration shall be a Class A member of the Association. Class A membership shall be appurtenant to and may not be separated from ownership of any Lot. When fee simple title to a Lot is held by more than one (1) natural person, all such natural persons shall be Class A members.

2. The Declarants in the Declaration and Master Declaration shall be the Class B members of the Association until such Class B membership is converted to Class A membership as hereinafter set forth. The Class B membership shall cease and be converted to Class A membership on the happening of any of the following events, whichever earlier occurs:

(a) When the total votes outstanding in the Class A membership equals the total votes outstanding in the Class B membership; or

(b) On December 31, 1991; or

(c) When the Declarants waive in writing their rights to Class B membership.

3. Subject to the rights of the Board of Directors as set forth in the Master Declaration, any Owner of a Lot within the real property described in Exhibit B may become a Class C member of the Association upon such Owner causing to be recorded in the Public Records of Pasco County Florida, an instrument, duly executed by all the record Owners and Mortgagees of said Lot, which makes such Lot subject to each and every term, condition and covenant of the Master Declaration as a covenant running with the land.

C. Each class of membership of the Association shall have voting rights as follows:

1. There shall be one (1) vote for each Lot owned by one (1) or more Class A members, subject to the following requirements. As to

each Lot owned by one (1) or more Class A members, there shall be filed with the Secretary of the Association a "Voting Member Designation Certificate" which shall name one (1) and only one (1) of the Owners of such Lot as the "Voting Member" for that Lot. Such Certificate shall be signed by all of the Owners of such Lot and shall, upon filing with the Secretary of the Association, be effective until a new certificate is subsequently duly executed by all Owners and filed with the Secretary of the Association. Only the person named in such Certificate, or their duly appointed proxy, shall be allowed to cast the vote for the subject Lot. A Lot which does not have on record with the Secretary of the Association a valid Voting Member Designation Certificate shall not be entitled to a vote; nor shall such Lot be counted as existing for the purposes of determining any percentages or fractions for voting purposes under the Declaration, the Master Declaration, these Articles of Incorporation or the By-Laws.

2. There shall be three (3) votes for each Lot owned by the Class B member and forty (40) votes for each acre or fraction thereof contained within a Parcel; provided, however, that as to land which may be annexed or added to the Properties pursuant to the Declaration or the Master Declaration, the Declarant, as defined therein, shall be entitled to fifty-five (55) votes per acre or fraction thereof contained within a Parcel.

3. The Class C membership shall vote in a manner identical to that heretofore set forth for Class A members.

#### ARTICLE V

##### DURATION

A. The Association shall exist perpetually, unless terminated as otherwise provided in these Articles of Incorporation.

#### ARTICLE VI

##### SUBSCRIBERS

A. The names and residences of the subscribers of these Articles of Incorporation are:

J. MAURICE LAIDLAW

2494 Bayshore Blvd.  
Dunedin, Fl. 33528

FRANK A. HOSTICKA

2494 Bayshore Blvd.  
Dunedin, Fl. 33528

MARGARET M. NAVARRA

2494 Bayshore Blvd.  
Dunedin, Fl. 33528

#### ARTICLE VII

##### OFFICERS

A. The affairs of the Association are to be administered under the direction by the Board of Directors by a President, a Vice President, a Secretary, a Treasurer and such other officers as the Board of Directors may, from time to time, deem necessary. Such officers shall be elected annually at the annual meeting of the members of the Association as provided in the By-Laws. The names of the persons who are to serve as the initial officers until their succession at the first annual meeting of the members are as follows:

J. Maurice Laidlaw	as President
Frank A. Hosticka	as Vice President
Margaret M. Navarra	as Secretary
Frank A. Hosticka	as Treasurer

#### ARTICLE VIII

##### DIRECTORS

A. The affairs of the Association shall be managed by a Board of Directors which shall consist of not less than five (5) or more than fifteen (15) persons. The number of Directors shall be established from time to time, subject to the foregoing limitations, by the By-Laws; provided, however, that the initial Board of Directors of the Association shall consist of five (5) persons. The names and addresses of the persons who are to serve as the initial Directors of the Association until the first election of their successors as provided for in the By-Laws are as follows:

J. MAURICE LAIDLAW	2494 Bayshore Blvd. Dunedin, Fl. 33528
FRANK A. HOSTICKA	2494 Bayshore Blvd. Dunedin, Fl. 33528
MARGARET M. NAVARRA	2494 Bayshore Blvd. Dunedin, Fl. 33528

DAVID S. FORD

2494 Bayshore Blvd.  
Dunedin, Fl. 33528

CHARLES A. RETCHLESS

2494 Bayshore Blvd.  
Dunedin, Fl. 33528

#### ARTICLE IX

##### BY-LAWS

A. The initial By-Laws of the Association shall be adopted by the original Board of Directors and thereafter the By-Laws of the Association shall be made, altered or rescinded by the voting members of the Association in the manner set forth in the By-Laws.

#### ARTICLE X

##### AMENDMENT OF ARTICLES

A. These Articles of Incorporation may be amended, from time to time, by the assent of seventy-five (75) percent of the aggregate of Class A, Class B and Class C votes outstanding and duly qualified to vote at the time such amendment is made. Such amendment shall be proposed by a majority of the Board of Directors or by a written resolution executed by not less than a majority of Class A voting members and Class C voting members or by a written resolution executed by not less than a majority of Class B members.

#### ARTICLE XI

##### DISSOLUTION

A. The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each class of members having voting rights. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any non-profit corporation, association, trust or other organization to be devoted to such similar purposes.

#### ARTICLE XII

##### INDEMNIFICATION

A. The Association shall indemnify every officer and director

and every former officer and director to the fullest extent permitted by law.

ARTICLE XIII

FHA/VA APPROVAL

A. 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 (except individual Lots within the real property described in Exhibit B), dedication of Common Area, and amendment of these Articles of Incorporation.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, we, the undersigned, have executed these Articles of Incorporation this 12<sup>th</sup> day of

April, 1982.

*J. Maurice Laidlaw*  
J. MAURICE LAIDLAW

*Frank A. Hosticka*  
FRANK A. HOSTICKA

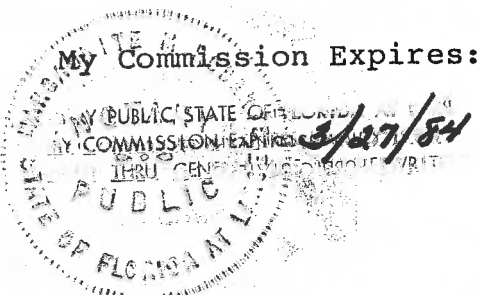
*Margaret M. Navarra*  
MARGARET M. NAVARRA

STATE OF FLORIDA )  
                                  ) SS  
COUNTY OF PINELLAS )

I HEREBY CERTIFY that on this day before me, a Notary Public duly authorized to take acknowledgements in the State and County aforesaid personally appeared J. Maurice Laidlaw, Frank A. Hosticka and Margaret M. Navarra to me known to be the persons described as Directors in and who acknowledged before me that they have executed these Articles of Incorporation.

WITNESS my hand and official seal in the County and State named above, this 13<sup>th</sup> day of April, 1982.

*Marguerite M. Roberts*  
NOTARY PUBLIC





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

FILED  
APR 19 9 28 AM '82  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

In compliance with Section 48.091, Florida Statutes, it is submitted that Beacon Woods East Homeowners' Assn., Inc., desiring to organize or qualify under the laws of the State of Florida, with its principal place of business in the City of Dunedin, State of Florida, has named Margaret M. Navarra, located at 2494 Bayshore Boulevard, City of Dunedin, State of Florida, as its Agent to accept service of process within the State of Florida.

SIGNATURE:

J. Maurice Laidlaw  
(CORPORATE OFFICER)

J. Maurice Laidlaw

TITLE: President

DATE:

April 12, 1982

Having been named to accept service of process for the above stated Corporation, at the place designated in this Certificate, I hereby agree to act in this capacity, and I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties.

SIGNATURE:

Margaret M. Navarra  
(RESIDENT AGENT)

Margaret M. Navarra

DATE:

April 12, 1982