

KARLEEN F. DE BLAKER  
CLERK OF CIRCUIT COURT  
PINELLAS COUNTY, FL.

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ARTICLES OF INCORPORATION

OF

FOX CHASE TOWNHOMES UNIT A  
HOMEOWNERS' ASSOCIATION, INC.,  
A NOT-FOR-PROFIT CORPORATION

ASH  
37.50  
9.00  
46.50

In compliance with the requirements of Chapters 607 and 617 of 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:

15 15976361 71 1. 13AL88  
40 37.50  
47 9.00  
TOTAL 46.50 CHK

ARTICLE I

The name of the corporation is FOX CHASE TOWNHOMES UNIT A HOMEOWNERS' ASSOCIATION, INC., hereafter called the "Association."

ARTICLE II

The principal office of the Association is located at 4012 Gunn Highway, Suite 126, Tampa, Florida 33624.

ARTICLE III

University Properties, Inc., whose address is 824 E. Fletcher Avenue, Tampa, Florida 33612, is hereby appointed the initial registered agent of this Association.

ARTICLE IV

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 (hereinafter "Property") described as:

See Attached Exhibit "A"

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 for this purpose to:

(a) Exercise all of the powers and privileges and to perform all of the duties and obligations of this 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 the Clerk of the Circuit Court, Pinellas County, Florida, and as the same may be amended from time to time as therein provided, said Declaration and particularly the definitions contained therein, 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 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;

(g) Have and to exercise any and all powers, rights and privileges which a corporation organized under the 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 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 mere-

ly 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 Developer, 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 member(s) shall be the Developer (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 equal the total votes outstanding in the Class B membership; or

(b) On January 1, 1992.

#### 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

By-Laws of the Association. The names and addresses of the persons who are to act in the capacity of directors until the selection of their successors are:

<u>NAME</u>	<u>ADDRESS</u>
Dennis J. Wozniak, President	4012 Gunn Highway, Suite 126, Tampa, Florida 33624
Dave M. Donnelly, Vice President	4012 Gunn Highway, Suite 126, Tampa, Florida 33624
Karen B. Kolander, Secretary/ Treasurer	4012 Gunn Highway, Suite 126, Tampa, Florida 33624

At the first annual meeting the members shall elect three (3) directors for a term of one (1) year, and at each annual meeting thereafter the members shall elect three (3) directors for a term of one (1) year.

#### ARTICLE VIII

#### DISSOLUTION

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. 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 nonprofit corporation, association, trust or other organization to be devoted to such similar purposes.

ARTICLE IX

DURATION

The corporation shall exist perpetually.

ARTICLE X

AMENDMENTS

Amendment of these Articles shall require the assent of seventy-five percent (75%) of the entire membership.

ARTICLE XI

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.

IN WITNESS WHEREOF, the undersigned subscriber has executed these Articles of Incorporation this 8<sup>th</sup> day of March, 1988.

Signed, sealed and delivered in the presence of:

Maria L. Zindell

Sharon M. Baker  
As to Dennis J. Wozniak

Dennis J. Wozniak

Dennis J. Wozniak, Subscriber  
4012 Gunn Highway, Suite 126  
Tampa, Florida 33624

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

BEFORE ME, a Notary Public authorized to take acknowledgments in the State and County set forth above, personally appeared DENNIS J. WOZNIAK, known to me and known by me to be the person who executed the foregoing ARTICLES OF INCORPORATION OF FOX CHASE TOWNHOMES UNIT A HOMEOWNERS' ASSOCIATION, INC., and he acknowledged before me that he executed those ARTICLES OF INCORPORATION.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the State and County aforesaid, this 8<sup>th</sup> day of March, 1988.

Karen B. Kelsner  
NOTARY PUBLIC, STATE OF FLORIDA

My Commission Expires:

Notary Public, State Of Florida At Large  
My Commission Expires Feb. 3, 1990  
Bonded By SAFECO Insurance Company of America

EXHIBIT A

Legal description of the Fox Chase Project to be provided by  
Surveyor.