

APPLICATION FOR RENEWAL OF FICTITIOUS NAME

REGISTRATION# G94102000101

**FILED
Jun 10, 2014
Secretary of State
G14000056984**

Name: CAREFREE COUNTRY CLUB

Current Mailing Address:

9705 LAKE BESS ROAD
WINTER HAVEN, FL 33884

New Mailing Address:

9705 LAKE BESS ROAD
OFFICE
WINTER HAVEN FL 33884

Current County of Principal Place of Business:

POLK

New County of Principal Place of Business:

Current FEI Number:

59-2784567

New FEI Number:

Current Owner(s):

Document #: N00443 () Delete
FEI #: 59-2784567
Name: CAREFREE COUNTRY CLUB OF WINTER HAVEN, INC.
Address: 9705 LAKE BESS ROAD
City-St-Zip: WINTER HAVEN, FL 33884

Additions/Changes to Owner(s):

Document #: () Change () Addition
FEI #.
Name:
Address:
City-St-Zip:

I the undersigned, being an owner in the above fictitious name, certify that the information indicated on this form is true and accurate. I understand that the electronic signature below shall have the same legal effect as if made under oath. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s 817 155, Florida Statutes.

CURTIS R. GROTHMANN
Electronic Signature(s)

06/10/2014
Date

Certificate of Status Requested ()

Certified Copy Requested ()

SAL AQUIUNO
9705 LK BESS RD LOT 1024
maim RAVEN, FL 33884

INSTR # 2007231715
BK07481 PG 1764 PG(s)1
RECORDED 11/15/2007 01:08:29 P11
RICHARD M WEISS, CLERK OF COURT
POLK COUNTY
RECORDING FEES 10.00
RECORDED BY S Wetzel

**AMENDMENT TO
DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS
CAREFREE RV COUNTRY CLUB OF WINTER HAVEN**

Article 7, paragraph (3) to the Declaration of Covenants, Easements and Restrictions, Carefree RV Country Club of Winter Haven is hereby amended to read as follows:

**ARTICLE 7
GENERAL PROVISIONS**

(3) Amendment. The provisions, covenants, conditions, easements and restrictions of this Declaration shall run with and bind the land for a term of fifty (50) years from the date this Declaration is recorded. This Declaration may be amended upon a majority vote of the total voting interests as more specifically provided in the Bylaws of the Association. Any amendment of this Declaration (but not of the Articles of Incorporation and Bylaws of the Association) must be recorded in the Public Records of Polk County before it shall be deemed effective.

IN WITNESS WHEREOF, the undersigned Vice President and Secretary of the Corporation have executed this Amendment, approved by an instrument signed by not less than eighty percent (80%) of the Lot Lessees. The Carefree Board of Directors, by resolution, in their duly noticed meeting of November 15, 2007 certified the results of this election and forwarded the results for recording in the Public Records of Polk County, Florida.

**Carefree RV Country Club of Winter Haven
9705 Lake Bess Road
Winter Haven, Florida 33884**

**By: Salvatore P Aquilino
Secretary**

**By: Leslie J Hansen
Vice President**

**STATE OF FLORIDA.
COUNTY OF POLK**

The foregoing instrument was acknowledged before me this 15th day of November, 2007 by Leslie J Hansen, the Vice President and Salvatore P Aquilino, the Secretary of Carefree RV Country Club of Winter Haven, Inc. a Florida not for profit corporation on behalf of the corporations. Each of them is personally known to me.

Mandi Rose, Notary Public

I certify the attached is a true and correct copy of the Amended and Restated Articles of Incorporation, filed on April 21, 2008, for CAREFREE RV COUNTRY CLUB OF WINTER HAVEN, INC. which changed its name to CAREFREE COUNTRY CLUB OF WINTER HAVEN, INC., a Florida corporation, as shown by the records of this office.

The document number of this corporation is N00443.

Given under my hand and the
Great Seal of the State of Florida at
Tallahassee. the Capitol, this the
Twenty-ninth day of April. 2008

AMENDED AND RESTATED
ARTICLES OF INCORPORATION
OF
CAREFREE COUNTRY CLUB OF WINTER HAVEN,

WE, the undersigned, being the President and Secretary of Carefree Country Club of Winter Haven, Inc., a Florida not for profit corporation, hereby certify that the following Amendment to and Restatement of the Articles of Incorporation was duly adapted by the directors and members, in accordance with the procedure for amendment in the then existing Articles of Incorporation, at a meeting duly held by them on April 18, 2008:

AMENDMENT AND RESTATEMENT

The Articles of Incorporation should be amended and restated to read:

ARTICLE I

NAME

**The name of the corporation shall be CAREFREE COUNTRY CLUB OF WINTER HAVEN, INC. which shall hereinafter be referred to as the "Corporation".
Principal office and the mailing address of the corporation is 9705 Lake Bess Road, Winter Haven FL 33884.**

ARTICLE H

PURPOSE

The purpose for which the Corporation is organized is to provide an entity for the operation of Carefree Country Club of Winter Haven Inc. A Residential Cooperative pursuant to the provisions of Chapter 719, Florida Statutes, which is defined by the Housing for Older Persons Act of 1995 (HOPA) under the final rules that were implemented by the Department of Housing and Urban Development (HUD) in the Federal Register dated Friday, April 2, 1999, Part IV, 24 CFR Part 100 "Implementation of the Housing for Older Persons Act" and Florida Statute 760, Part II, Fair Housing Act.

ARTICLE III

POWERS

The powers of the Corporation shall include and be governed by the following provisions: k

Section 1. The Corporation shall have all of the common law and statutory powers of a not for profit corporation, as defined by Chapter 617 of the Florida Statutes, not in conflict with the terms of these Articles of Incorporation or the Florida Statutes.

Section 2. The Corporation shall have all of the powers and duties set forth in Chapter 719 of the Florida Statutes, except as limited by these Articles of Incorporation and the Bylaws of the Corporation, and all of the powers and duties reasonably necessary to operate a cooperative created pursuant to the provisions of Chapter 719, Florida Statutes, as the same may be amended from time to time.

Section 3. All funds and the titles to all properties acquired by the Corporation, and their proceeds, shall be held in trust for the members in accordance with the provisions of these Articles of Incorporation, the Bylaws of the Corporation, and the Master form of the Proprietary Lease.

Section 4. The powers of the Corporation shall be subject to and shall be exercised in accordance with the provisions of the Master Form of the Proprietary Lease and the Bylaws.

Section 5. The Corporation shall have the power and authority to levy, charge, assess and collect fees, charges and assessments from the Lessee as allowed by the Master Form of the Proprietary Lease and the Bylaws.

ARTICLE IV

MEMBERSHIP

Section 1. The Corporation is authorized to issue and have outstanding at any time 500 Membership Certificates.

Section 2. Members of the Corporation shall consist of all Membership Certificate holders in Carefree Country Club of Winter Haven, Inc, a Residential Cooperative.

Section 3. In conjunction with the issuance of each Membership Certificate, there shall be issued a Proprietary Lease for a particular Lot.

ARTICLE III

POWERS

The powers of the Corporation shall include and be governed by the following provisions:

Section 1. The Corporation shall have all of the common law and statutory powers of a not for profit corporation, as defined by Chapter 617 of the Florida Statutes, not in conflict with the terms of these Articles of Incorporation or the Florida Statutes.

Section 2. The Corporation shall have all of the powers and duties set forth in Chapter 719 of the Florida Statutes, except as limited by these Articles of Incorporation and the Bylaws of the Corporation, and all of the powers and duties reasonably necessary to operate a cooperative created pursuant to the provisions of Chapter 719, Florida Statutes, as the same may be amended from time to time.

Section 3. All funds and the titles to all properties acquired by the Corporation, and their proceeds, shall be held in trust for the members in accordance with the provisions of these Articles of Incorporation, the Bylaws of the Corporation, and the Master form of the Proprietary Lease.

Section 4. The powers of the Corporation shall be subject to and shall be exercised in accordance with the provisions of the Master Form of the Proprietary Lease and the Bylaws.

Section 5. The Corporation shall have the power and authority to levy, charge, assess and collect fees, charges and assessments from the Lessee as allowed by the Master Form of the Proprietary Lease and the Bylaws.

ARTICLE IV

MEMBERSHIP

Section 1. The Corporation is authorized to issue and have outstanding at any time 500 Membership Certificates.

Section 2. Members of the Corporation shall consist of all Membership Certificate holders in Carefree Country Club of Winter Haven, Inc, a Residential Cooperative.

Section 3. In conjunction with the issuance of each Membership Certificate, there shall be issued a Proprietary Lease for a particular Lot.

Section 4. Membership in the Corporation cannot be assigned, hypothecated or transferred in any manner except as an appurtenance to the corresponding Lot.

Section 5. On all matters upon which a member shall be entitled to vote, there shall be one designated voter for each membership, which vote may be exercised or cast in such a manner as may be provided by the Bylaws of the Corporation. Any person or entity owning more than one membership shall be entitled to one vote for each membership owned.

ARTICLE V

EXISTENCE

The Corporation shall have perpetual existence.

ARTICLE VI

DIRECTORS

Section I. The affairs of the Corporation shall be managed by a Board of Directors who shall be members of the Corporation. The membership of the Board of Directors shall consist of such numbers of directors as shall be stated in the Bylaws; provided, however, that the Board shall always consist of an odd number of Directors.

Section 2. Directors of the Corporation shall be elected at the annual meeting of the members in the manner provided by the Bylaws. Directors may be removed and vacancies on the Board shall be filled in the manner provided by the Bylaws.

ARTICLE VII

INDEMNIFICATION

Every Director and every Officer of the Corporation shall be indemnified by the Corporation against all expenses and liabilities including attorneys' fees, reasonably incurred by or imposed upon him in connection with any proceedings or the settlement of any proceeding to which he may be a party, or which he may become involved by reason of his being or having been a Director or Officer of the Corporation, whether or not he is a Director or Officer at the time such expenses are incurred, except when the Director or Officer is adjudged guilty of willful misfeasance, malfeasance, or nonfeasance, in the performance of his duties. The foregoing right of indemnification shall be in addition to and exclusive of all other rights and remedies to which such Director or Officer may be entitled.

ARTICLE VIII

AMENDMENT

The initial Bylaws of the Corporation may be altered, amended or rescinded in the manner provided therein.

These Articles of Incorporation shall be amended in the following manner:

Section 1. Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting at which a proposed amendment is to be considered.

Section 2. A resolution for the adoption of a proposed amendment may be proposed by the Board of Directors or by the members of the Corporation. A member may propose such an amendment by an instrument in writing directed to the Board of Directors signed by not less than ten percent (10%) of the designated voting members. Amendments may be proposed by the Board of Directors by action of a majority of the Board at any regularly constituted meeting thereof. Upon an amendment being proposed as herein provided, the Board of Directors shall call a meeting of the members to be held not sooner than fifteen (15) days nor later than sixty (60) days thereafter for the purpose of considering said amendment. Directors and designated voting members not present in person at the meeting considering the amendment may express their approval in writing provided such approval is delivered to the Secretary at or prior to the meeting. Except as provided herein, such approval must be one of the following methods:

- (a) By not less than seventy-five percent (75%) of the entire membership of the Board of Directors and by the holders of not less than fifty-one percent (51%) of the outstanding memberships of the Corporation, or**
- (b) By the holders of not less than seventy-five percent (75%) of the memberships of the Corporation.**

Section 3. Provided, however, no amendment shall make any changes in the qualification for membership nor the voting rights of members, nor any changes of Article III, Section 3, without approval in writing by all designated voters.

Section 4. A copy of each amendment shall be filed with the Secretary of State, pursuant to the provisions of the applicable Florida Statute. In all other respects, the Articles of Incorporation shall remain as they were prior to the Amendment being adopted.

Executed this 18th day of April, 2008.

**Carefree Country Club of Winter Haven, Inc.
9705 Lake Bess Road
Winter Haven FL 33884**

Donald Swedeen, Secretary

Priscilla J Badgley; President

**STATE OF FLORIDA
COUNTY OF POLK**

The foregoing instrument was acknowledged before me this 18th day of April, 2008 by Priscilla Badgley and Donald Swedeen the President and Secretary respectively of Carefree Country Club of Winter Haven, Inc., a Florida not for profit corporation. Each of them is personally known to me.

Nancy Arthur, Notary

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ARTICLES OF INCORPORATION
OF
CAREFREE RV COUNTRY CLUB OF WINTER HAVEN, INC.

WE, the undersigned, being the President and Secretary of Carefree RV Country Club of Winter Haven, Inc., a Florida not for profit corporation, hereby certify that the following Amendment to and Restatement of the Articles of Incorporation was duly adopted by the Directors and members, in accordance with the procedure for amendment in the then existing Articles of Incorporation, at a meeting duly held by them on February 26, 1994:

AMENDMENT AND RESTATEMENT

The Articles of Incorporation should be amended and restated to read:

ARTICLE I

NAME

The name of the corporation shall be CAREFREE RV COUNTRY CLUB OF WINTER HAVEN, INC. which shall hereinafter be referred to as the "Corporation".

ARTICLE II

PURPOSE

The purpose for which the Corporation is organized is to provide an entity for the operation of Carefree RV Country Club of Winter Haven, A Cooperative pursuant to the provisions of Chapter 719, Florida Statutes.

ARTICLE III

POWERS

The powers of the Corporation shall include and be governed by the following provisions:

SECTION 1. The Corporation shall have all of the common law and statutory powers of a corporation not in conflict with the terms of these Articles of Incorporation or the Florida Statutes.

SECTION 2. The Corporation shall have all of the powers and duties set forth in Chapter 719, Florida Statutes, except as limited by these Articles of Incorporation and the By-Laws of the Corporation, and all of the powers and duties reasonable necessary to operate a cooperative created pursuant to the provisions of Chapter 719, Florida Statutes, as the same may be amended from time to time.

SECTION 3. All funds and the titles to all properties acquired by the Corporation, and their proceeds, shall be held in trust for the members in accordance with the provisions of these Articles of Incorporation, the By-Laws of the Corporation and the form of Proprietary Lease evidencing ownership.

SECTION 4. The powers of the Corporation shall be subject to and shall be exercised in accordance with the provisions of the Proprietary Lease and the By-Laws.

SECTION 5. The Corporation shall have the power and authority to levy, charge, assess and collect fees, charges and assessments from the Lessee as allowed by the Proprietary Lease and the By-Laws.

ARTICLE IV

MEMBERSHIP

SECTION 1. The Corporation is authorized to issue and have outstanding at any time 500 Membership Certificates.

SECTION 2. Members of the Corporation shall consist of all of the Proprietary Lease Holders in Carefree RV Country Club of Winter Haven, Inc, a Cooperative.

SECTION 3. In conjunction with the issuance of each Membership, there shall be issued a Proprietary Lease for a particular Lot.

SECTION 4. Membership in the Corporation cannot be assigned, hypothecated or transferred in any manner except as an appurtenance to the corresponding Lot.

SECTION 5. On all matters upon which a member shall be entitled to vote, there shall be one vote for each membership, which vote may be exercised or cast in such a manner as may be provided by the By-Laws of the Corporation. Any person or entity owning more than one membership shall be entitled to one vote for each membership owned.

ARTICLE V

EXISTENCE

The Corporation shall have perpetual existence.

ARTICLE VI

DIRECTORS

SECTION 1. The affairs of the Corporation shall be managed by a Board of Directors who shall be members of the Corporation. The membership of the Board of Directors shall consist of such numbers of directors as shall be stated in the By-Laws; provided, however, that the Board shall always consist of an odd number of Directors.

SECTION 2. Directors of the Corporation shall be elected at the annual meeting of the members in the manner provided by the By-Laws. Directors may be removed and vacancies on the Board shall be filled in the manner provided by the By-Laws.

ARTICLE VII

INDEMNIFICATION

Every Director and every Officer of the Corporation shall be indemnified by the Corporation against all expenses and liabilities including attorneys' fees, reasonably incurred by or imposed upon him in connection with any proceedings or the 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 Corporation, whether or not he is a Director or Officer at the time such expenses are incurred, except when the Director or Officer is adjudged guilty of willful misfeasance, malfeasance, or nonfeasance, in the performance of his duties. The foregoing right of indemnification shall be in addition to and exclusive of all other rights and remedies to which such Director or Officer may be entitled.

ARTICLE VIII

BY-LAWS

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

ARTICLE IX

AMENDMENT

These Articles of Incorporation shall be amended in the following manner:

SECTION 1. Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting at which a proposed amendment is to be considered.

SECTION 2. A resolution for the adoption of a proposed amendment may be proposed by the Board of Directors of the Corporation or by the members of the Corporation. A member may propose such an amendment by instrument in writing directed to any member of the Board of Directors signed by not less than ten percent (10%) of the designated voting members. Amendments may be proposed by the Board of Directors by action of a majority of the Board at any regularly constituted meeting thereof. Upon an amendment being proposed as herein provided, the President, or, in the event of his refusal or failure to act, the Board of Directors, shall call a meeting of the members to be held not sooner than fifteen (15) days nor later than sixth (60) days thereafter for the purpose of considering said amendment. Directors and designated voting members not present in person at the meeting considering the amendment may express their approval in writing provided such approval is delivered to the Secretary at or prior to the meeting. Except as provided herein, such approval must **be one of the** following methods:

- (a) By not less than seventy-five percent (75%) of the entire membership of the Board of Directors and by the holders of not less than fifty-one percent (51%) of the outstanding memberships of the Corporation, or
- (b) by the holders of not less than seventy-five percent (75%) of the memberships of the Corporation.

SECTION 3. Provided, however, no amendment shall make any changes in the qualification for membership nor the voting rights of members, nor any change in Article III, Section 3, without approval in writing by **all voting members**.

SECTION 4. A copy of each amendment shall be filed with the Secretary of State, pursuant to the provisions of the applicable Florida Statute.

In all other respects, **the** Articles of Incorporation shall remain as they were prior to the Amendment **being adopted**.

IN WITNESS WHEREOF, we hereby set our hands and seals this 26th day of February, 1994.

By: Melvin C Hughes
President

Attest: Marlys Chutich
Secretary

STATE OF FLORIDA
COUNTY OF POLK

BEFORE ME personally appeared Melvin C. Hughes
and Marlys Chutich to me well known and known
to me to be the persons described in and who executed the foregoing Articles of Amendment, as
President and Secretary of Carefree Country Club of Winter Haven, Inc., and severally
acknowledged to and before me that they executed said instrument for the purposes therein
expressed.

WITNESS my hand and official seal this 26th day of February , 1994

Betty C. Carter Notary