

**AMENDED RESTATED**  
**ARTICLES OF INCORPORATION**

**OF**

**CASA DEL SOL HOMEOWNERS ASSOCIATION**

The undersigned, on behalf of the Board of Directors of CASA HOMEOWNERS ASSOCIATION. INC. Chapter No 759745, filed with the secretary of State on August, 21, 1981 amends its restated Articles of Incorporation pursuant to Florida Statute 617.0201 as follows:

**ARTICLE I**

The name of the corporation shall be CASA HOMEOWNERS ASSOCIATION. INC.

**ARTICLE II**

2.1 The purpose for which the Association is organized is to provide an entity for the purpose of holding title to certain common areas located in the mobile home subdivision located in Zephyrhills, Florida, known as the Casa Del Sol and to perform certain management responsibilities in connection with said mobile home subdivision.

2.2 The Association shall make no distribution of income to its members, directors or officers.

2.3 To create, maintain and encourage community spirit and interest, to promote civic affairs and improvements, and to improve maintenance and appearance of Casa del Sol subdivision as more specifically set forth in the notice of Restrictions of use and occupancy as recorded in the Public Records of Pasco County, Florida.

2.4 To initiate, maintain, improve and equip community properties for mutual benefit and exclusive enjoyment of the members of the association.

2.5 To promote activities of social, civic, and recreational nature which are not prohibited by law and which shall promote Casa del Sol subdivision as a better place to reside.

**ARTICLE III**

The power of the Association shall include and be governed by the following provisions:

3.1 The Association shall have all of the common law and statutory powers of a corporation not for profit not in conflict with the terms of these Articles.

3.2 The Association shall have all of the powers contained in these Articles, and in those Restrictions, recorded in Public Records of Pasco County, Florida, in Official Records Book 1143, at page 555, Including but not limited to the following.

a. To make and collect assessments against members as parcel owners to defray the cost, expenses and losses of the Association, and to account to each member for assessments against that member's parcel.

- b. To use the proceeds of assessments in the exercise of its power and duties.
- c. The maintenance, repair, replacement and operation of the property of the Association.
- d. The purchase of insurance upon property of the Association and insurance for the protection of the Association and its members as parcel owners.
- e. The reconstruction of improvements after casualty and further improvement of the property.
- f. To enforce by legal means the provisions of the above described Restrictions, these Articles and the By-Laws of the Association.
- g. To employ personnel to perform the services required for proper operation on the Association.

h. Any assessment which are not paid when due shall be delinquent. If the assessments are not paid within (30) thirty days after the due date, the assessment shall bear interest from the date of delinquency at the rate of ten (10%) percent per annum. The Association may bring action at law against any owner personally obligated to pay the same or foreclose the lien against the property with interest, cost and reasonable attorney's fees of any such action to be added to the amount of such assessments. No owners may waive or otherwise escape liability for the assessment provided for herein by non use of the properties or abandonment of his lot.

i. The general membership of the corporation by vote of seventy (70) percent of the membership in person or by proxy and entitled to vote at a special meeting called for that purpose, shall have the power to fix and levy special dues and assessments in such sums and for such reasons and purposes it may determine to be proper and in accordance with the purposes of the Association. This is provided that every member has received thirty (30) days written notice of all pertinent Information concerning special dues or assessments. Such special dues and assessments shall be paid by record of deed owner of each lot upon which become, on or after due notice, a lien on the lot upon which such special dues and assessments were levied, and may be collected by due process of the law.

j. If any action at law is instituted by on or on behalf of the Association against any of it's members to collect any unpaid dues or assessments or indebtedness of such member to the Association, then such member or members against who such suit is instituted shall pay all cost, including but not limited to reasonable attorney's fees incurred by the Association in the prosecution of such action.

#### **ARTICLE IV**

4.1 The members of the Association shall consist of all of the record owners, by deed or otherwise, or parcels in the Casa del Sol subdivision.

4.2 Change of membership in the Association shall be established by recording in the Public Records of Pasco County, Florida, a deed, or other instrument establishing a record title to the parcel and the delivery to the Association of a certified copy of such instrument. The owner designated by such instrument thus becomes a member of the Association and the membership of the prior owner is terminated.

4.3 The share of a member in the funds and assets of the Association cannot be assigned, hypothecated and transferred in any manner except as an appurtenance to his parcel.

4.4 The owner of each parcel shall be entitled to one vote as a member of the Association. The manner of exercising voting rights shall be determined by the By-laws of the Association.

#### **ARTICLE V**

The affairs of the Association will be managed by a Board consisting of not more than nine (9) members.

#### **ARTICLE VI**

The affairs of the Association shall be administered by officers designed by the By-laws. The officers shall be elected by the Board of Directors at its first meeting following the annual meeting of the members of the Association and shall serve at the pleasure of the Board of Directors.

#### **ARTICLE VII**

Every director and every 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 proceedings or settlement of any proceedings 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, except when the director or officer is adjudged guilty of willful misfeasance or malfeasance in the performance of his duties: provided in the event of a settlement the indemnification shall apply only when the Board of Directors approves such settlement and reimbursement as being in the best interest of the Association. The forgoing right of indemnification shall be in addition to and not exclusive of all other rights to which such directors or officer may be entitled.

#### **ARTICLE VIII**

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

#### **ARTICLE IX**

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

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

9.2 A resolution for the adoption of a proposed amendment may be proposed either by the Board of Directors or by a member of the Association. Directors and members not present in person or by proxy 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 elsewhere provided, such approval must be not less than a majority of the Board of Directors and by not less than seventy (70%) percent of the votes of the entire membership of the association.

9.3 No Amendment shall make any changes in the qualifications for membership, nor in voting rights of members, without approval in writing by all members and the joinder of all owners of mortgages on parcels in Casa del Sol Subdivision.

9.4 A copy of each amendment shall be certified by the secretary of the State and be recorded in the Public Records of Pasco County, Florida

**ARTICLE X**

The Term of the Association shall be perpetual.

IN WITNESS THEREOF, the undersigned President and Secretary of this

Corporation have executed these amended restated Articles of Incorporation on the 15<sup>th</sup> day of February, 1988

t/s Alice Reffuse

President

t/s Margarite Richards

Secretary

STATE OF FLORIDA  
COUNTY OF PASCO

BEFORE ME, a notary public authorized to take acknowledgements in the State and County set out above, personally appeared Alice Reffue as President, and Margarite Richards as Secretary of CASA HOMEOWNERS ASSOCIATION, INC. known to me to be the persons who executed the foregoing amended restate amended restated Articles of Incorporation and they acknowledged that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.  
In the State and County aforesaid this 15<sup>th</sup> day of February, 1988

t/s Kathy A. Petters

NOTARY PUBLIC

Notary Public, State of Florida  
My Commission Expires Dec. 30 1991