

# STATE OF FLORIDA

DEPARTMENT OF STATE • DIVISION OF CORPORATIONS

I certify that the following is a true and correct copy of

## CERTIFICATE OF INCORPORATION

OF

LUCERNE LAKES HOMEOWNER'S ASSOCIATION, INC.

filed in this office on the 17th day of August

1977

Charter Number: 739812

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GIVEN under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the 23rd day of August 1977.

SECRETARY OF STATE

Lucerne Lakes Homes  
4341 Lisa Drive  
Lake Worth, Florida 33463

CORP. 101 (Corp. 94)  
7-13-76

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ARTICLES OF INCORPORATION

OF

LUCERNE LAKES HOMEOWNER'S ASSOCIATION, INC.

The undersigned, by these Articles, associate themselves for the purpose of forming a corporation not for profit under Chapter 617, Florida Statutes, and do hereby certify as follows:

ARTICLE I

NAME

The name of the corporation shall be LUCERNE LAKES HOMEOWNER'S ASSOCIATION, INC. ("Association").

ARTICLE II

INITIAL REGISTERED OFFICE AND AGENT

The initial registered office of the Association shall be located at 4341 Lisa Drive, Lake Worth, Florida 33461. The initial registered agent of the Association is Herbert Praver, whose address is 4341 Lisa Drive, Lake Worth, Florida 33461. The principal business office of the Association shall be located initially at 4341 Lisa Drive, Lake Worth, Florida 33461, and the office of the Association may thereafter be at such other place as the Board of Directors of the Association ("Board") may designate from time to time.

ARTICLE III

PURPOSE AND POWERS OF THE ASSOCIATION

This Association does not contemplate pecuniary gain or profit to the members thereof ("Members"). The specific purposes for which it is formed are to provide for maintenance, preservation, and architectural compatibility of the residence Lots and Common Areas within that certain tract of property located in Palm Beach County, Florida, more particularly described in Exhibit A attached hereto ("Property"), to promote the health, safety and welfare of the residents within the Property and any additions thereto as may hereafter be brought within the jurisdiction of this Association and for this purpose to:

(a) exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in that certain Declaration of Covenants, Conditions and Restrictions, ("Declaration") applicable to the Property and recorded among the Public Records of Palm Beach County, Florida, as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth at length with all definitions of terms set forth therein being applicable to such terms in these Articles including the power to join with other associations and organizations one of whose purposes is to provide for the landscaping, street lighting, drainage, maintenance and sprinkler system for Lucerne Lakes Boulevard, Palm Beach County, Florida;

(b) fix, levy, collect and enforce payment by any lawful means all charges and 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;

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(d) dedicate, sell or transfer all or any part of the Common Areas 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;

(e) have and 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 and not in conflict with these Articles;

(f) maintain, repair, replace and operate the Common Areas;

(g) purchase insurance upon the Common Areas and insurance for the protection of the Association and its Members;

(h) reconstruct improvements to the Common Areas after casualty and further improve the Common Areas;

(i) make and amend reasonable rules and regulations respecting the maintenance, upkeep, and use of the Common Areas;

(j) employ personnel to perform the services required for the proper operation, maintenance and upkeep of the Common Areas and the operation of the Association; and

(k) contract for the management of the Association and the performance of its duties with a third party and delegate to said third party all of the powers and duties of the Association except those required by these Articles or the Declaration to have the approval of the Board or the Members.

#### ARTICLE IV

##### QUALIFICATION OF MEMBERS

All Members of the Association must be owners of Lots within the Property and all such owners shall automatically become Members of the Association. The Declarant as identified and defined in the Declaration ("Declarant") shall be a Member.

#### ARTICLE V

##### VOTING RIGHTS

Members shall be entitled to one (1) 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 they, among themselves shall determine, but in no event shall more than one (1) vote be cast with respect to any Lot. There shall be no cumulative voting.

#### ARTICLE VI

##### BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of not less than three (3) nor more than nine (9) Directors who, for a period of five years after the issuance of the Association's Certificate of Incorporation need not be Members. The initial Board and the succeeding Boards during said 5 year period shall be comprised of three (3) members. The names and addresses of the persons who are to act in the capacity of Directors until the election of their successors are:

HERBERT PRAVER  
4341 Lisa Drive  
Lake Worth, Florida 33461

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DIANE ERWIN  
4341 Lisa Drive  
Lake Worth, Florida 33461

HERMAN RINGLER  
4341 Lisa Drive  
Lake Worth, Florida 33461

The initial Board herein designated shall serve for one year and thereafter as provided in the By-Laws. Directors may be removed in the manner provided for in the By-Laws.

ARTICLE VII

OFFICERS

The Association shall be administered by the Officers designated in the By-Laws. The Officers shall be elected by the Board at its first meeting following the annual meeting of the Members and shall serve at the pleasure of the Board. The names and addresses of the Officers who shall serve until their successors are designated by the Board are as follows:

HERBERT PRAVER  
4341 Lisa Drive  
Lake Worth, Florida 33461

President and Secretary

DIANE ERWIN  
4341 Lisa Drive  
Lake Worth, Florida 33461

Vice-President and Treasurer

HERMAN RINGLER  
4341 Lisa Drive  
Lake Worth, Florida 33461

Assistant Secretary

ARTICLE VIII

BY-LAWS

The first By-Laws of the Association shall be adopted by the Board and may be altered, amended or rescinded by the Board in the manner provided by the By-Laws.

ARTICLE IX

INDEMNIFICATION

Every Director and Officer of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonably incurred by, or imposed upon him, in connection with any proceeding or settlement of any proceeding to which he may be a party or in which he may become involved by reason of his being or having been a Director or Officer of the Association, whether or not he is a Director or Officer at the time such expenses are incurred, but the provisions of this Article shall not apply if a Director or Officer is adjudged guilty of willful misfeasance or malfeasance in the performance of his duties; provided, that in the event of a settlement, the indemnification provided herein shall apply only when the Board approves such settlement and reimbursement as being in the best interest of the Association. The foregoing right of indemnification shall be in addition to, and not exclusive of, all other rights to which such Director or Officer may be entitled.

ARTICLE X  
DISSOLUTION

The Association may be dissolved in the manner provided by the laws of Florida.

ARTICLE XI  
TERM

The term of this Association shall be perpetual.

ARTICLE XII  
AMENDMENTS

Amendments to these Articles shall be proposed and adopted in the following manner:

(a) A notice of the subject matter of the proposed amendment shall be included in the notice of any meeting at which the proposed amendment is to be considered.

(b) A resolution for the adoption of the proposed amendment may be proposed by either the Board or the Members. Directors and Members not present in person or by proxy at a meeting considering an amendment may express their approval in writing provided that such approval is delivered to the secretary of the Association at or prior to the meeting. Except as elsewhere provided, amendments to these Articles shall require the assent of seventy-five percent (75%) of the entire membership of the Association and seventy-five percent (75%) of the members of the Board.

(c) A copy of each amendment shall be filed with the Secretary of State and recorded among the Public Records of Palm Beach County, Florida.

ARTICLE XIII  
SUBSCRIBERS

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

HERBERT PRAVER  
4341 Lisa Drive  
Lake Worth, Florida 33461

DIANE ERWIN  
4341 Lisa Drive  
Lake Worth, Florida 33461

HERMAN RINGLER  
4341 Lisa Drive  
Lake Worth, Florida 33461

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IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, we, the undersigned, constituting the subscribers of this Association, have executed these Articles of Incorporation this 20th day of June, 1977.

Herbert Praver  
HERBERT PRAVER

Diane Erwin  
DIANE ERWIN

Herman Ringle  
HERMAN RINGLER

STATE OF FLORIDA            )  
  )  
COUNTY OF PALM BEACH    )

BEFORE ME, the undersigned authority, personally appeared HERBERT PRAVER, DIANE ERWIN and HERMAN RINGLER, to me known to be the persons described in and who executed the foregoing instrument and who acknowledged before me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 20th day of June, 1977.

Barbara D. Johnson  
NOTARY PUBLIC

My Commission Expires:

Notary Public, State of Florida at Large  
My Commission Expires Dec. 17, 1977  
Bonded by American Fire & Casualty Co.



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EXHIBIT "A" TO  
ARTICLES OF INCORPORATION OF  
LUCERNE LAKES HOMEOWNERS ASSOCIATION, INC.

LUCERNE LAKES HOMES, Village I according to the plat thereof recorded in Plat Book 33, Page 29 of the Public Records of Palm Beach County, Florida; and

LUCERNE LAKES HOMES, Village I, First Addition according to the plat thereof in Plat Book 33, Page 31 of the Public Records of Palm Beach County, Florida.

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CERTIFICATE DESIGNATING REGISTERED AGENT AND  
REGISTERED OFFICE

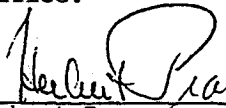
In accordance with Chapter 48.091, Florida Statutes, the following designation and acceptance is submitted in compliance thereof.

DESIGNATION:

Lucerne Lakes Homeowner's Association, Inc. desiring to organize under the laws of the State of Florida, hereby designates Herbert Praver as its registered agent and 4341 Lisa Drive, Lake Worth, Florida 33461 as its registered office.

ACCEPTANCE:

Having been named as registered agent for the above named corporation, I hereby agree to act in such capacity for such corporation at its registered office.

  
\_\_\_\_\_  
Herbert Praver  
(Registered Agent)

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Record Verified  
Palm Beach County, Fla.  
John B. Bunkle  
Clerk Circuit Court