

# Lake Heather Oaks Board of Directors Manual



## **Articles of Incorporation**

By Kevin A. Wilkins  
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MAY 11 1965  
HILLSBOROUGH COUNTY  
FLORIDA

ARTICLES OF INCORPORATION

OF

LAKE HEATHER OAKS HOMEOWNERS' ASSOCIATION, INC.

In compliance with the requirements of Florida Statute 617, the undersigned, all of whom are residents of Hillsborough County, 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 LAKE HEATHER OAKS HOMEOWNERS' ASSOCIATION, INC., a Florida not for profit corporation, hereafter called the "Association".

ARTICLE II

PRINCIPAL OFFICE

The principal office of the Association is located at 5911-D Breckenridge Parkway, Tampa, Hillsborough County, Florida, 33610, or such other place as the Board of Directors of the Association may designate from time to time.

ARTICLE III

RESIDENT AGENT

James Mancuso, whose address is 5911-D Breckenridge Parkway, Tampa, Florida 33610, is hereby appointed the initial Resident Agent of this Association.

ARTICLE IV

PURPOSE AND POWERS OF THE ASSOCIATION

This 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 that certain tract of property described as:

SEE ATTACHED EXHIBIT A

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and to promote the health, safety and welfare of the residents within the above-described property and any additions thereto as may hereafter be brought within the jurisdiction of this Association and for this purpose 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 Covenants, Conditions and Restrictions, hereinafter called the "Declaration", applicable to the Property and recorded or to be recorded in the Office of Clerk of Circuit Court, Hillsborough County, Florida, and as the same may be amended from time to time therein provided, said Declaration being incorporated herein as if set forth at length;

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

(c) 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;

(d) borrow money, and with the assent of two-thirds (2/3) 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;

(e) 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. No such dedication or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of each Class of Members, agreeing to such dedication, sale or transfer;

(f) participate in mergers and consolidations with other

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non-profit 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;

(g) have and to exercise any and all powers, rights and privileges which a corporation organized under Non-Profit Corporation Law of the State of Florida, by law, 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 to 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. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment by the Association.

ARTICLE VI

VOTING RIGHTS

The Association shall have two classes of voting membership:

Class A. Class A Members shall be all Owners, with the exception of the Declarant, and shall be entitled to one (1) vote for each Lot owned. When more than one (1) person holds an interest in any Lot, all such persons shall be Members. The vote for such Lot shall be exercised as they determine, but in no event shall more than one (1) vote be cast with respect to any Lot.

Class B. The Class B Members shall be the Declarant (as defined in the Declaration), 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 either of the following events, whichever occurs earlier:

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

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equal the total votes outstanding in the Class B membership; or  
(b) on January 1, 1986.

ARTICLE VII

OFFICERS

(a) The affairs of this corporation shall be managed by officers elected by the Board of Directors at its annual meeting. The officers shall serve until the next annual meeting of the Board of Directors unless removed earlier in accordance with the Bylaws.

(b) The names of the officers who shall serve until the election at the organizational meeting after these articles are approved are:

President	James M. Mancuso
Vice President	H. Robert Coleman
Secretary/Treasurer	Mark Redstrom

ARTICLE VIII

BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of Directors consisting of no less than three (3) and not more than nine (9) Directors who need not be Members of the Association, provided however, the Board shall consist of a odd number of Directors. The names and addresses of the persons who are to act in the capacity of Directors until the election of their successors are:

<u>NAME</u>	<u>ADDRESS</u>
James M. Mancuso	5911-D Breckenridge Parkway, Tampa, FL 33610
H. Robert Coleman	A-42 West Grove Dr., Land O'Lakes, 12 FL 33539
Mark Redstrom	5911-D Breckenridge Parkway, Tampa, FL 33610

At the first annual meeting after the Class B membership is converted to Class A membership, the Members shall elect three (3) Directors for a term of one (1) year, three (3) Directors for a term of two (2) years and three (3) Directors for a term of three (3) years; and at each annual meeting thereafter the Members shall elect three (3) Directors for a term of three (3) years.

ARTICLE IX

BYLAWS

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The Bylaws of the corporation shall be adopted by the Board of Directors.

ARTICLE X

AMENDMENTS

An amendment to these articles may be proposed by the Board of Directors or a Member. Amendments shall be adopted by the Board of Directors by the affirmative vote of at least three-fourths (3/4) of the Directors present and voting at a meeting at which a quorum is present.

ARTICLE XI

TERM

The corporation shall exist perpetually.

ARTICLE XII

SUBSCRIBERS

The names and residences of the subscriber is:

James M. Mancuso 5911-D Breckenridge Parkway, Tampa, FL 33610

ARTICLE XIII

FHA/VA APPROVAL

As long as there is a Class B membership, the following actions will require the 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.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, the undersigned, constituting the incorporator of this Association, has executed these Articles of Incorporation this 15 day of November, 1983.

James M. Mancuso

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of November, 1983, by James M. Mancuso, an individual.

Notary Public  
Notary Public

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individual.

My commission expires:

Arthur D. [Signature]

Notary Public

My commission expires:

NOTARY PUBLIC, State of Florida  
My Commission Expires Mar. 24, 1986

NORTH LAKES SECTION F - UNIT 1

DESCRIPTION: A parcel of land lying in Section 22, Township 27 South, Range 18 East, Hillsborough County, Florida and being more particularly described as follows:

From the Southeast corner of said Section 22, run thence N.89°46'38"W., 1837.20 feet along the South boundary of said Section 22 and the North boundary of a 200.00 foot Tampa Electric Company right-of-way, as recorded in O.R. Book 1183, Page 389 of the Public Records of Hillsborough County, Florida to the POINT OF BEGINNING of the herein described parcel; thence continue along said line N.89°46'38"W., 1317.97 feet; thence along the Northerly right-of-way line of North Lakeview Drive the following (2) courses, (1) Westerly, 223.26 feet along the arc of a curve to the left having a radius of 405.00 feet (chord bearing N.73°59'05"W., 220.45 feet) to a point of tangency; (2) thence N.89°46'38"W., 266.33 feet; thence N.20°58'00"W., 166.00 feet; thence N.04°11'29"E., 300.05 feet; thence N.82°39'45"E., 148.00 feet; thence N.89°18'32"E., 292.00 feet; thence N.41°56'46"E., 167.72 feet; thence S.81°17'10"E., 228.88 feet; thence N.57°49'49"E., 282.54 feet; thence S.83°13'41"E., 352.35 feet; thence N.74°54'36"E., 220.00 feet; thence S.17°35'18"E., 844.46 feet to the POINT OF BEGINNING.

Containing 25.94 acres, more or less.

The above portion of CRENSHAW LAKES vacated in O.R. Book 3852, Page 95 thru 100.

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DESCRIPTION: A parcel of land lying in Section 22, Township 27 South, Range 18 East, and Section 27, Township 27 South, Range 18 East, Hillsborough County, Florida and being more particularly described as follows:

Beginning at the Northeast corner of said Section 27, run thence N.89°46'38"W., 652.45 feet along the North boundary of said Section 27 and the North boundary of a 200.00 foot Tampa Electric Company right-of-way as recorded in O.R. Book 1183, Page 389 of the Public Records of Hillsborough County, Florida; thence S.09°30'00"W., 202.65 feet; thence S.89°46'38"E., 686.95 feet along the South boundary of said right-of-way; thence S.53°38'27"W., 999.40 feet; thence S.22°06'34"W., 112.79 feet; thence N.89°00'00"W., 257.59 feet; thence N.64°00'00"W., 225.00 feet; thence S.65°25'00"W., 220.00 feet; thence N.80°00'00"W., 270.00 feet; thence S.61°50'00"W., 454.64 feet; thence along the Northeasterly right-of-way line of North Lakeview Drive the following (4) courses, (1) Northerly 151.21 feet along the arc of a curve to the left having a radius of 813.00 feet (chord bearing N.19°08'50"W., 151.00 feet) to a point of tangency; (2) thence N.24°28'34"W., 75.15 feet to a point of curvature; (3) thence Northwesterly, 316.37 feet along the arc of a curve to the left having a radius of 904.55 feet (chord bearing N.34°29'45"W., 314.76 feet) to a point of compound curvature; (4) thence Northwesterly, 135.66 feet along the arc of a curve to the left having a radius of 855.00 feet (chord bearing N.49°03'39"W., 135.51 feet); thence N.48°30'00"E., 308.38 feet; thence N.00°13'22"E., 98.48 feet; thence S.89°46'18"E., 1556.04 feet along the South boundary of the aforementioned Tampa Electric Company right-of-way; thence N.09°30'00"E., 202.65 feet to a point on the North boundary of said Section 27; thence N.09°30'00"E., 29.37 feet to a point of curvature; thence Northerly, 1.03 feet along the arc of a curve to the right having a radius of 305.00 feet (chord bearing N.09°35'17"E., 1.03 feet); thence N.89°46'38"W., 380.11 feet; thence N.17°38'00"E., 431.05 feet; thence Northwesterly, 44.39 feet along the arc of a curve to the right having a radius of 200.00 feet (chord bearing N.66°00'30"W., 44.30 feet); thence N.30°21'01"E., 170.06 feet; thence N.22°11'14"W., 44.79 feet; thence N.06°38'17"E., 67.98 feet; thence N.21°00'00"E., 77.84 feet; thence N.46°31'57"E., 58.76 feet; thence N.56°55'40"E., 626.20 feet; thence S.44°50'03"E., 468.95 feet; thence S.00°18'42"W., 841.05 feet along the East boundary of said Section 22 to the POINT OF BEGINNING.

Containing 52.60 acres, more or less.

The above portion of CRENSHAW LAKES vacated in O.R. Book 3852, Page 95 thru 100.

EXHIBIT "A", pp. 1 of 2



DESCRIPTION: A parcel of land lying in Section 22, Township 27 South, Range 18 East, Hillsborough County, Florida and being more particularly described as follows:

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From the Southeast corner of said Section 22, run thence N.00°18'42"E., 841.05 feet along the East boundary of said Section 22 to the Point of Beginning of the herein described parcel; thence N.44°50'03"W., 468.95 feet; thence S.56°55'40"W., 623.20 feet; thence S.46°31'57"W., 58.76 feet; thence S.21°00'00"W., 77.84 feet; thence S.06°38'17"W., 67.98 feet; thence S.22°11'14"E., 44.79 feet; thence S.30°21'01"W., 170.06 feet to a point on a curve; thence Southeasterly 44.39 feet along the arc of a curve to the left having a radius of 200.00 feet (chord bearing S.66°00'30"E., 44.30 feet); thence S.17°38'00"W., 431.05 feet; thence N.25°17'32"W., 682.29 feet; thence S.60°16'11"W., 645.00 feet; thence N.17°35'18"W., 1094.46 feet; thence N.75°14'28"E., 232.09 feet; thence N.31°09'55"E., 28.30 feet; thence S.20°14'52"E., 100.00 feet; thence N.69°45'08"E., 853.09 feet; thence N.20°14'52"W., 100.00 feet; thence N.69°45'08"E., 1325.11 feet; thence S.00°18'42"W., 1370.71 feet to the Point of Beginning.

Containing 54.30 acres, more or less.

The above portion of CRENSHAW LAKE'S vacated in O.R. Book 3952, Page 95 thru 100

NORTH LAKES "F" PARK SITE

DESCRIPTION: A parcel of land lying in Section 22, Township 27 South, Range 18 East, Hillsborough County, Florida, and being more particularly described as follows:

From the Southeast corner of said Section 22, run thence N.89°46'38"W., 713.25 feet along the South boundary of said Section 22, also being the North boundary of a 200.00 foot Tampa Electric Company right-of-way as recorded in O.R. Book 1183, Page 389 of the Public Records of Hillsborough County, Florida, to the Point of Beginning; thence continue along the aforesaid South boundary of said Section 22, N.89°46'38"W., 1123.95 feet; thence N.17°35'18"W., 340.00 feet; thence N.60°16'11"E., 645.00 feet; thence S.25°17'32"E., 682.29 feet; thence S.89°46'38"E., 380.11 feet to a point on a curve; thence Southerly 1.03 feet along the arc of a curve to the left having a radius of 305.00 feet (chord bearing S.09°35'43"W., 1.03 feet) to a point of tangency; thence S.09°30'00"W., 29.37 feet to the Point of Beginning.

Containing 0.3 acres, more or less.

EXHIBIT "A", pg 2 of 2