

State of Florida



Department of State

I certify the attached is a true and correct copy of the Articles of Incorporation of THE PRESERVE AT CROWN POINTE HOMEOWNERS ASSOCIATION, INC., a Florida corporation, filed on December 5, 1996, as shown by the records of this office.

The document number of this corporation is N96000006183.

Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capitol, this the
Fifth day of December, 1996



CR2EO22 (2-95)

Sandra B. Northam

Sandra B. Northam
Secretary of State

**ARTICLES OF INCORPORATION
OF
THE PRESERVE AT CROWN POINTE
HOMEOWNERS ASSOCIATION, INC.**
(A Corporation Not For Profit)

FILED
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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

ARTICLE I - NAME

This corporation shall be known as THE PRESERVE AT CROWN POINTE HOMEOWNERS ASSOCIATION, INC., hereinafter referred to as the "ASSOCIATION". The principal office of the ASSOCIATION shall be located at 6565 N. "W" Street, Suite 260, Pensacola, Florida, 32505, but meetings of the members and directors may be held at such places within the State of Florida, County of Escambia, as may be designated by the Board of Directors.

ARTICLE II - REGISTERED OFFICE AND REGISTERED AGENT

The address of the initial registered office is 6565 N. "W" Street, Suite 260, Pensacola, Florida, 32505. The Board of Directors may from time to time change the principal office of the ASSOCIATION to any other address in the State of Florida. The name of the initial registered agent is Cynthia G. Homyak.

ARTICLE III - PURPOSES AND POWERS

The purpose for which this ASSOCIATION is organized is to create an entity which can provide for maintenance and architectural control of the Subdivision and common properties and architectural control of the residential lots within that certain tract of property described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

Together with any and all other property added to the control of the ASSOCIATION by amendment to the Declaration of Covenants, Conditions and Restrictions affecting the above-described property, and to promote the health, safety and welfare of the residents within the Subdivision and to:

a. Exercise all of the powers and privileges and 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 in the Public Records of Escambia County, Florida, as 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. Borrow money and, with the assent of two-thirds (2/3) 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 the members agreeing to such dedication, sale, or transfer;

f. Participate in mergers and consolidations with other non-profit corporations organized for the same purposes, or annex additional property and Common Area, provided that any such merger, consolidation, or annexation shall have the consent of two-thirds (2/3) of each class of members;

g. Have and exercise any and all powers, rights and privileges which a corporation not for profit organized under the Florida law may now or hereafter have or exercise by law.

**ARTICLE IV - QUALIFICATION AND MANNER
OF ADMISSION OF MEMBERS**

Every person or entity who is a record owner of a lot, either individually or jointly with others which is subject by covenants of record to assessment by the ASSOCIATION, including a contract seller, 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.

A member, unless acting in the capacity of a duly elected officer of the Association, does not have the authority to act for the Association solely by virtue of being a member.

ARTICLE V - VOTING RIGHTS/TRANSITION OF CONTROL

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 or entity holds an interest in a lot, then the vote attributable to 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. Class B members shall be the Declarant, as defined in the Declaration of Covenants, Conditions, and Restrictions, and shall be entitled to three (3) votes for each lot owned, as set forth in the Declaration. Class B membership shall cease and be converted to Class A membership upon 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 December 31, 2001.

Notwithstanding the foregoing, members other than the Declarant (which excludes builders, contractors, or others who purchase a Lot for the purpose of constructing improvements thereon for resale) are entitled to elect at least a majority of the members of Board of Directors when the earlier of the following events occur:

1. Three months after ninety percent (90%) of the Lots in the subdivision have been conveyed to members; or
2. Class B membership ceases to exist.

Declarant shall be entitled to elect at least one member to the Board of Directors as long as Declarant holds at least five percent (5%) of the Lots for sale in the ordinary course of business.

After Declarant relinquishes control of the Association, Declarant may continue to vote any Declarant owned lots in the same manner as any other member.

ARTICLE VI - TERM OF EXISTENCE

This corporation is to exist perpetually.

ARTICLE VII - INCORPORATOR

The name and address of the Incorporator is Cynthia G. Homyak, 6565 N. "W" Street, Suite 260, Pensacola, Florida 32505.

ARTICLE VIII - BOARD OF DIRECTORS

The business affairs of this ASSOCIATION shall be managed by the Board of Directors, which shall initially consist of three (3) members. The number of Directors may be increased or decreased from time to time as provided in the Bylaws, but shall never be less than three (3).

The members of the Board of Directors need not be members of the ASSOCIATION and shall serve for a term as set forth in the Bylaws.

The President of the ASSOCIATION shall at all times be a member of the Board of Directors, and members of the Board of Directors shall be elected and hold office in accordance with the Bylaws.

The names and street addresses of the persons who are to serve as the first Board of Directors of the corporation are:

1. CYNTHIA G. HOMYAK
6565 N. "W" Street, Suite 260
Pensacola, Florida 32505
2. DAVID B. TAYLOR, JR.
3730 Barnwell Circle
Pensacola, Florida 32503
3. STEVEN MACK
1800 Peaches Lane
Cantonment, Florida 32533

ARTICLE IX - OFFICERS

The officers of this ASSOCIATION shall be a President, who shall at all times be a member of the Board of Directors, a Vice President and Secretary/Treasurer, and such other officers as the Board of Directors may from time to time create.

The names of the persons who are to serve as officers of this ASSOCIATION until the first election are:

President:	DAVID B. TAYLOR, JR.
Vice President:	STEVEN MACK
Secretary/Treasurer:	CYNTHIA G. HOMYAK

The officers shall be selected at the annual meeting of the Board of Directors as provided in the Bylaws and each shall hold office until he shall sooner resign or shall be removed or otherwise disqualified to serve. Officers shall serve at the pleasure of the Directors.

ARTICLE X - DISSOLUTION

The ASSOCIATION may be dissolved with the assent given in writing and signed by not less than three-fourths (3/4) of the 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 acceptance of such dedication is refused, the 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 XI - AMENDMENTS

These Articles of Incorporation may be amended by a two-thirds (2/3) vote of the total members at a special meeting of the membership called for that purpose.

Amendments may also be made at a regular meeting of the membership by a two-thirds (2/3) vote of the total members upon notice given, as provided by the Bylaws, of intention to submit such amendments. However, no amendment shall be effective without the written consent of the Developer until after five (5) years from date of filing these Articles of Incorporation with the Secretary of State, State of Florida.

ARTICLE XII - DEFINITIONS

The terms used herein shall have the same definition as set forth in the Declaration of Covenants, Conditions and Restrictions and the Bylaws.

ARTICLE XIII - 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 and/or the Veterans Administration: Annexation of additional properties, mergers and consolidations, mortgaging of common area, dedication of common area, and dissolution and amendment of these Articles.

IN WITNESS WHEREOF, I, the undersigned subscribing incorporator, have hereunto set my hand and seal this 4th day of December, 1996, for the purpose of forming this corporation not for profit under the laws of the State of Florida.

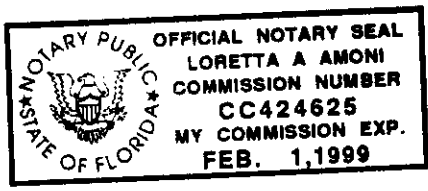
Cynthia G. Homyak
Incorporator - CYNTHIA G. HOMYAK

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing was acknowledged before me this 4th day of December, 1996, by CYNTHIA G. HOMYAK, who personally appeared before me and who is personally known to me or who has produced _____ as identification.

Loretta A. Amoni
NOTARY PUBLIC

(NOTARY SEAL)



LEGAL DESCRIPTION

A portion of Sections 15 and 26, Township 2 South, Range 31 West, Escambia County, Florida, being more particularly described as follows:

DR BK 4079 PG 1921
Escambia County, Florida
INSTRUMENT 96-346806

Commence at the Section Corner common to Sections 15, 16, 25 and 26, Township 2 South, Range 31 West, Escambia County, Florida, and run thence South 83°47' 01" West, 1220.30 feet to a point which is the point of beginning. From said point of beginning run thence North 18°45' 04" West, a distance of 600.25 feet; thence run North 16°30' 30" West, a distance of 844.38 feet; thence run North 16°49' 52" West, a distance of 741.54 feet; thence run South 21°36'50" West, a distance of 250.00 feet; thence run North 68°23' 10" West, a distance of 30.0 feet; thence run North 18°49' 52" West, a distance of 215.00 feet; thence run North 21°36'50" East, a distance of 30.0 feet; thence run North 68°23' 10" West, a distance of 186.33 feet to a point on the mean high water line of Perdido Bay; thence in a Southerly direction following the mean high water line of Perdido bay run South 02°12' 15" West, (this and the next 13 calls are along said mean high water line) a distance of 78.76 feet; thence run South 12°08' 47" West, a distance of 63.09 feet; thence run South 11°34' 31" East, a distance of 121.19 feet; thence run South 11°14' 52" West, a distance of 88.44 feet; thence run South 18°23' 47" West, a distance of 122.06 feet; thence run South 21°55' 12" West, a distance of 187.00 feet; thence run South 17°44' 08" West, a distance of 127.11 feet; thence run South 27°40' 04" West, a distance of 84.37 feet; thence run South 42°51' 27" West, a distance of 85.30 feet; thence run South 47°35' 12" West, a distance of 153.70 feet; thence run South 46°53' 15" West, a distance of 82.90 feet; thence run South 29°14' 26" West, a distance of 55.38 feet; thence run South 46°05' 47" West, a distance of 118.81 feet; thence run South 38°42' 58" West, a distance of 12.88 feet; thence leaving the mean high water line of Perdido Bay run South 44°52' 28" East, a distance of 193.85 feet to a point on the westerly right-of-way boundary of a roadway (50' R/W), said point being on a curve concave to the East and having a radius of 361.73 feet; thence run in a Southwesterly direction along said curve (tangent into the curve bears South 31°54' 28" West) through a central angle of 18°53' 16" for an arc distance of 119.24 feet (chord bears South 22°27' 50" West, 118.71 feet); thence leaving the road run North 58°53' 29" West, a distance of 156.63 feet; thence run North 44°52' 28" West, a distance of 95.11 feet to a point on the mean high water line of Perdido Bay; thence run South 58°39' 35" West, (this and the next four (4) calls are along said mean high water line) a distance of 34.54 feet; thence run South 34°42' 35" West, a distance of 116.89 feet; thence run South 22°39' 54" West, a distance of 100.53 feet; thence run South 08°06' 54" West, a distance of 133.88 feet; thence run South 32°47' 00" East, a distance of 24.98 feet; thence leaving the mean high water line of Perdido bay run North 78°05' 47" East, a distance of 348.19 feet to a point on the westerly right-of-way boundary of the aforementioned roadway (50' R/W), said point being on a curve concave to the East and having a radius of 361.73 feet; thence run in a Southeasterly direction along said curve through a central angle of 07°08' 04" for an arc distance of 44.73 feet to a point of tangency (chord bears South 13°19' 57" East, 44.70 feet); thence run South 16°52' 29" East along said boundary of said road, a distance of 264.86 feet to a point of curve concave to the Northeast and having a radius of 192.97 feet; thence run in a Southeasterly direction along said curve through a central angle of 22°20' 10" for an arc distance of 75.23 feet (chord bears South 28°02' 34" East, 74.75 feet); thence leaving the road run South 48°19' 03" West, a distance of 87.07 feet; thence run South 60°29' 45" West, a distance of 189.93 feet; thence run North 48°22' 29" West, a distance of 89.45 feet to a point on the mean high water line of Perdido Bay; thence run South 01°38' 48" West (this and the next call are along said mean high water line), a distance of 34.20 feet; thence run South 04°08' 53" East, a distance of 101.87 feet; thence leaving the mean high water line of Perdido Bay thence run South 48°22' 29" East, a distance of 160.0 feet; thence run North 32°19' 16" East, a distance of 214.42 feet; thence run South 34°40' 44" East, a distance of 117.13 feet; thence run North 81°32' 31" East, a distance of 519.22 feet; thence run South 53°43' 08" East, a distance of 202.72 feet; thence run South 25°56' 40" East, a distance of 288.88 feet; thence run North 84°03' 20" East, a distance of 135.0 feet to a point on the westerly right-of-way boundary of the aforementioned roadway (50' R/W); thence along said roadway run South 25°56' 40" East (this and the next calls are along said boundary of said roadway), a distance of 474.07 feet to a point of curve concave to the Southwest and having a radius of 500.00 feet; thence run in a Southeasterly direction along said curve through a central angle of 05°48' 23" for an arc distance of 30.87 feet (chord bears South 23°02' 29" East, 30.85 feet) to a point of tangency; thence run South 20°08' 17" East, a distance of 118.20 feet to a point of curve concave to the Southwest and having a radius of 1183.01 feet; thence run in a Southeasterly direction along said curve through a central angle of 04°49' 12" for an arc distance of 97.84 feet (chord bears South 17°43' 41" East, 97.81 feet) to a point of tangency; thence run South 15°19' 05" East, a distance of 26.84 feet to a point on the Northerly boundary of that property conveyed to Reliant Contractors; thence leaving the westerly right-of-way of said roadway run North 60°21' 21" East along the said Northerly boundary of that property conveyed to Reliant Contractors, a distance of 51.60 feet to a point on the easterly right-of-way boundary of said roadway; thence run North 15°19' 05" West, a distance of 13.87 feet to a point of curve concave to the Southwest and having a radius of 1213.01 feet; thence run in a Northwesterly direction along said curve through a central angle of 04°48' 12" for an arc distance of 102.04 feet (chord bears North 17°43' 41" West, 102.01 feet) to a point of tangency; thence run North 20°08' 17" West, a distance of 118.20 feet to a point of curve concave to the Southwest and having a radius of 530.0 feet; thence run in a Northwesterly direction along said curve through a central angle of 05°48' 23" for an arc distance of 55.74 feet (chord bears North 23°02' 29" West, 55.71 feet) to a point of tangency; thence run North 25°56' 40" West, a distance of 474.07 feet; thence leaving the roadway run North 84°03' 20" East, a distance of 251.35 feet to the point of beginning. Containing 48.88 acres, more or less.

EXHIBIT
"A"

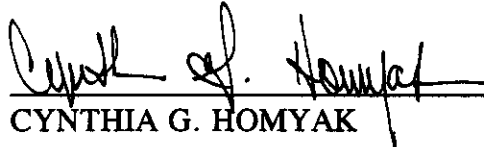
RESIDENT AGENT'S CERTIFICATE

Pursuant to Section 48.091, Florida Statutes, the following is submitted in compliance with said Act:

THE PRESERVE AT CROWN POINTE HOMEOWNERS ASSOCIATION, INC., a Florida Corporation Not For Profit, desiring to organize under the laws of the State of Florida, with its principal office as indicated in the Articles of Incorporation, in Pensacola, Escambia County, Florida, has named CYNTHIA G. HOMYAK whose address is 6565 N. "W" Street, Suite 260, Pensacola, Florida 32505, as its agent to accept service of process within this State.

Acknowledgment and Acceptance

Having been named to accept service of process for the above stated corporation (or Association) at the place designated in this Certificate, I hereby accept such designation and agree to comply with the provisions of said Act relative to keeping open said office.


CYNTHIA G. HOMYAK

RCD Dec 09, 1996 02:50 pm
Escambia County, Florida

Ernie Lee Magaha
Clerk of the Circuit Court
INSTRUMENT 96-346806

FILED
96 DEC -5 PM 2:39
SECRETARY OF STATE
TALLAHASSEE, FLORIDA