

# State of Florida



## Department of State

I certify the attached is a true and correct copy of the Articles of Incorporation of OVERLOOK ESTATES EAST PROPERTY OWNERS ASSOCIATION, INC., a corporation organized under the laws of the State of Florida, filed on April 24, 1989, as shown by the records of this office.

The document number of this corporation is N31882.

Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capital, this the  
Twenty-first day of October, 2019



*Laurel M. Lee*

Laurel M. Lee

Secretary of State



FLORIDA DEPARTMENT OF STATE

THE ATTACHED COPIES ARE  
THE BEST AVAILABLE.

SOME OR ALL OF THE ORIGINAL  
DOCUMENTS SUBMITTED FOR  
FILING WERE NOT SUITABLE FOR  
MICROFILMING.

ARTICLES OF INCORPORATION

OF

OVERLOOK ESTATES EAST PROPERTY OWNERS ASSOCIATION

The undersigned, acting as incorporators of a non-profit Corporation under Chapter 617 of the Florida Statutes, do hereby adopt the following Articles of Incorporation:

ARTICLE I

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

ARTICLE II

The specific primary purposes for which the Association is being formed are to provide for maintenance, preservation, repair and replacement of improvements to the Common Areas and architectural control of the residence lots within a certain tract of subdivided real property located in Polk County, Florida (the same being described in that certain DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, which is recorded in the official public records of Polk County, Florida at O. R. Book 87 Page 46 and hereinafter referred to as the DECLARATION) and, to promote the health, safety and welfare of the residents within the above described subdivided real property and such additions thereto as may hereafter be brought within the jurisdiction of the Association for such purpose.

In furtherance of such purposes, the Association shall have the following powers:

(a) To perform all of the duties and obligations given the Association as set forth in the DECLARATION;

(b) Subject to the limitations imposed by the DECLARATION, to:

(1) Assess, levy and collect, and enforce payment by any lawful means of, all charges and assessments pursuant to the terms of the DECLARATION; and pay all expenses in connection therewith, and all office and other expenses incidental to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied on or imposed

against the property of the Association.

(2) Acquire (by gift, purchase or otherwise), own, hold and improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate to public use or otherwise dispose of real and personal property in connection with the affairs of the Association;

(3) Borrow money and, subject to the consent by vote or written instrument of two-thirds of the members of the Association, to mortgage, pledge, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(4) 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 of the members of the Association, agreeing to such dedication, sale or transfer;

(5) Participate in mergers and consolidations with other non-profit Corporations organized for the same purposes, or annex additional residential property or common areas, all as provided for or allowed by the DECLARATION;

(6) Have and exercise any and all powers, rights, and privileges that a non-profit 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 assessments against members as provided in the DECLARATION, and no part of any net earnings of the Association 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 simple interest in any lot which is subject by covenants of record to assessment by the Association, including

contract sellers, 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 commencing upon filing of these articles.

ARTICLE V

The name and street address of each subscriber to these Articles are:

<u>Name</u>	<u>Address</u>
Edward O. Varner	128 Avenue B, S.W. Winter Haven, Florida 33880

ARTICLE VI

The number of persons constituting the first Board of Directors of the Association shall be (3), and the names and addresses of the persons who shall serve as Directors until the first election are:

<u>Name</u>	<u>Address</u>
Edward O. Varner	128 Avenue B, S.W. Winter Haven, Florida 33880
Iris I. Varner	128 Avenue B, S.W. Winter Haven, Florida 33880
Paul C. Varner	128 Avenue B, S.W. Winter Haven, Florida 33880

ARTICLE VII

The By-Laws of the Association may be made, altered, or rescinded at any annual meeting of the Association, or at any special meeting duly called for such purpose on the affirmative vote of two-thirds of the members existing at the time of and present and voting at such meeting, except that the initial By-Laws of the Association shall be made and adopted by the Board of Directors.

ARTICLE VIII

Amendments of 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 called and held for such purpose, on the affirmative vote of two-thirds of the members existing at the time of, and present and voting at such meeting.

ARTICLE IX

On dissolution, the assets of the Association shall be granted, conveyed and assigned to any non-profit corporation, association, trust or other organization organized and operated for such similar purposes.

IN WITNESS WHEREOF, we, the undersigned subscribing incorporators have hereunto set our hands and seals, this 31 day of March, 1989.

Signed, sealed and delivered  
in the presence of:

Daniel P. Rooney  
James R. ...

Edward O. Varner  
EDWARD O. VARNER

STATE OF FLORIDA  
COUNTY OF POLK

BEFORE ME, the undersigned notary public, personally  
appeared EDWARD O. VARNER, who being duly sworn, acknowledged  
that he executed the foregoing Articles of Incorporation for the  
purposes therein expressed, this 31 day of March, 1989.

Kenneth Nichols  
Notary Public/State of Florida at Large  
My Commission Expires:

Notary Public, State of Florida  
My Commission Expires Mar. 8, 1991

CERTIFICATE DESIGNATING PLACE OF BUSINESS OR DOMICILE FOR  
THE SERVICE OF PROCESS WITHIN THIS STATE, NAMING AGENT  
UPON WHOM SERVICE MAY BE SERVED.

Pursuant to Chapter 607 and Section 48.091, Florida Statutes, the following is submitted, in compliance with the Act:

FIRST -- That OVERLOOK ESTATES EAST PROPERTY OWNERS ASSOCIATION, INC., desiring to organize under the laws of the State of Florida, with its principal office, as indicated in the Articles of Incorporation, in the City of Winter Haven, State of Florida, has named EDWARD O. VARNER as its registered agent to accept service of Process within this State.

SECOND -- That OVERLOOK ESTATES EAST PROPERTY OWNERS ASSOCIATION, INC.'s registered agent shall maintain his office for service of process within this state at the following street address:

695 Third Street, S.W.  
Winter Haven, Florida 33880

in the County of Folk, State of Florida.

Having been named as Registered Agent for the above stated Corporation, at the place designated in this certificate, I hereby agree to act in this capacity, I acknowledge that I am familiar with and accept the obligations provided by Florida Statute Section 607.325 (1985) and I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties.

  
EDWARD O. VARNER

Date: April 31, 1989