

ARTICLES OF INCORPORATION

OF

SUMMIT TRAIL HOMEOWNERS ASSOCIATION, INC.

A Florida Corporation Not For Profit

FILED
1986 JUL 17 PM 3:02
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

IN COMPLIANCE with the requirements of the laws of the State of Florida, the undersigned, 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

The name of the Corporation is: SUMMIT TRAIL HOMEOWNERS ASSOCIATION, INC., hereinafter called "Association".

ARTICLE II

The principal office of the Association is located at: 639 East Ocean Avenue, Suite 409, Boynton Beach, Florida 33435.

ARTICLE III

Gene Moore, whose street address of the office, place of business or location for service of process within this state is 639 East Ocean Avenue, Suite 409, Boynton Beach, Florida 33435, is hereby appointed the initial registered agent of this Association. To reflect his acceptance of the office of the initial registered agent, he has executed these Articles at this part.



GENE MOORE

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, and all improvements thereon, within that certain tract of property described as A parcel of land in the NE 1/4 of Sect. 11, T44S, R42E, P.B. Cty., FL, located in West Palm Beach, Palm Beach County, Florida; and to promote the health, safety, and welfare of the residents within the above described property and any additions thereto as may here

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after 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 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 Palm Beach 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) 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) to acquire (by gift, purchase or otherwise), Lots or Dwelling Units of SUMMIT TRAIL, subject nevertheless to the provisions of the Declaration and/or By-Laws relative hereto;

(e) to assume and obligate itself and its members to maintain recreation and common areas, and the private streets, thoroughfares, and easements shown (on development plan of SUMMIT TRAIL);

(f) 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;

(g) 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;

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(h) participate in mergers and consolidations with other non profit corporations organized for the same purposes of 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) have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Laws 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, shall be a member of the Association. After receiving approval of the Association, as required under the Declaration change of membership in this corporation shall be established by recording in the Public Records of Palm Beach County, Florida, a deed or other instrument establishing record title to a lot and improvements and the delivery to the Association of a certified copy of such instrument, the owner designated by such instrument thereby becoming a member of the corporation. The membership of the prior owner of such lot and improvements shall be thereby terminated. 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.

ARTICLES 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 vote for each lot owned. When 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 among themselves determine, but in no event shall more than one vote be cast with respect to any Lot.

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Class B. The Class B member(s) 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 equal 90% of the total votes outstanding in the Class B membership; or
- (b) the expiration of ten years from the date on which the lot is conveyed by the Declarant to a resident owner.

ARTICLE VII

DIRECTORS, OFFICERS AND INCORPORATORS

The affairs of this Association shall be managed by a Board of five (5) Directors, who need not be members of the Association, except that the initial Board 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 and Officers until the selection of their successors and who are also the subscribers to these Articles, are:

<u>Name</u>	<u>Address</u>
Gene Moore	639 E. Ocean Avenue, Suite 409 Boynton Beach, FL 33435
Barbara A. Ranta	"
Arlene V. Marsh	"

The above-named individuals constitute incorporators hereunder. At the first annual meeting, the members shall elect two (2) Directors for a term of one year each, and three (3) Directors for a term of two years each. At each annual meeting thereafter, the members shall elect number of Directors to be elected for a term of two years each.

ARTICLE VIII

DIVIDENDS

There shall be no dividends paid to any of the members nor shall any part of the income of the Corporation be distributed to its Board of Directors or officers. In the event there are any

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excess receipts or over disbursements as a result of performance. services, such excess shall be applied against future expenses, etc. The Corporation may pay compensation in a reasonable amount to its members, directors, and officers for services rendered, may confer benefits upon its members in conformity with its purposes and upon dissolution or final liquidation, may make distribution to its members as is permitted by the Court having jurisdiction thereof, and no such payment, benefit or distribution shall be deemed to be a dividend or distribution of income.

This Corporation shall issue no shares of stock of any kind or nature whatsoever. Membership in the Corporation and the transfer thereof, as well as the number of members, shall be upon such terms and conditions as provided for in the Declaration of Covenants and By-Laws. The voting rights of the owners of Lots or Dwelling Units in said SUMMIT TRAIL shall be as set forth in the Declaration of Covenants and/or By-Laws.

ARTICLE IX

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 of 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 X

DURATION

The corporation shall exist perpetually.

ARTICLE XI

BY-LAWS

The original By-Laws are to be made by the Board of Directors and/or Declarer under the Declaration. The same may

thereafter be amended, altered or rescinded only in accordance with the provisions of the By-Laws and the Declaration relating to amendment.


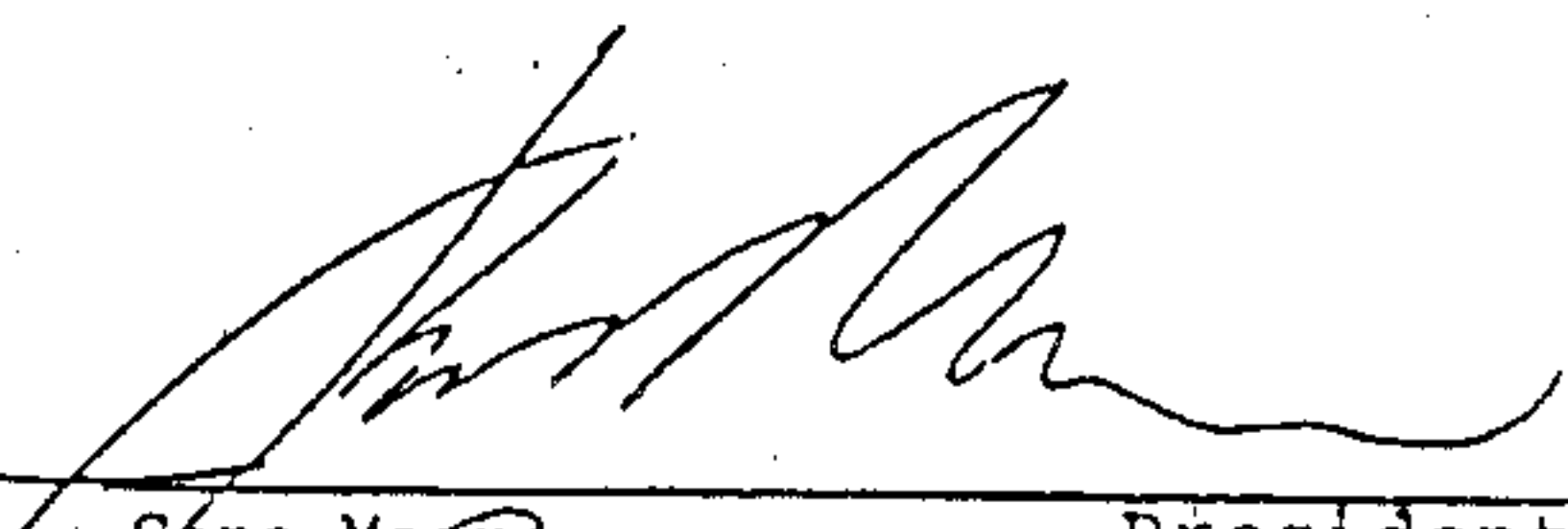
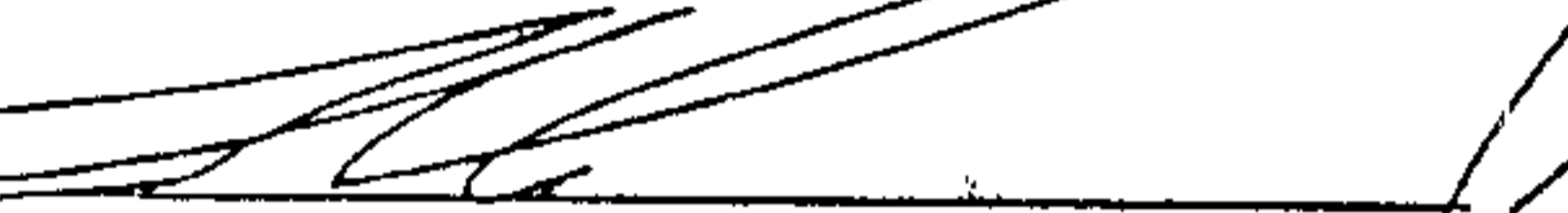
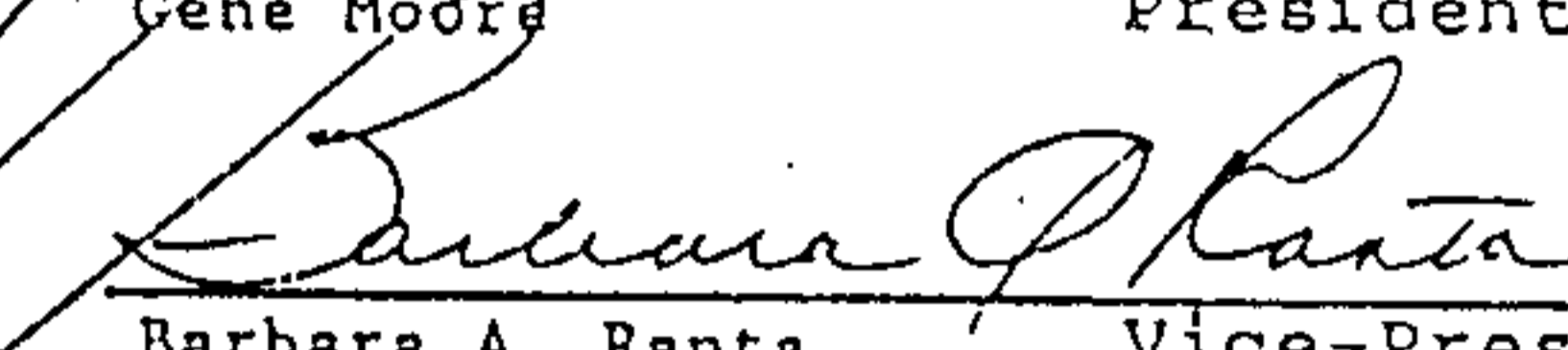

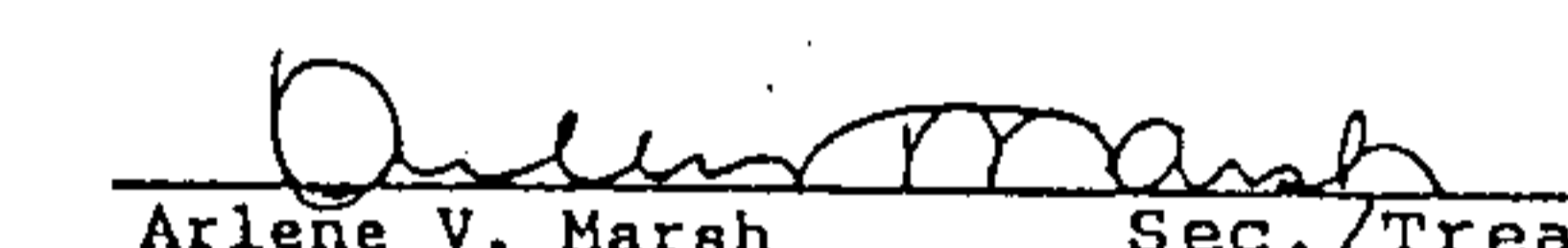
ARTICLE XII

AMENDMENTS

Amendment of these Articles shall require the assent of seventy-five (75) percent of members present and voting at any duly called meeting.

IN WITNESS WHEREOF, for the purpose of ~~incorporating~~ this corporation under the laws of the State of Florida, we, the undersigned, constituting the incorporators of this Association, have executed these Articles of Incorporation this 3rd day of July, A.D., 1986.

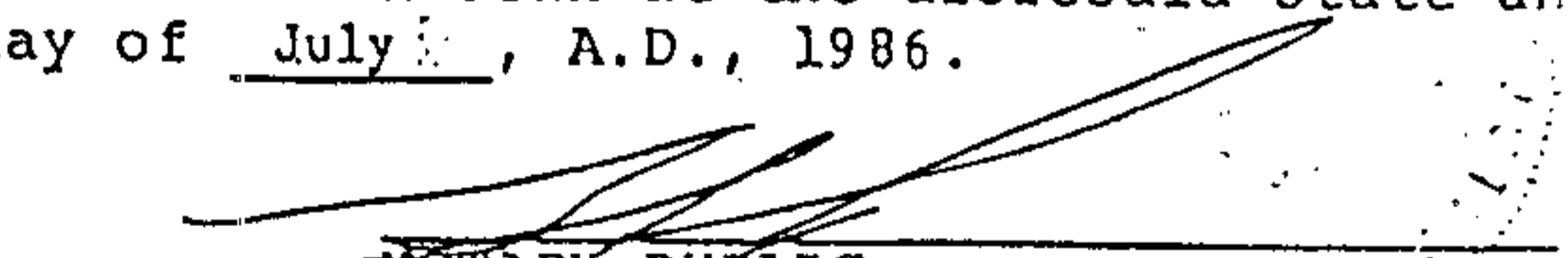
Signed, sealed and delivered in the presence of:

	
Patricia A. Ranta	Gene Moore President
	
Barbara A. Ranta	Barbara A. Ranta Vice-President
	
Arlene V. Marsh	Arlene V. Marsh Sec./Treasurer

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, personally appeared GENE MOORE, BARBARA A. RANTA and ARLENE V. MARSH who, after being first duly sworn, stated on oath that they executed the within and foregoing Articles of Incorporation as subscribers thereto.

WITNESS my hand and official seal at the aforesaid State and County on this 3rd day of July, A.D., 1986.


NOTARY PUBLIC
State of Florida at Large
My commission expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. JAN 24, 1988
BONDED THRU GENERAL INS. UNO.

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