



I certify the attached is a true and correct copy of the Articles of Incorporation of WEYMOUTH HOMEOWNER'S ASSOCIATION, INC., a Florida corporation, filed on April 5, 2002, as shown by the records of this office.

I further certify the document was electronically received under FAX audit number H02000074432. This certificate is issued in accordance with section 15.16, Florida Statutes, and authenticated by the code noted below

The document number of this corporation is N02000002484.

Given under my hand and the  
Great Seal of the State of Florida,  
at Tallahassee, the Capital, this the  
Fifth day of April, 2002

Authentication Code: 602A00020146-040502-N02000002484-1/1

OR BK 4936 PG 190  
29 of 46



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*Katherine Harris*  
Katherine Harris  
Secretary of State

**ARTICLES OF INCORPORATION**

**OF**

**WEYMOUTH HOMEOWNER'S ASSOCIATION, INC.**

The undersigned subscribers, all of whom are above the age of eighteen (18) years and competent to contract, have this day voluntarily associated themselves together for the purpose of forming a corporation not for profit under the provisions of Chapter 617, Florida Statutes, and do hereby agree and certify as follows:

**ARTICLE I**

**NAME**

The name of this Corporation shall be **WEYMOUTH HOMEOWNER'S ASSOCIATION, INC.** (hereinafter referred to as the "**Association**").

**ARTICLE II**

**PRINCIPAL OFFICE**

The principal office of the Association is located at 15346 North Florida Avenue, Suite 200, Tampa, Florida 33613.

**ARTICLE III**

**INITIAL REGISTERED OFFICE AND AGENT**

The initial registered office of this Association shall be located at the offices of Akerman, Senterfitt & Eidson, P. A., 100 South Ashley Drive, Suite 1500, Tampa, Florida 33602, and the initial registered agent of the Association shall be Mark K. Straley. The Association may change its registered agent or the location of its registered office, or both, from time to time without amendment of these Articles of Incorporation.

**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 Property within that certain tract of property described as:

OAKSTEAD PARCEL 6 UNIT 1

DESCRIPTION: A portion of OAKSTEAD PARCEL 6 UNIT 1 AND PARCEL 7, according to the plat thereof as recorded in Plat Book 41,

{TP053751;1}

Pages 99 through 107, inclusive, of the Public Records of Pasco County, Florida, and being more particularly described as follows:

**BEGINNING** at the Northwesterly corner of said OAKSTEAD PARCEL 6 UNIT 1 AND PARCEL 7, run thence along the Northerly boundary of said OAKSTEAD PARCEL 6 UNIT 1 AND PARCEL 7, the following five (5) courses: 1) EAST, 173.09 feet; 2) SOUTH, 28.50 feet; 3) EAST, 1003.00 feet; 4) SOUTH, 10.00 feet; 5) EAST, 120.00 feet to the Northeasterly corner of said OAKSTEAD PARCEL 6 UNIT 1 AND PARCEL 7, also being a point on the Westerly boundary of OAKSTEAD PARCEL 9 UNIT 1 AND PARCEL 10 UNIT 1, according to the plat thereof as recorded in Plat Book 41, Pages 34 through 46, inclusive, of the Public Records of Pasco County, Florida; thence along the Easterly boundary of the aforesaid OAKSTEAD PARCEL 6 UNIT 1 AND PARCEL 7 and said Westerly boundary of OAKSTEAD PARCEL 9 UNIT 1 AND PARCEL 10 UNIT 1, the following four (4) courses: 1) SOUTH, 85.00 feet to a point of curvature; 2) Southwesterly, 360.93 feet along the arc of a curve to the right having a radius of 440.00 feet and a central angle of 47°00'00" (chord bearing S.23°30'00"W., 350.90 feet) to a point of tangency; 3) S.47°00'00"W., 40.91 feet to a point of curvature; 4) Southerly, 386.07 feet along the arc of a curve to the left having a radius of 560.00 feet and a central angle of 39°30'00" (chord bearing S.27°15'00"W., 378.47 feet); thence S.87°16'00"W., 958.06 feet to a point on the West boundary of the aforesaid OAKSTEAD PARCEL 6 UNIT 1 AND PARCEL 7, also being the West boundary of the East 3/4 of Section 22, Township 26 South, Range 18 East, Pasco County, Florida; thence along said West boundary of OAKSTEAD PARCEL 6 UNIT 1 AND PARCEL 7 and said West boundary of the East 3/4 of Section 22, N.00°16'06"E., 855.36 feet to the **POINT OF BEGINNING**.

The Association is being formed to promote the health, safety and welfare of the residents within the above-described property and any addition thereto as may hereafter be brought within the jurisdiction of this Association for this purpose to:

1. Exercise all of the powers, enforcement rights and privileges and to perform all of the duties and obligations of the Association as set forth in that certain Declaration of Easements, Covenants, Conditions and Restrictions for Weymouth, hereinafter called the "**Declaration**", applicable to the property and recorded or to be recorded in the Office of the Clerk of the Circuit Court in and for Pasco 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;
2. 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;

{TP053751;1}

- 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, 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. Participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property;
- 6. 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**

The Declarant and every person or entity who is a record owner of a fee or undivided fee interest in any Lot or portion of the Property which is subject by covenants of record to assessment by the Association, including contract sellers, shall be a Member. 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 or portion of the Property which is subject to assessment by the Association.

**ARTICLE VI**

**VOTING RIGHTS**

The Association shall have two (2) classes of voting membership:

- 1. **Class A.** Class A Members shall be all Owners of improved Residential Units conveyed by the builder or developer of Residential Property. Class A Members shall be allocated one vote for each improved Residential Unit in which they hold the interest required for membership by Article III, Section 1 of the Declaration.
- 2. **Class B.** The Class B Member shall be the Declarant, or its specifically designated (in writing) successor. The Class B Member shall be allocated a number of votes equal to three times the total number of Class A and Class B votes at any time; provided, that the Class B membership shall cease and become converted to Class A membership on the happening of the following events, whichever occurs earlier:
  - a. On the anniversary date five years from the date when the first improved lot is conveyed to an individual unit owner.
  - b. Upon voluntary conversion to Class A membership by Declarant.

- c. When ninety percent (90%) of the maximum number of improved Lots allowed for the Property (as amended and supplemented from time to time) have been conveyed to Unit Owners other than the Declarant and its assigns.

**ARTICLE VII**

**BOARD OF DIRECTORS**

The affairs of this Association shall be managed by a Board of three (3) directors, selected in accordance with the By-Laws and Declaration of Easements, Covenants, Conditions and Restrictions for WEYMOUTH. The number of directors may be either increased or diminished from time to time as provided in the By-Laws. The name and street address of the initial directors of this Association are:

Donald A. Buck  
Devco  
15346 North Florida Avenue, Suite 200  
Tampa, Florida 33613

Craig Weber  
Devco  
15346 North Florida Avenue, Suite 200  
Tampa, Florida 33613

Margo Darlington  
Devco  
15346 North Florida Avenue, Suite 200  
Tampa, Florida 33613

**ARTICLE VIII**

**DISSOLUTION**

The Association may be dissolved with the assent given in writing and signed by not less than the representatives of two-thirds (2/3) of each class of Members, or as otherwise provided by law. 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. If acceptance of such dedication is refused, the 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**

**COMMENCEMENT AND DURATION OF CORPORATE EXISTENCE**

This Association shall commence corporate existence on the date of filing these Articles with the Florida Secretary of State and shall have perpetual existence unless sooner dissolved according to law.

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ARTICLE IX

AMENDMENT

This Association reserves the right to amend or repeal any provisions contained in these Articles of Incorporation, or any amendment hereto. Amendments shall require the assent of a majority of each class of Members.

ARTICLE XI

INCORPORATORS

The name and street address of the person signing these Articles as Incorporator is:

Mark K. Straley, Esq.  
Akerman Senterfitt & Eidson, P.A.  
100 S. Ashley Drive, Suite 1500  
Tampa, Florida 33602

ARTICLE XII

BY-LAWS

The power to adopt, alter, amend or repeal By-Laws shall be vested in the Board.

ARTICLE XIII

INDEMNIFICATION

In addition to any rights and duties under applicable law, this Association shall indemnify and hold harmless all its directors, officers, employees and agents, and former directors, officers, employees and agents from and against all liabilities and obligations, including attorneys fees, incurred in connection with any actions taken or failed to be taken by said directors, officers, employees and agents in their capacity as such except for willful misconduct or gross negligence.

ARTICLE XIV

DEFINITIONS

Capitalized terms contained herein shall have the definitions and meaning set forth in the Declaration of Easements, Covenants, Conditions and Restrictions for Weymouth.

IN WITNESS WHEREOF, the undersigned do hereby make and file these Articles of Incorporation declaring and certifying that the facts stated herein are true, and hereby subscribe thereto and hereunto set their hand and seal this 4th day of April, 2002.

  
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MARK K. STRALEY, Incorporator



**CERTIFICATE DESIGNATING PLACE OF BUSINESS  
FOR THE SERVICE OF PROCESS WITHIN FLORIDA  
AND REGISTERED AGENT  
UPON WHOM PROCESS MAY BE SERVED**

In compliance with Section 48.091, Florida Statutes, the following is submitted:

**WEYMOUTH HOMEOWNER'S ASSOCIATION, INC.** desiring to organize as a corporation under the laws of the State of Florida with its registered office and principal place of business at 100 South Ashley Drive, Suite 1500, Tampa, Florida 33602, has named and designated Mark K. Straley as its Registered Agent to accept service of process within the State of Florida.

**ACKNOWLEDGMENT**

**HAVING BEEN NAMED** to accept service of process for the above-named 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 relating to the proper and complete performance of my duties as Registered Agent.

Dated this 4<sup>th</sup> day of April, 2002.

  
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MARK K. STRALEY

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