

ARTICLES OF INCORPORATION OF WINDING WOODS HOMEOWNERS ASSOCIATION

(a corporation not for profit)

(As filed October 1, 1980 with the Secretary of State, Tallahassee, Florida, and amended on 8 April 1993.)

We, the undersigned, hereby associate ourselves into a corporation not for profit under the laws of Florida, for the purposes herein mentioned.

ARTICLE I NAME

The name of the corporation shall be WINDING WOODS HOMEOWNERS ASSOCIATION, INC. Hereinafter the corporation shall be referred to as "Association".

ARTICLE II PURPOSE

- 2.1 This Association is organized to provide certain centralized services, regulation, and control as hereinafter set forth and as provided in the DECLARATION OF COVENANTS AND RESTRICTIONS recorded or to be recorded as WINDING WOODS SUBDIVISION, Ormond Beach, Florida. Said subdivision will be developed in several phases, each of which may be separately recorded, and all of which shall be situate with Ormond Beach, Volusia County, Florida.
- 2.2 No part of the earnings or profits, if any, or of the revenues of the corporation shall ever inure to the benefit of any of its members, officers, or directors.

ARTICLE III POWERS

The Association shall have the following powers:

- 3.1 The Association shall have all of the powers of a corporation not for profit under the laws of Florida, except as may be otherwise provided in these Articles.
- 3.2 The Association shall have and exercise all of the powers granted to it by the Declaration of Covenants and Restrictions now or hereafter of record affecting the use of real property described as WINDING WOODS in each of its respective units, and any replats or resubdivisions thereof, and all of the powers reasonably necessary to accomplish its powers and purposes, including but not limited to, the following:
- (a) To own, operate, lease, sell, trade, and otherwise deal with such property, real or personal, as may be necessary or convenient in the performance of its duties.
 - (b) To make and establish reasonable rules and regulations governing the use and appearance of common areas, common easements, buffer easements, grounds and exteriors of dwellings and structures, including fences.
 - (c) To levy and collect assessments against members of the Association as owners to defray the costs of the exercise of its powers and duties, and the maintenance of common areas, common easements, buffer easements, unpaved portions of public rights of way and such other purposes as provided in the Declaration of Covenants and Restrictions or included within the Association's By-laws.
 - (d) To purchase insurance upon the common areas and grounds for the protection of the Association and its members.
 - (e) To enforce by legal means the land use covenants and restrictions, these Articles of Incorporation, the By-laws of the Association, and the regulations for the use of any property which is subject to regulation and control by the Association.
- 3.3 In order to ensure reasonable uniformity of appearance the Association shall have the right to adopt rules and regulations specifically providing for painting, maintenance, design, and color schemes of the exteriors of all dwellings and structures, including fences in the subdivision, and provide for the enforcement of such rules and regulations.

- 3.4 The Association shall be responsible for the maintenance and upkeep of common areas, including all landscaping in the buffer easements and unpaved portions of public rights of way.
- 3.5 The Association shall have a lien on each lot to secure all sums of money assessed against the owner, and which lien shall also secure all costs and expenses including attorney's fees, which may be incurred by the Association in enforcing such lien. The Association may enforce such lien in any manner provided by law, including foreclosure thereof. Such liens shall, however, be subordinate to any mortgage owned by any institutional lender.

ARTICLE IV MEMBERS

The qualifications of the members, the manner of their admission to membership, the termination of such membership, and voting by members shall be as follows:

- 4.1 The members of the Association shall consist of all record owners of lots in each respective unit of WINDING WOODS as and when restrictions are recorded among the Public Records of Volusia County, Florida, providing for such membership.
- 4.2 A change of membership in the Association shall be established by recording in the Public Records of Volusia County, Florida, a deed or other instrument establishing title to a lot in the development and the delivery to the Association of a true copy of such instrument.
- 4.3 No interest in the assets of the Association may be assigned, hypothecated, or transferred by any member except as an appurtenance to his lot.
- 4.4 On all matters on which the membership shall be entitled to vote, there shall be only one (1) vote cast by the owner or owners of each unit in such manner as may be provided in the By-laws. Should any member own more than one lot such member shall be entitled to exercise or cast as many votes as he owns lots, in the manner provided by said By-laws.
- 4.5 The annual meeting of the membership shall be held on the first Monday of November of each year.

ARTICLE V PRINCIPAL OFFICE

The location of the principal or registered office of this corporation shall be 195 Windward Lane, Ormond Beach, Florida, or such other location as the Directors may from time to time select. The Registered Agent for the corporation shall be Larry R. Stout.

ARTICLE VI DIRECTORS

- 6.1 The affairs of the Association will be managed by a Board consisting of not less than three (3) nor more than nine (9) directors.
- 6.2 Directors of the Association shall be elected at the annual meeting of members in the manner provided in the By-laws. Directors may be removed and vacancies on the Board of Directors shall be filled in the manner provided by the By-laws. The directors named herein shall serve until such first election and vacancies occurring before such election shall be filled by the remaining directors.
- 6.3 The names and addresses of the first Board of Directors who shall hold office until their successors are elected and have qualified, or until removed, are as follows:

JEROME B. MEYER	195 Windward Lane Ormond Beach, Florida
FRANCESKA R. MEYER	195 Windward Lane Ormond Beach, Florida
LARRY R. STOUT	619 North Grandview Daytona Beach, Florida

11.3 No amendment shall make any changes in the qualifications for membership nor the voting rights of members, without approval in writing of all members and the joinder of all record owners of mortgages upon the lots. No amendment shall be made that is in conflict with the law or the covenants and restrictions governing the use of the land.

**ARTICLE XII
SUBSCRIBERS**

The names and addresses of the subscribers to these Articles of Incorporation are as follows:

JEROME B. MEYER	195 Windward Lane Ormond Beach, Florida
FRANCESKA R. MEYER	195 Windward Lane Ormond Beach, Florida
LARRY R. STOUT	619 North Grandview Daytona Beach, Florida

The Articles of Incorporation were duly witnessed, notarized, and accepted by the registered agent.