

# State of Florida



Department of State

I certify the attached is a true and correct copy of the Articles of Incorporation, as amended to date, of TURNER TRACE TOWNHOMES OWNERS ASSOCIATION, INC., a corporation organized under the laws of the State of Florida, as shown by the records of this office.

The document number of this corporation is 761929.

Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capital, this the  
Twentieth day of July, 2012



CR2EO22 (1-11)

*Ken Detzner*

Ken Detzner  
Secretary of State

ALL-STATE LEGAL

EXHIBIT

A

761929

FILED

ARTICLES OF INCORPORATION

FEB 11 11 10 AM '82

OF

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

TURNER TRACE TOWNHOMES OWNERS ASSOCIATION, INC.

In compliance with the requirements of Chapter 617 of the Florida Statutes, the undersigned, all of whom are residents 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

NAME

The name of the corporation is TURNER TRACE TOWNHOMES OWNERS ASSOCIATION, INC., hereinafter called the "Association".

ARTICLE II

OFFICE

The principal office of the Association is located at 14916 Winding Creek Court, Suite B, Tampa, Florida 33612.

ARTICLE III

REGISTERED AGENT

Glee A. Triplett, whose address is 911 Church Street, Clearwater, Florida 33516, is hereby appointed the initial registered agent of this Association.

ARTICLE IV

PURPOSE AND POWERS OF THE ASSOCIATION

This Association does not contemplate pecuniary gain or profit to its members. The specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the Lots and Common Area attached hereto and made a part hereof (the "Property"), and to promote the health, safety and welfare of the residents within the Property and any additions thereto as may hereafter be brought within the jurisdiction of this Association. In furtherance of these purposes, the Association is empowered to:

(a) exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in that certain Declaration of Restrictions for Turner Trace, hereinafter called the "Declaration", applicable to the Property and recorded or to be recorded in the 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 at length;

(b) enforce the provisions of the Declaration in its name;

(c) fix, levy, collect and enforce payment of by any lawful means, all charges or assessments pursuant to the terms of the Declaration; and to 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 against the property of the Association;

(d) 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;

(e) collect and pay to the Master Association all amounts properly assessed against the Property under the terms of the Master Declaration, as such terms are defined in the Declaration;

(f) borrow money, and with the assent of two-thirds (2/3) of each class of members, mortgage, pledge, deed in trust, hypothecate, assign, grant security interests in or otherwise transfer any or all of its real or personal property as security for money borrowed, debts incurred, or any of its other obligations;

(g) dedicate, sell or transfer all or any part of the Common Area or its other property to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument of dedication or transfer has been signed by two-thirds (2/3) of each class of members, with the formalities from time to time required for a deed under the laws of the State of Florida;

(h) participate in mergers and consolidations with other nonprofit corporations organized for the same purposes, or annex additional residential property and Common Area, provided that any such merger, consolidation or annexation shall have the assent of two-thirds (2/3) of each class of members;

(i) from time to time adopt, alter, amend, rescind and enforce reasonable rules and regulations governing the use of the Lots and the Common Area, consistent with the terms of the Declaration and these Articles;

(j) have and exercise any and all powers, rights and privileges which a corporation not for profit organized under the laws of the State of Florida may now or hereafter have or exercise.

#### ARTICLE V

##### MEMBERSHIP

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 assessment by the Association, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest 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 shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment by the Association, and is transferred only and automatically by conveyance of title to a Lot; however, the foregoing shall not be construed to prohibit assignment of membership and voting rights by an Owner who is a contract seller to his vendee in possession.

#### ARTICLE VI

##### VOTING RIGHTS

The Association shall have two classes of voting membership:

Class A. So long as Class B membership exists, Class A members shall be all Owners, with the exception of the Declarant, with the exception of the Declarant, and shall be entitled to one vote for each Lot owned. If more than one person holds an interest in any Lot, all such persons shall be members, and 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. Prior to any meeting at which a vote is to be taken, each co-Owner must file the name of the voting co-Owner with the Secretary of the Association in order to entitle the voting co-Owner to vote at such meeting, unless such co-Owners have filed a general voting authority with the Secretary of the Association applicable to all votes until rescinded.

Class B. The Class B member(s) 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 one of the following events, whichever first occurs:

(a) when the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership;

(b) on \_\_\_\_\_, 19\_\_\_\_; or

(c) when the Declarant shall waive its right to Class B membership by an instrument recorded in the Public Records of Hillsborough County, Florida.

#### ARTICLE VII

##### BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of three (3) Directors, who need not be members of the Association. The number of Directors may be changed by amendment of the Bylaws of the Association, but at no time shall be less than three (3). The term of office for all Directors is one year, and any Director may succeed himself in office. All Directors shall be elected by secret written ballot at the annual meeting. Each member may cast as many votes for each vacancy as such member has under the provisions of Article VI of these Articles, and the person or persons, in the event there is more than one vacancy to be filled, receiving the largest number of votes cast by both classes of membership shall be elected to fill such vacancy or vacancies. Cumulative voting shall not be permitted. The names and addresses of the persons who are to serve as the initial Directors until the selection of their successors are:

<u>NAME</u>	<u>ADDRESS</u>
Thomas L. Cummings	14916 Winding Creek Court Suite B Tampa, Florida 33612
Everett Tucker	14916 Winding Creek Court Suite B Tampa, Florida 33612
Maynard Ramsey	P.O. Box 9066 Tampa, Florida 33674

#### ARTICLE VIII

##### OFFICERS

The affairs of the Association shall be administered by a President, a Vice President, a Secretary, a Treasurer and such other officers as may be designated by the Bylaws, and at the times and in the manner prescribed in the Bylaws. The names and addresses of the initial officers who shall serve until their death, resignation, removal or until successors are designated are as follows:

Everett Tucker President	14916 Winding Creek Court Suite B Tampa, Florida 33612
Thomas L. Cummings Vice President	14916 Winding Creek Court Suite B Tampa, Florida 33612
Maynard Ramsey Secretary; Treasurer	P.O. Box 9066 Tampa, Florida 33674

## ARTICLE IX

### INDEMNIFICATION

The Association shall, and does hereby, indemnify any person ("Indemnatee") for any and all liability arising from his official capacity or from any acts committed or failure to act by him in his official capacity as an officer or Director of the Association, including acts which are adjudged by a court of law to have constituted negligent or misconduct in the performance of his duty to the Association, and resulting from judgments, fines, or amounts paid in settlement which are incurred in any action, suit or proceeding, whether civil, criminal, administrative or investigative, and whether such action, suit or proceeding is brought by or in the right of the Association, or other parties; and whether such action, suit or proceeding is commenced during or subsequent to his tenure as an officer or director of the Association ("Proceedings").

The Association will reimburse Indemnitees for any and all actual and reasonable expenses, including, without limitation, attorneys' fees and court costs ("Expenses") as Expenses are incurred by Indemnitees in Proceedings. Notwithstanding anything to the contrary herein, the Association will not indemnify Indemnitees for any liability or expenses for actions which constitute gross negligence or willful misconduct, except where such actions are undertaken at the request of the Association. The indemnification provided in this Article shall be in addition to and shall not limit or modify any other rights to indemnity to which Indemnitees are entitled, including, without limitation, those conferred under Florida law or the Bylaws, Articles or any agreement executed by the Association.

## ARTICLE X

### DISSOLUTION; MERGER; CONSOLIDATION

The Association may be merged or consolidated with another association not for profit, or may be dissolved, with the assent given in writing and signed by not less than two-thirds (2/3) of each class of members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to the purposes of the Association set forth herein and in the Declaration.

## ARTICLE XI

### DURATION

The corporation shall exist perpetually.

## ARTICLE XII

### AMENDMENTS

Amendment of these Articles shall require the assent by vote of 75 percent (75%) of the votes entitled to be cast by the entire membership

## ARTICLE XIII

### INTERPRETATION

Express reference is made to the terms and provisions of the Declaration where necessary to interpret, construe and clarify the provisions of these Articles. All terms defined in the Declaration shall have the same meaning where used herein. To the extent possible, these Articles shall be construed; interpreted and applied in a manner consistent and not in conflict with the terms and application of the Declaration.



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 Area, dissolution and amendment of these Articles.


ARTICLE XV

SUBSCRIBERS

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

<u>NAME</u>	<u>ADDRESS</u>
Thomas L. Cummings	14916 Winding Creek Court Suite B Tampa, Florida 33612
Everett Tucker	14916 Winding Creek Court Suite B Tampa, Florida 33612
Glee A. Triplett	P.O. Box 1368 Clearwater, Florida 33517

IN WITNESS WHEREOF, the subscribers have affixed their signatures this 3rd day of February, 1982.

  
Thomas L. Cummings

  
Everett Tucker

  
Glee A. Triplett

STATE OF FLORIDA       )  
COUNTY OF HILLSBOROUGH )

BEFORE ME, the undersigned authority personally appeared Thomas L. Cummings and Everett Tucker, who, after being first duly sworn, acknowledged that they executed the foregoing Articles of Incorporation for the purposes therein expressed, this 3 day of February, 1982.

  
Notary Public

My commission expires:

Notary Public, State of Florida  
My Commission Expires: 12/31/84

STATE OF FLORIDA )  
COUNTY OF PINELLAS )

BEFORE ME, the undersigned authority personally appeared  
Glee A. Triplett, who, after being first duly sworn, acknowledged that  
she executed the foregoing Articles of Incorporation for the purposes  
therein expressed, this 4th day of February, 1982.

Notary Public  
Notary Public

RE151

My commission expires:

Notary Public, State of Florida  
My Commission Expires Aug. 10, 1985

Having been named to accept Service of Process for the above-stated corpor-  
ation, 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.

Glee A. Triplett  
Glee A. Triplett  
Registered Agent

Date: February 5, 1982

ARTICLES OF AMENDMENT TO ARTICLES OF INCORPORATION  
OF  
TURNER TRACE TOWNHOMES OWNERS ASSOCIATION, INC.

MAILED  
MAR 17 10 36 AM '82  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

The undersigned, as the president and secretary  
TURNER TRACE TOWNHOMES OWNERS ASSOCIATION, INC., do hereby  
certify that the Amendment provided for herein was adopted  
by the Board of Directors on the 16<sup>th</sup> day of MARCH, 1982.

1. Name of Corporation: TURNER TRACE TOWNHOMES  
OWNERS ASSOCIATION, INC.

2. Amendments Adopted:

A. The first two sentences of Article IV of the  
Articles are hereby amended to read as follows:

"This Association does not contemplate  
pecuniary gain or profit to its members. The  
specific purposes for which it is formed are  
to provide for maintenance, preservation and  
architectural control of the Lots and Common  
Area within the property described in Exhibit  
"A" attached hereto and made a part hereof  
(the "Property"), and to promote the health,  
safety and welfare of the residents within the  
Property and any addition thereto as may here-  
after be brought within the jurisdiction of  
this Association."

B. Exhibit "A" attached hereto and made a part  
hereof is hereby made a part of the Articles, being the legal  
description of the lands defined in the Articles as the Property.

C. Subparagraph (b) of Article VI is hereby amended  
to read as follows:

"(b) on January 1, 1985; or"

D. Article XII is hereby amended to read as follows:

"AMENDMENTS"

Amendment of these Articles shall require the  
assent by vote of seventy-five percent (75%)  
of the votes entitled to be cast by the entire  
membership. Amendments may be proposed by a  
majority of the Board of Directors or by persons  
entitled to cast twenty-five (25%) of the votes  
entitled to be cast by the entire membership."

A-2189



IN WITNESS WHEREOF, the undersigned have executed  
these Articles of Amendment on the 16<sup>th</sup> day of March,  
1982.

Everett H. Tucker  
Everett Tucker, President

Maynard S. Ramsey  
Maynard Ramsey, Secretary

STATE OF FLORIDA            )  
COUNTY OF HILLSBOROUGH )

The foregoing instrument was acknowledged before me  
this 16<sup>th</sup> day of March, 1982, by EVERETT TUCKER and  
MAYNARD RAMSEY, as President and Secretary, respectively, of  
TURNER TRACE TOWNHOMES OWNERS ASSOCIATION, INC., a Florida not  
for profit corporation, on behalf of the corporation.

My commission expires:

Notary Public, State of Florida at Large  
My Commission Expires Feb. 19, 1984

Corcoran D. Haynes  
Notary Public

11-2189

EXHIBIT "A"

TURNER TRACE UNIT 1

DESCRIPTION: A parcel of land lying in the Northeast  $\frac{1}{4}$  of Section 6, Township 28 South, Range 18 East, Hillsborough County, Florida, and being more particularly described as follows:

From the Southeast corner of said Section 6, run thence S. 89°55'33"W., 2,643.99 feet, along the South boundary of said Section 6, to the Southwest corner of the Southeast  $\frac{1}{4}$  of said Section 6; thence N. 01°27'25"W., 2,657.64 feet, along the West boundary of said Southeast  $\frac{1}{4}$ , to the Southwest corner of the aforesaid Northeast  $\frac{1}{4}$  of said Section 6; thence N. 01°26'20"W., 402.85 feet, along the West boundary of said Northeast  $\frac{1}{4}$  (also being the centerline of Turner Road); thence N. 88°33'40"E., 55.00 feet to the POINT OF BEGINNING; thence N. 01°26'20"W., 653.00 feet along a line lying 55.00 feet East of and parallel with the aforesaid West boundary of the Northeast  $\frac{1}{4}$  of Section 6; thence N. 88°33'40"E., 297.34 feet; thence S. 07°05'19"E., 59.46 feet; thence N. 84°54'41"E., 137.40 feet; thence S. 07°05'19"E., 605.51 feet; thence S. 88°33'40"W., 499.92 feet to the POINT OF BEGINNING.

Containing 6.84 acres more or less.

TURNER TRACE UNIT 2

DESCRIPTION: A parcel of land lying in the Northeast  $\frac{1}{4}$  of Section 6, Township 28 South, Range 18 East, Hillsborough County, Florida, and being more particularly described as follows:

From the Southeast corner of said Section 6, run thence S. 89°55'33"W., 2,643.99 feet, along the South boundary of said Section 6, to the Southwest corner of the Southeast  $\frac{1}{4}$  of said Section 6; thence N. 01°27'25"W., 2,657.64 feet, along the West boundary of said Southeast  $\frac{1}{4}$ , to the Southwest corner of the aforesaid Northeast  $\frac{1}{4}$  of said Section 6; thence N. 01°26'20"W., 402.85 feet, along the West boundary of said Northeast  $\frac{1}{4}$  (also being the centerline of Turner Road); thence N. 88°33'40"E., 55.00 feet; thence N. 01°26'20"W., 653.00 feet along a line lying 55.00 feet East of and parallel with the aforesaid West boundary of the Northeast  $\frac{1}{4}$  of Section 6 to the POINT OF BEGINNING; thence continue N. 01°26'20"W., 560.00 feet along a line lying 55.00 feet East of and parallel with the aforesaid West boundary of the Northeast  $\frac{1}{4}$  of Section 6; thence N. 88°33'40"E., 379.92 feet; thence S. 07°05'19"E. 613.41 feet; thence S. 84°54'41"W., 137.40 feet; thence N. 07°05'19"W., 59.46 feet; thence S. 88°33'40"W., 297.34 feet to the POINT OF BEGINNING.

Containing 5.41 acres, more or less.

A-2189

SPECIAL CORPORATE ACTION BY  
DIRECTORS OF  
TURNER TRACE TOWNHOMES OWNERS ASSOCIATION, INC.

The Directors of TURNER TRACE TOWNHOMES OWNERS ASSOCIATION, INC., a corporation not for profit organized and existing under the laws of the State of Florida, do hereby unanimously agree, consent to, adopt and order the following corporate action:

1. Each of the undersigned does hereby waive all formal requirements, including the necessity of holding a formal or informal meeting, and any requirements that notice of such meeting be given.
2. The sole purpose of the meeting concerned amending the Articles of Incorporation ("Articles"). After discussion, the following resolution was adopted:

A. The first two sentences of Article IV of the Articles are hereby amended to read as follows:

"This Association does not contemplate pecuniary gain or profit to its members. The specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the Lots and Common Area within the property described in Exhibit "A" attached hereto and made a part hereof (the "Property"), and to promote the health, safety and welfare of the residents within the Property and any addition thereto as may hereafter be brought within the jurisdiction of this Association."

B. Exhibit "A" attached hereto and made a part hereof is hereby made a part of the Articles, being the legal description of the lands defined in the Articles as the Property.

C. Subparagraph (b) of Article VI is hereby amended to read as follows:

"(b) on January 1, 1985; or"

D. Article XII is hereby amended to read as follows:

"AMENDMENTS

Amendment of these Articles shall require the assent by vote of seventy-five percent (75%)

A-2189

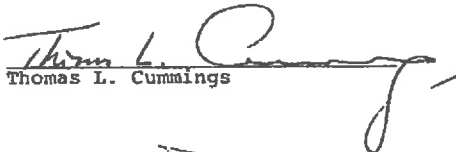
of the votes entitled to be cast by the entire membership. Amendments may be proposed by a majority of the Board of Directors or by persons entitled to cast twenty-five (25%) of the votes entitled to be cast by the entire membership."

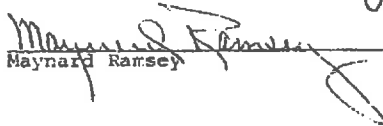
3. The action contained herein was approved on the 16<sup>th</sup> day of March, 1982, and shall be effective as of the 16<sup>th</sup> day of March, 1982, unless otherwise indicated.

IN WITNESS WHEREOF, the undersigned have each executed the foregoing Special Corporation Action by Directors for the purpose of giving their consent thereto.

DIRECTORS:

  
Everett Tucker

  
Thomas L. Cummings

  
Maynard Ramsey

A-2189