

The Fox Valley Home Owners Association (FVHOA) Board of Directors declare that;

The transcript attached below is a good faith transcription of the original Fox Valley Homeowners Association, Articles of Incorporation, (AOI) signed and witnessed on 21 June 1982; which is also attached as a separate document.

A copy of original Fox Valley Home Owners Association AOI was requested by the FVHOA, and provided by the Office of the Florida Secretary of State, dated 17 December 2020. It is affirmed by the State to be a true and correct copy of the AOI for Fox Valley Homeowners' Association, a not-for-profit corporation organized under the laws of the State submitted with the "Great Seal of the State of Florida".

Unfortunately, the document provided by the State is a poor photocopy of the original incorporation document from 1982, and at the present time is extremely hard to read. To ensure that the Declarant and individual Association Members have a readable, usable copy of the Incorporation Articles, this transcription was undertaken. This task was performed by an Association Member with no working relationship with the current Board of Directors (BOD) and reviewed by a current member of the Board of Directors. Both members agree the document ("Transcript") attached herein is a faithful representation of the original Articles of Incorporation written and signed more than forty-two (42) years ago.

Any errors of grammar or spelling remain uncorrected. The transcription does not diminish or expand the legal responsibilities, duties or requirements, rights or privileges of the original Officers, or any current or future Association Members as specified in the original document. The transcription and the copy of the original shall remain attached, and shall be considered as a single document with this cover letter attached. The entire package (original, transcription, and cover letter) shall be on file with the Secretary of the FVHOA Board of Directors, for review by Association Members and any other authorized users for any purpose including future efforts for an independent validation of the accuracy of the transcription. Access to the whole document shall be provided based on FS 720 (2024) and FVHOA bylaws.

August 27, 2024

Transcript

(This transcript completed by Kristine Stein is a good faith effort to capture these ARTICLES as originally written, before the last nearly unreadable copy deteriorates further. Any wording that the transcriber may have misread is entirely unintentional and does not change the original document)

763915 (stamped)

ARTICLES OF INCORPORATION
OF
FOX VALLEY HOMEOWNERS ASSOC., INC.
ASSOCIATION

in compliance with the requirements of Chapter 617, Florida Statutes, the undersigned, all of whom are residents of Florida, and all of whom are of full age, have this day voluntarily associated themselves together for the purposes of forming a corporation not for profit and do hereby certify.

ARTICLE I.
NAME

The name of the corporation is FOX VALLEY HOMEOWNERS ASSOC., INC., hereafter called the "Association".

ARTICLE II.
REGISTERED AGENT AND OFFICE

The principal office of the Association shall be 1712 Kingsley Avenue, Orange Park, Florida 32073, and the name of its registered agent at mailing address shall be MARVIN E. WILHITE.

ARTICLE III.
DURATION

This Association shall exist perpetually.

ARTICLE IV.
PURPOSE AND POWERS OF THE ASSOCIATION

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the residential Lots, Streets, and Common Area within that certain tract of property described as:

Fox Valley Replat, as recorded in Plat Book 16, pages 71, 72, 73, 74, and 75, public records of Clay County, Florida.

Subject to certain restrictive uses, easements, right-of-ways and conditions.

and to promote the health, safety and welfare of the residents within the above-described property and any additions thereto as may hereafter be brought within the jurisdiction of this Association for purposes to:

- (a) exercise all of the powers of 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, hereinafter called the "Declaration", applicable to the property and recorded or to be recorded in the official records of Clay County, Florida, and as the 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 conduct of the business 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 each class of member 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 each class of member, agreeing to such dedication, sale or transfer.
- (f) participate in mergers and consolidations with other non-profits corporations organized for the same purposes or annex additional residential property and Common Area, provided that any such merger, consolidation, or annexation shall have the assent of two-thirds (2/3) of each class of member.
- (g) have and to exercise any and all powers, rights, and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Florida by law may now be hereafter have or exercise.

ARTICLE V. MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest in any Lot which is subject by covenants of record to assessment by the Association, including contract sellers, 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.

ARTICLE VI. VOTING RIGHTS

The Association shall have two (2) 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 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 Lots shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any Lot.

Class B: Class B members shall be the Declarant (as defined in the Declaration), and shall be entitled to three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership on 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, 1985.

ARTICLE VII.
SUBSCRIBERS

The names and residence of the subscribers of this Association are as follows:

MARVIN E. WILHITE	2050 Alpha Court Orange Park, Florida 32073
EDITH J. WILHITE	2050 Alpha Court Orange Park, Florida 32073
SHIRLEY J. BOAS	844 River Road Orange Park, Florida 32073

ARTICLE VIII.
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 need not be members of the Association. The number of directors may be changed by amendment of the By-Laws of the Association. The names and business addresses of the persons who are to act in the capacity of directors until the selection of their successors are:

MARVIN E. WILHITE	1712 Kingsley Avenue Orange Park, Florida 32073
EDITH J. WILHITE	1712 Kingsley Avenue Orange Park, Florida 32073
SHIRLEY L. BOAS	1712 Kingsley Avenue Orange Park, Florida 32073

At the first annual meeting the members shall elect three directors for a term of one year, three directors for a term of two years and three directors for a term of three years, and at each annual meeting thereafter the members shall elect three directors for a term of three years.

ARTICLE IX.
CORPORATE OFFICERS

The Board of Directors shall elect the following officers: President, Vice-President, Secretary, and Treasurer, and such other officers as the by-laws of this Association may authorize the Directors to elect from time to time. Initially, such officers shall be elected at the first annual meeting of the Board of directors. Until such election is held, the following persons shall serve as officers:

President
Vice-President
Secretary-Treasurer

MARVIN E. WILHITE
EDITH J. WILHITE
SHIRLEY L. BOAS

ARTICLE X.
DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each class of 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 such dedication is refused acceptance, such 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 TO BY-LAWS

The By-Laws of the Association may be amended, at a regular or special meeting of the members, by a vote of the majority of a quorum of members present in person or by proxy, except that the Federal Housing Administration or the Veterans Administration shall have the right to veto amendments while there is Class B membership.

ARTICLE XII.
AMENDMENTS TO ARTICLES OF INCORPORATION

Amendment of these Articles shall require the assent of 75 percent (75%) of the entire membership.

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 or the Veterans Administration: annexation of additional properties, mergers and consolidations, mortgaging of Common Area, dedication of Common Area, dissolution and amendment of these Articles.

IN WITNESS WHEREOF, for the purposes of forming this corporation under the Laws of the State of Florida, we, the undersigned, constituting the incorporators of this Association, have executed these Articles of Incorporation, this 21st day of June, 1982.

Marvin E. Wilhite (signature)
MARVIN E. WILHITE

Edith J. Wilhite (signature)
EDITH J. WILHITE

Shirley L. Boas (signature)
SHIRLEY L. BOAS

STATE OF FLORIDA
COUNTY OF CLAY

BEFORE ME, a notary public authorized to take acknowledgements in the state and county set forth above, personally appeared MARVIN E. WILHITE, EDITH J. WILHITE and SHIRLEY L. BOAS, known to me and known by me to be the person who executed the foregoing Articles of Incorporation, and they acknowledged before me that they executed these Articles of Incorporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, to the state and county aforesaid, this 21st day of June, 1982.

(unknown signature)
Notary Public, State of Florida
My commission Expires _____

(illegible seal)

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

In pursuant of Chapter 48.091, Florida Statutes, the following is submitted in compliance with said Act.

First – FOX VALLEY HOMEOWNERS ASSOC., INC., desiring to organize under the laws of the State of Florida, with its principal office as indicated in the Articles of Incorporation at the City of Orange Park, county of Clay, State of Florida, has names MARVIN E. WILHITE, located at 1712 Kingsley Avenue, Orange Park, Florida 32073, County of Clay, State of Florida, as its agent to accept service of process within this state.

ACKNOWLEDGEMENT

Having been named to accept service of process for the above-stated corporation, at the place designated in this certificate, I hereby accept to act in this capacity, and agree to comply with the provisions of said Act relative to keeping open said office.

Marvin E. Wilhite (signature)

MARVIN E. WILHITE

Ansbacher Law

DEC 22 2020

Received



FLORIDA DEPARTMENT OF STATE
Division of Corporations

December 17, 2020

FOX VALLEY HOMEOWNERS ASSOC., INC.
ATTN: HANNAH RULLO
1301 PLANTATION ISLAND DRIVE S, SUITE 206A
ST AUGUSTINE, FL 32080

Pursuant to your recent inquiry, we are enclosing the certification you requested.

Should you have any questions regarding this matter you may contact our office at (850) 245-6053.

Alyssa M Flannery
Certification Section

Letter No. 320A00025657

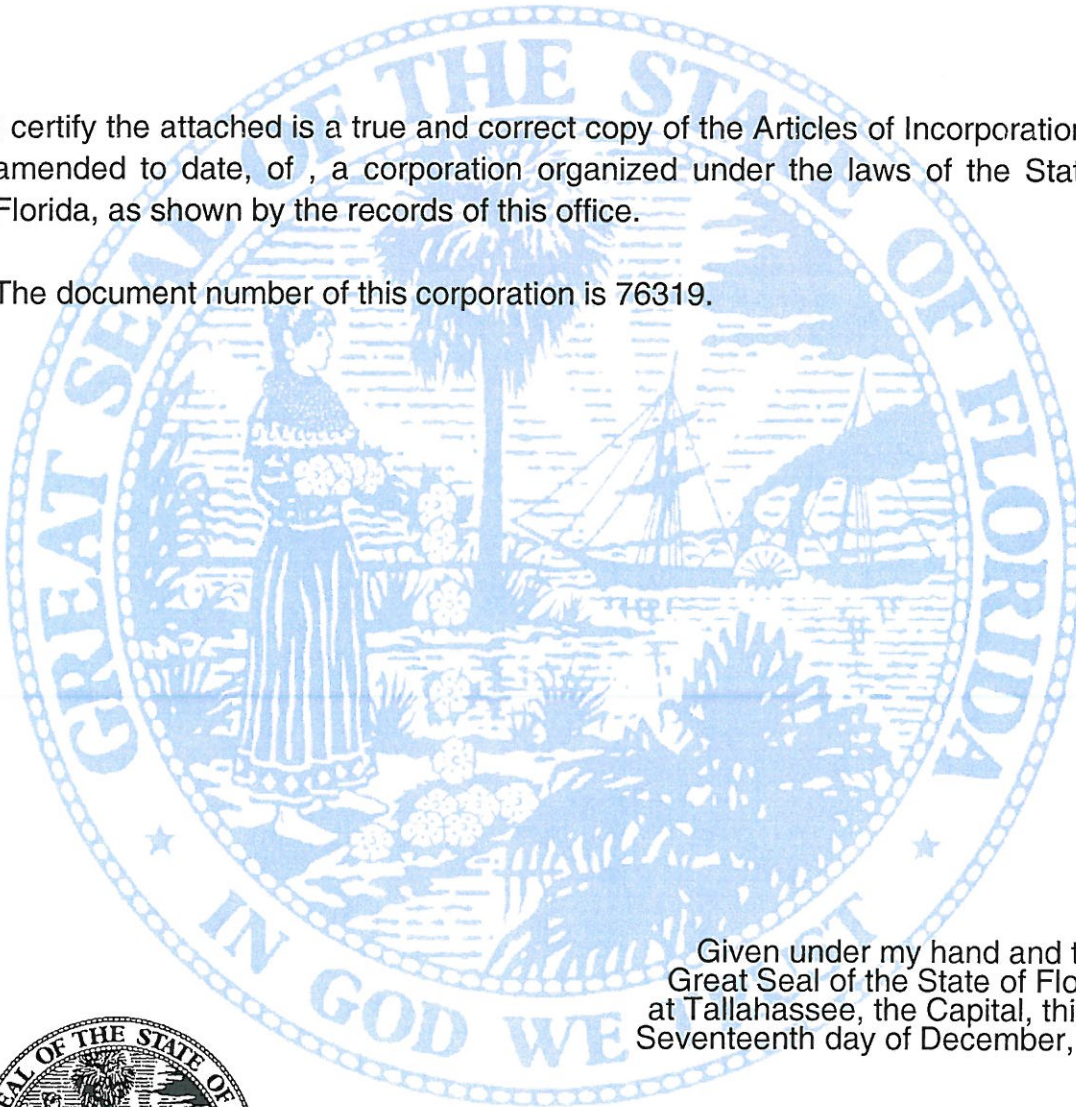
State of Florida



Department of State

I certify the attached is a true and correct copy of the Articles of Incorporation, as amended to date, of , a corporation organized under the laws of the State of Florida, as shown by the records of this office.

The document number of this corporation is 76319.



Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this the
Seventeenth day of December, 2020



Laurel M. Lee

Laurel M. Lee

Secretary of State

763915

ARTICLES OF INCORPORATION
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(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 conduct of the business 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 each class 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 each class of 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 residential property and Common Area, provided that any such merger, consolidation or annexation shall have the assent of two-thirds (2/3) of each class of members;

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Secretary-Treasurer	SHIRLEY L. BOAS

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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 incorporators of this Association, have executed these Articles of Incorporation, this 21st day of June, 1982.


MARVIN E. WILHITE


EDITH J. WILHITE


SHIRLEY C. HOAS

STATE OF FLORIDA
COUNTY OF CLAY

BEFORE ME, a notary public authorized to take acknowledgments in the state and county set forth above, personally appeared MARVIN E. WILHITE, EDITH J. WILHITE and SHIRLEY L. BOAS, known to me and known by me to be the person who executed the foregoing Articles of Incorporation, and they acknowledged before me that they executed those Articles of Incorporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, in the state and county aforesaid, this 21st day of June, 1982.

Edry Surrency
Notary Public, State of Florida
My Commission Expires _____

(Seal)
NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES MAY 15, 1984
BY THE STATE OF FLORIDA

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

In pursuant of Chapter 48.091, Florida Statutes, the following is submitted in compliance with said Act:

First - FOX VALLEY HOMEOWNERS ASSOC., INC., desiring to organize under the laws of the State of Florida, with its principal office as indicated in the Articles of Incorporation at the City of Orange Park, County of Clay, State of Florida, has named MARVIN E. WILHITE, located at 1712 Kingsley Avenue, Orange Park, Florida 32073, County of Clay, State of Florida, as its agent to accept service of process within this State.

ACKNOWLEDGMENT:

Having been named to accept service of process for the above-stated corporation, at the place designated in this certificate, I hereby accept to act in this capacity, and agree to comply with the provisions of said Act relative to keeping open said office.


MARVIN E. WILHITE