

759702

TIMBERWOOD PROPERTY OWNERS' ASSOCIATION INC.

PO BOX 771228

Ocala FLORIDA 34477-1228

June 10, 1999

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-06/15/99-01045-011
*****35.00 *****35.00

Amendment Section
Division of Corporations
PO Box 6327
Tallahassee FL 32314

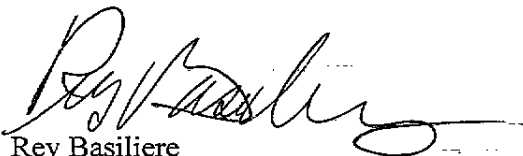
FILED
99 JUL 27 PM 5:25
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Re: Amended Articles of Incorporation

Dear Sir/Madam:

Enclosed are original and one copy of Amended Articles of Incorporation and a check in the amount of \$35.00. Should the need arise, you may reach us at (352) 861-8271.

Thank you.



Rey Basiliere
President
Board of Directors

Amended & Restated Art.

V. SHEPARD JUL 28 1999



FLORIDA DEPARTMENT OF STATE

Katherine Harris
Secretary of State

June 22, 1999

REY BASILIERE
TIMBERWOOD PROPERTY OWNER'S ASSOC., INC.
P.O. BOX 771228
OCALA, FL 34477-1228

SUBJECT: TIMBERWOOD PROPERTY OWNERS ASSOCIATION, INC.
Ref. Number: 759702

We have received your document for TIMBERWOOD PROPERTY OWNERS ASSOCIATION, INC. and your check(s) totaling \$35.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

Please entitle your document Amended and Restated Articles of Incorporation. ✓

Our records indicate the current name of the entity is as it appears on the enclosed computer printout. Please correct the name throughout the document. ✓

Restated Articles of Incorporation should include the manner in which directors are to be elected or appointed. The restated articles may provide that the method of election of the directors is as stated in the bylaws.

The document must contain written acceptance by the registered agent, (i.e. "I hereby am familiar with and accept the duties and responsibilities as registered agent for said corporation/limited liability company"); and the registered agent's signature. ✓

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 487-6909.

Velma Shepard
Corporate Specialist

Letter Number: 199A00033199

AMENDED AND RESTATED
ARTICLES OF INCORPORATION
OF
TIMBERWOOD PROPERTY OWNERS ASSOCIATION, INC.

We, the undersigned, as the duly elected Directors and Officers of Timberwood Property Owners Association, a nonprofit corporation originally incorporated pursuant to Chapter 617 of the Florida Statutes on August 20, 1981, do hereby amend and restate the Articles of Incorporation as follows:

ARTICLE I

The name of the corporation (hereinafter called the Association) is TIMBERWOOD PROPERTY OWNERS ASSOCIATION, INC.

ARTICLE II

The specific primary purposes for which the Association is formed are to provide for maintenance, preservation, and architectural control of the residence lots and common areas within a certain subdivided tract of real property described as follows:

1. The Protective Covenants of Timberwood, a Subdivision, as per plat thereof recorded in Plat Book S, Pages 148 and 149, Public Records of Marion County, Florida, as recorded in Official Records Book 974, Pages 754 through 758, as amended by Amendment recorded in Official Records Book 1041, Pages 1783 and 1784, and Amendment recorded in Official Records Book 1073, Page 0300 through 0311, Public Records of Marion County, Florida

2. The Protective Covenants of Timberwood First Addition, as per plat thereof recorded in Plat Book U, Page 13, Public Records of Marion County, Florida, as recorded in Official Records Book 1069, Pages 0307 through 0311, Public Records of Marion County, Florida.

3. The Protective Covenants of Timberwood Second Addition, as per plat thereof recorded in Plat Book U, Pages 67 and 68, Public Records of Marion County, Florida, as recorded in Official Records Book 1162, Pages 1808 through 1812, Public Records of Marion County, Florida

4. The Protective Covenants of Timberwood Third Addition, as per plat thereof recorded in Plat Book Y, Pages 64 through 69, Public Records of Marion County, Florida, as recorded in Official Records Book 1389, Pages 0854 through 0863, as amended by First Amendment recorded in Official Records Book 2036, Page 1301 and 1302, Public Records of Marion County, Florida.

and to promote the health, safety, and welfare of the residents within the above-described subdivision and such additions thereto as may hereafter be brought within the jurisdiction of the Association for such purposes.

In furtherance of such purposes, the Association shall have power to:

- (a) perform all of the duties and obligations of the Association as set forth in those certain Declarations of Protective Covenants, applicable to the subdivision and recorded in the public records of Marion County, Florida, as set forth in Article II above;
- (b) receive payments from the Members to carry out the duties set forth in the Protective Covenants including expenses necessary and incidental to the Association business;
- (c) acquire (by gift, purchase, or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate to public use, or otherwise dispose of real or personal property or rights in connection with the affairs of the Association;

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TALLAHASSEE, FLORIDA

- (d) dedicate, sell, or transfer all or any part of the common areas to any municipality, public agency, authority, or utility for such purposes and subject to such conditions as may be agreed upon by the Members. No such dedication or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of all of the Members, agreeing to such dedication, sale or transfer;
- (e) have and exercise any and all powers, rights, and privileges that a nonprofit corporation organized under Chapter 617 of the Florida Statutes by law may now or hereafter have or exercise;

The Association is organized and shall be operated exclusively for the purposes set forth above. The activities of the Association will be financed by the Members assessing themselves at the annual or any special meeting and no part of any net earnings will inure to the benefit of any member.

ARTICLE III

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 seller, but excluding persons or entities holding title merely as security for performance of an obligation, shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of a lot which is subject to assessment by the Association.

ARTICLE IV

The period of duration of the Association shall be perpetual.

ARTICLE V

The name and residence address of each director is:

NAME	ADDRESS
REY BASILIERE	6333 SW State Road 200 Ste 5 Ocala, Florida 34476.
W. CHRISTOPHER CUMMINS	6333 SW State Road 200 Ste 5 Ocala, Florida 34476
LUIS HERRERA	6333 SW State Road 200 Ste 5 Ocala, Florida 34476
JOHN RAYFIELD	6333 SW State Road 200 Ste 5 Ocala, Florida 34476
GARY MITCHELL	6333 SW State Road 200 Ste 5 Ocala, Florida 34476

The principal office is designated as 6333 SW State Road 200 Ste 5, Ocala, Florida, 34476.

The resident agent is Colleen M. Duris, Esq. whose address is 101 SW Third Street, Ocala, Florida 34474. (acceptance signature on Page 6)

ARTICLE VI

The affairs of the Association will be conducted by a Board of Directors and a

Secretary/Treasurer who shall at all times be Members of the Association. The method of election of the Board of Directors is as stated in the Bylaws Article IV Section 2. The Board shall select a President, Vice-President and a Secretary/Treasurer following each Annual Meeting of the Members. The members of the Board shall all have equal authority and responsibility.

The Board shall have and exercise such power as the Members may from time to time specifically delegate to them. All power not so delegated shall remain in the Members.

ARTICLE VII

Nothing contained in these Articles, or in any document whereby the Association is a party, shall be construed to give the Association any right to alter, amend, change or revoke any of the Protective Covenants of Timberwood, Timberwood First Addition, Timberwood Second Addition and Timberwood Third Addition as referred to in Article II.

ARTICLE VIII

The initial Bylaws will be adopted by the Board of Directors. At the first annual or special meeting following their adoption, the Members shall have the right to rescind, alter, or amend the Bylaws and approve or disapprove same by a majority vote of the Members at said meeting.

After approval of the initial Bylaws, the Members have the right to alter or amend the Bylaws by a vote of two-thirds (2/3) of the Members present at any special or annual meeting.

ARTICLE IX

Amendments to these articles of incorporation may be proposed by any Member of the Association. These articles may be amended at any annual meeting of the Association, or at any special meeting duly called and held for such purpose, on the affirmative vote of a majority of all the Members existing at the time of, and present at such meeting.

ARTICLE X

The Association shall have one class of voting Members as follows:

Members shall all be owners of lots as more fully described above in Article III, 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. The vote for such lot shall be exercised as such Members may determine among themselves, but in no event shall more than one vote be cast with respect to any lot owned.

ARTICLE XI

On dissolution, the assets of the Association shall be distributed to any appropriate public agency to be used for purposes similar to those for which the Association was created.

In the event such distribution is refused acceptance, such assets shall be granted, conveyed, and assigned to any nonprofit corporation, association, trust, or other organization organized and operated for such similar purposes.

CERTIFICATE

We, the undersigned Directors and Officers of Timberwood Property Owners Association, Inc. do hereby certify that the foregoing Amended Articles of Incorporation were adopted by an affirmative vote of a majority of all its Members at the reconvened Annual Meeting of the Timberwood Property Owners Association held in Marion County, Florida on March 22, 1999.

WITNESS our hands and seals this 27th day of May, 1999.

Rey Basiliere
REY BASILIERE, Director, President

Luis Herrera
LUIS HERRERA, Director, Secretary-Treasurer

W. Christopher Cummins
W. CHRISTOPHER CUMMINS,
Director, Vice-President

John Rayfield
JOHN RAYFIELD, Director

Gary Mitchell
GARY MITCHELL, Director

STATE OF FLORIDA
COUNTY OF MARION

I HEREBY CERTIFY that on this 27th day of May, 1999 before me personally appeared REY BASILIERE, who produced Driver's license and who acknowledged before me that he executed the foregoing Amended Articles of Incorporation for the purposes therein expressed. WITNESS my hand and seal at Ocala, Florida, the day and year last above written.

FLDL # B246-733-44-217-0



Ivette Herrera
Ivette Herrera
MY COMMISSION # CC768883 EXPIRES
August 19, 2002

BONDED THRU TROY FAIR INSURANCE, INC.
Notary Public, State of Florida
My Commission Expires 8/19/2002

STATE OF FLORIDA
COUNTY OF MARION

I HEREBY CERTIFY that on this 27th day of May, 1999 before me personally appeared W. CHRISTOPHER CUMMINS, who produced Driver's license and who acknowledged before me that he executed the foregoing Amended Articles of Incorporation for the purposes therein expressed. WITNESS my hand and seal at Ocala, Florida, the day and year last above written.

FLDL # C 552-923-63-175-0



Ivette Herrera
Ivette Herrera
MY COMMISSION # CC768883 EXPIRES
August 19, 2002

BONDED THRU TROY FAIR INSURANCE, INC.
Notary Public, State of Florida
My Commission Expires 8/19/2002

STATE OF FLORIDA
COUNTY OF MARION

I HEREBY CERTIFY that on this 27th day of May, 1999 before me personally appeared LUIS HERRERA, who produced Driver's license and who acknowledged before me that he executed the foregoing Amended Articles of Incorporation for the purposes therein expressed. WITNESS my hand and seal at Ocala, Florida, the day and year last above written.

FLDL # 660-521-53-344-0



Ivette Herrera
Ivette Herrera
MY COMMISSION # CC768883 EXPIRES
August 19, 2002

BONDED THRU TROY FAIR INSURANCE, INC.
Notary Public, State of Florida
My Commission Expires 8/19/2002

STATE OF FLORIDA
COUNTY OF MARION

I HEREBY CERTIFY that on this 27th day of May, 1999 before me personally appeared JOHN RAYFIELD, who produced Driver's License and who acknowledged before me that he executed the foregoing Amended Articles of Incorporation for the purposes therein expressed. WITNESS my hand and seal at Ocala, Florida, the day and year last above written.

FLDL # R 143-464-533290



Ivette Herrera
MY COMMISSION # CC768883 EXPIRES
August 19, 2002
BONDED THRU TROY FAIR INSURANCE, INC.

Notary Public, State of Florida
My Commission Expires 8/19/2002

STATE OF FLORIDA
COUNTY OF MARION

I HEREBY CERTIFY that on this 27th day of May, 1999 before me personally appeared GARY MITCHELL, who produced Driver's License and who acknowledged before me that he executed the foregoing Amended Articles of Incorporation for the purposes therein expressed. WITNESS my hand and seal at Ocala, Florida, the day and year last above written.

FLDL # M 324-292-470620



Ivette Herrera
MY COMMISSION # CC768883 EXPIRES
August 19, 2002
BONDED THRU TROY FAIR INSURANCE, INC.

Notary Public, State of Florida
My Commission Expires 8/19/2002

DESIGNATION OF REGISTERED AGENT

Pursuant to the provisions of sections 607.0502, 617.0502, 607.1508, or 617.1508, Florida Statutes

Having been named as registered agent and to accept service of process for the above-stated corporation, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligation of my position as registered agent.

July 24, 1999
DATE

Colleen M. Duris
COLLEEN M. DURIS, ESQ.