

B3156 P1118

State of Florida



Department of State

I certify that the attached is a true and correct copy of the Articles of Incorporation of CYPRESS CREEK PROPERTY OWNERS ASSOCIATION, INC., a corporation not for profit organized under the Laws of the State of Florida, filed on September 26, 1979, as shown by the records of this office.

The charter number for this corporation is 749095.

Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capital, this the
28th day of September, 1979



CER 101 Rev. 5-79

George Firestone

George Firestone
Secretary of State

FILED

SEP 26 3 26 PM '79

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

ARTICLES OF INCORPORATION

OF

CYPRESS CREEK PROPERTY OWNERS ASSOCIATION, INC.

ARTICLE I

Name

The name of the corporation shall be CYPRESS CREEK PROPERTY OWNERS ASSOCIATION, INC.

ARTICLE II

Principal Office

The street address of the initial registered office of this corporation is 208 Clematis Street, West Palm Beach, Florida, and the name of the initial Registered Agent of this corporation at that address is Frank W. Weathers.

ARTICLE III

Purposes

The general nature, objects and purposes of the Association shall be:

(a) To promote the health, safety, social and recreational welfare of the owners of property in the unrecorded plat known as Cypress Creek Development located in Section 24, Township 45 South, Range 42 East, Palm Beach County, Florida.

(b) To provide for the improvement, maintenance and preservation of the aforesaid property.

(c) To administer and enforce all the terms and conditions of the Protective Covenants, Restrictions, Reservations, Servitudes and Easements filed or to be filed of record in Palm Beach County, Florida, affecting the real property therein described or thereafter made subject to said Declaration.

(d) To operate without profit for the sole and exclusive benefit of its members.

ARTICLE IV

General Powers

The Association shall have all of the powers and duties reasonably necessary to operate and maintain the Association, including but not limited to, the following:

(a) To exercise all of the powers, privileges and duties set forth in these Articles or in the By-Laws as they presently exist and as they may, from time to time, be amended.

- (b) To construct, maintain, replace, or otherwise deal with improvements of every kind whatsoever upon said property.
- (c) To provide road improvements and/or maintenance services for the roadways and common areas within said property.
- (d) To provide security patrol and/or other forms of protection for the members of such association.
- (e) To establish, levy, collect and enforce payment of all fees, dues, charges or assessments pursuant to the terms of the aforesaid Declaration or By-laws of the Association for all of the purposes of the Association and to create and establish reasonable reserves for all of such purposes.
- (f) To pay all expenses incident to the conduct of the business of the Association.
- (g) To promulgate or enforce rules, regulations, by-laws, covenants, restrictions or agreements to effectuate all of the purposes for which the Association is organized.
- (h) To purchase, lease, hold, sell, mortgage or otherwise acquire or dispose of real or personal property and to enter into, make, perform or carry out contracts of every kind with any person, firm, corporation or association.
- (i) To charge recipients for services rendered by the Association and the user for the use of Association property where such is deemed appropriate by the Association.
- (j) To pay taxes and other charges, if any, on or against any property owned, used or accepted by the Association.
- (k) To borrow money and to make, accept, endorse, execute and issue debentures, promissory notes or other obligations of the Association for money borrowed or in payment for property acquired or for any of the other purposes of the Association and to secure the payments for such obligations by mortgages, pledges or other instruments of trust by liens upon or assignment of or agreement in regard to all or any part of the property rights or privileges of the Association.
- (l) To exercise any and all powers, rights and privileges which a corporation organized under the Corporations Not For Profit Law of the State of Florida by law may now or hereafter have or exercise.

ARTICLE V

Membership

The members of the Association shall consist of the property owners within the boundaries of the unrecorded plat of Cypress Creek Development. Membership shall be as a result of the ownership of a lot within said unrecorded plat and may not be separated from such ownership.

ARTICLE VI

Voting and Assessments

A. Each member shall be entitled to one vote for each lot owned. In the event the lot is owned by more than one person, all of such persons shall be entitled to a total of one vote

so that each lot is represented by one vote. There shall be no splitting or division of votes and multiple owners shall designate one of their number to cast the vote represented by the lot.

B. The Association shall obtain funds with which to operate by the assessment of its members in accordance with the provisions of By-laws of the Association. All fees, dues, charges and assessments shall be due and payable in such manner and at such times as the Board of Directors of the Association shall designate and the collection of same may be enforced by all lawful means as provided in the aforesaid By-laws.

ARTICLE VII

Board of Directors

A. The affairs of the Association shall be managed by a Board of Directors consisting of not less than three nor more than fifteen directors who need not be members of the Association. The initial Board of Directors shall consist of seven directors who shall hold office until the election of their successors. The exact number of directors shall be fixed from time to time at the annual meeting by the members.

B. The names and addresses of the members of the first Board of Directors who shall hold office until the annual meeting of the members or until their successors are elected or appointed and have qualified, are as follows:

C. Stanley Weaver	322 S. W. 8th Ave. Boynton Beach, FL 33435
Melvin E. Weaver	4878 Palo Verde Drive Boynton Beach, FL 33436
Martha T. Clymer	710 Rider Road Boynton Beach, FL 33435
Lee Micin	4803 Palo Verde Drive Boynton Beach, FL 33436
Douglas Peace	4762 Palo Verde Drive Boynton Beach, FL 33436
Herbert Willard	4615 Palo Verde Drive Boynton Beach, FL 33436
Bessie B. Stanley	4690 Palo Verde Drive Boynton Beach, FL 33436

ARTICLE VIII

Officers

A. The officers of the Association shall be a President, a Vice President, a Secretary, a Treasurer, and such other officers as the Board of Directors may from time to time, by resolution, establish. Any two or more offices may be held by the same person except the offices of President and Secretary. The officers shall be elected by the Board of Directors at the first meeting of the Board of Directors following the annual meeting of the members of the Association.

B. The names and addresses of the initial officers who shall serve until their successors are elected by the Board of Directors are:

Director & President	C. Stanley Weaver	322 S.W. 8th Avenue Boynton Beach, FL 33435
Director & Vice Pres.	Melvin E. Weaver	4878 Palo Verde Drive Boynton Beach, FL 33436
Dir. & Sec./Treas.	Martha T. Clymer	720 Rider Road Boynton Beach, FL 33435

ARTICLE IX

Corporation Existence

The corporation shall have perpetual existence.

ARTICLE X

By-Laws

The Board of Directors shall adopt By-laws consistent with these Articles and said By-laws may be amended, altered or rescinded by the the Association in a manner provided in said By-laws.

ARTICLE XI

Idemnification of Officers and Directors

Each and every officer and director of the Association shall be indemnified by the Association against all costs, expenses, and liabilities, including legal fees reasonably incurred by or imposed upon such officer or director in connection with any claim, demand or proceeding to which such officer or director may be a party or in which such officer or director may become involved by reason of his being or having been an officer or director of this Association, whether or not such person is an officer or director at the time such expenses are incurred, provided, however, if such officer or director is adjudged guilty of willful misfeasance or willful malfeasance in the performance of the duties of such officer or director, the Association shall not indemnify such officer or director. In the event of a settlement of any claim or proceeding, the indemnification herein provided shall be applicable only when the Board of Directors of the Association shall approve such settlement and shall determine that such indemnification shall be in the best interest of the officer or director and the Association. The Association may purchase such insurance policies as the Board of Directors of the Association shall deem appropriate to provide such indemnification. The foregoing right of indemnification shall be in addition to, but not exclusive of, any and all other rights to which such officer or director may be entitled.

ARTICLE XIITransactions in Which Officers or Directors
are Interested

A. No contract or transaction between the Association and one or more of its officers or directors or between the Association and any other legal entity in which one or more of the officers or directors of the Association are interested in any manner, shall be invalid, void or voidable solely for that reason, or solely because an officer or director of the Association is present at or participates in the meeting of the Board of Directors of the Association or any committee thereof which authorizes such a contract or transaction, or solely because of the vote of such officer or director in connection therewith. No officer or director of the Association shall incur liability by reason of the fact that such officer or director is or may be interested in any such contracts or transactions.

B. Interested directors may be counted in determining the presence of a quorum at the meeting of the Board of Directors or of any committee thereof, which authorizes contracts or transactions.

ARTICLE XIIIDissolution

This Association may be dissolved upon the written consent of three-fourths (3/4) of the votes entitled to be cast. 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 and shall be used for purposes similar to those for which this Association was created. In the event that such dedication is refused or in the event that those persons voting for dissolution so indicate, such assets shall be granted, conveyed or assigned to any other non-profit corporation devoted to such similar purposes.

ARTICLE XIVAmendment of Articles of Incorporation

These Articles may be altered, amended, or repealed in the following manner:

(a) Notice of the proposed amendment shall be included in the notice of any meeting in which a proposed amendment is considered.

(b) A resolution for the adoption of the proposed amendment may be proposed either by the Board of Directors or by the members of the Association. Approval of a proposed amendment must be by a majority of the Board of Directors of the Association and no less than seventy-five percent (75%) of the votes entitled to be cast by members or by the unanimous approval of the initial Board of Directors until the first annual election of directors.

ARTICLE XV

Resident Agent

The resident agent of the Association to accept service of process in this State and who shall serve until replaced by the Board of Directors of the Association shall be FRANK W. WEATHERS, whose street address is 208 Clematis Street, Suite 600, West Palm Beach, Florida 33401.

ARTICLE XVI

Subscribers

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

C. STANLEY WEAVER	322 S. W. 8th Avenue, Boynton Beach, Florida 33435
MELVIN E. WEAVER	4878 Palo Verde Drive, Boynton Beach, Florida 33436
MARIHA T. CLYMER	720 Rider Road, Boynton Beach, Florida 33435

IN WITNESS WHEREOF, the Subscribers have hereunto set their hands and seals, this 17th day of September, 1979.

C Stanley Weaver
C. Stanley Weaver

Melvin E. Weaver
Melvin E. Weaver

Martha T. Clymer
Martha T. Clymer

STATE OF FLORIDA)
) ss.
COUNTY OF PALM BEACH)

BEFORE ME, the undersigned authority, personally appeared C. STANLEY WEAVER, MELVIN E. WEAVER and MARIHA T. CLYMER, to me well known and known to be the persons described in and who executed the foregoing, and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid, this 17th day of September, 1979.

Gail A. Demshel
Notary Public
My commission expires
NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES APR 18, 1980
BONDED THRU GENERAL INSURANCE WRITERS ASSOCIATION OF FLORIDA

ACCEPTANCE

I, FRANK W. WEATHERS, hereby accept the designation as Resident Agent for service of process upon CYPRESS CREEK PROPERTY OWNERS ASSOCIATION, INC., in accordance with the applicable Florida Statutes.

Frank W. Weathers
Frank W. Weathers

RECORDER'S MEMO: Legibility of Writing, Typing or Printing unsatisfactory in this document when received.