

ARTICLES OF INCORPORATION
OF
HIBERNIA PLANTATION HOMEOWNERS ASSOCIATION, INC.

ARTICLE I

NAME

The name of this corporation shall be HIBERNIA PLANTATION HOMEOWNERS ASSOCIATION, INC. (the "Association"). All capitalized terms used herein without definition that are defined in the Declaration of Covenants, Easements and Restrictions for Hibernia Plantation recorded or to be recorded in the public records of Clay County, Florida (the "Declaration") shall have the same meaning herein as in the Declaration.

ARTICLE II

CORPORATE EXISTENCE

The Association shall have perpetual existence.

ARTICLE III

PURPOSES

The general nature, objects and sole purposes of the Association are the acquisition, construction, management, maintenance and care of the Association's property. For the purpose of the preceding sentence, the "Association's property" means property held by the Association, property commonly held by Members of the Association, property within the organization privately held by the Members of the organization, and property owned by a governmental unit and used for the benefit of the residents of such unit all as more fully described in Section 528 of the Internal Revenue Code of 1986 of the United States, as amended. In keeping with the above purposes, the Association shall have the following powers:

- (a) To promote the health, safety and social welfare of the Owners of Lots and Dwelling Units and to fulfill the obligations set forth in the Declaration.

- (b) To maintain and/or repair Common Areas, structures, and other improvement's including, but not limited to, retention basins, streets and roads, for the benefit of Owners of the property for which the obligation to maintain and repair has been delegated and accepted by the Association.
- (c) To operate without profit for the sole and exclusive benefit of its Members. Notwithstanding anything to the contrary herein, no part of the net earnings of the Association shall inure (other than by acquiring, constructing or providing management, maintenances and care of the Association's property, and other than by a rebate of excess membership dues, fees or assessments) to the benefit of any Member or individual.
- (d) To transact any or all lawful business for which corporations may be incorporated under Chapter 617, Florida Statutes.

ARTICLE IV

MEMBERS

The Members shall consist of the Owners of Property within Hibernia Plantation. Such Members will be classified as Class A Members.

- (a) Class A Members. Class A members shall be all Owners of property within Hibernia Plantation. Every Owner, shall automatically become a Class A Member for such period of time as they are an Owner.

ARTICLE V

VOTING AND ASSESSMENTS

- (a) A Class A Member shall be entitled to one (1) vote for each Dwelling Unit or for each Lot owned. When more than one person holds an interest in any Lot or Dwelling Unit, other than as security for the performance of an obligation, all such persons shall be Members, but in no event shall more than one vote be cast with respect to any Lot or Dwelling Unit, nor shall any vote be fractionalized.
- (b) The Association shall obtain funds with which to operate by assessment of its Members in accordance with the provisions of the Declaration.

ARTICLE VI

BOARD OF DIRECTORS

- (a) The affairs of the Association shall be managed by a Board of Directors, consisting of not less than seven (7) persons. The number of members of the initial Board of Directors shall be three (3). The number of members of the Board of Directors may be increased from time to time in accordance with the Bylaws of the Association. Directors must be Class A Members of Hibernia Plantation.
- (b) The Directors shall be elected by the Association membership in accordance with the voting procedure contained in the Association Bylaws. The term of the Directors so elected shall be for two (2) years and thereafter until their successors are duly elected or until their earlier resignation, removal from office or death.
- (c) The names and addresses of the members of the Board of Directors, as of this amendment, who shall hold office until their successors are elected or appointed and have qualified, are as follows:

Emory Larimore
1461 Scarlett Way
Fleming Island, Florida 32003

Russ Wanke
2375 Bridgette Way
Fleming Island, Florida 32003

Susan Merritt
2362 Stockton Drive
Fleming Island, Florida 32003

Keith Billings
1471 Kathleen Way
Fleming Island, Florida 32003

Mindy Logan
2351 Bridgette Way
Fleming Island, Florida 32003

Jim Barker
1483 Bridgette Way
Fleming Island, Florida 32003

Tracey Winton
2464 Stockton Drive
Fleming Island, Florida 32003

ARTICLE VII

OFFICERS

The officers of the Association shall be a President, a Vice President, a Secretary and a Treasurer, and such other officers as the Board of Directors may from time to time by resolution create. Any two or more offices may be held by the same person except the offices of President and Secretary.

ARTICLE VIII

BYLAWS

The Board of Directors shall adopt Bylaws consistent with these Articles of Incorporation. The Bylaws may be altered, amended or repealed when such is approved by 71% of the Board of Directors.

ARTICLE IX

INCORPORATORS

The name and address of the incorporator is:

Marlene Hammock
200 Laura Street, Suite 1200
Jacksonville, Florida 32202

ARTICLE X

INDEMNIFICATION OF OFFICERS AND DIRECTORS

Indemnification of directors, officers, employees and agents of the Association shall be to the full extent permitted by the Florida General Corporation Act, Chapter 607, and the Florida Not for Profit Corporation Act, Chapter 617, Florida Statutes, or any successor chapters.

ARTICLE XI

REGISTERED OFFICE AND AGENT

The street address of the registered office of this Corporation is 767 Blanding Blvd., Suite 112, Orange Park, Florida 32065 and the name of the registered agent at this address is Phillip Wickham, Licensed Community Association Manager, Byers Properties, Inc.

ARTICLE XII

DISSOLUTION OF THE ASSOCIATION

- (a) Upon dissolution of the Association, all of its assets remaining after provision for creditors and payment of all costs and expenses of such dissolution shall be distributed in the following manner:
1. Dedication to any applicable municipal or other governmental authority of any assets of the Association determined by the Board of Directors of the Association to be appropriate for such dedication and which the authority is willing to accept.
 2. Remaining assets shall be distributed among the Members, each Members share of the assets being based upon a fraction, the numerator of which is all amounts assessed by the Association since its organization against the Lot or Dwelling Unit which is owned by the Member at that time, and the denominator of which is the total amount (excluding penalties and interest) assessed by the Association against all Lots or Dwelling Units which at the time of dissolution are part of the Development. The year of dissolution shall count as a whole year for the purposes of the preceding fractions.

- (b) The Association may be dissolved upon a resolution to that affect being approved, by three-fourths (3/4) of the Association Membership and, if such decree be necessary at the time of dissolution, after receipt of an appropriate decree as set forth in Florida Statute Section 617.05 or statute of similar import.

IN WITNESS WHEREOF, the said incorporator has executed these amended Articles of Incorporation this 26th day of Feb. 2020.

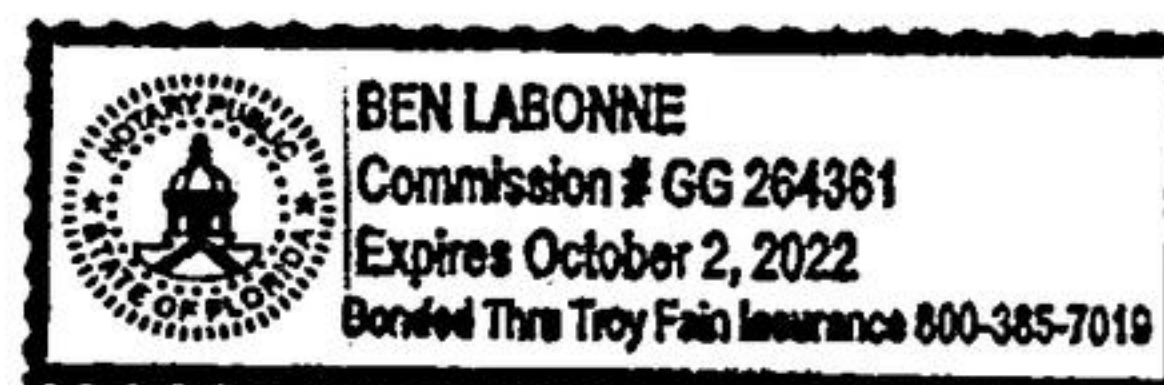


Emory Larimore - President

STATE OF FLORIDA

COUNTY OF CLAY

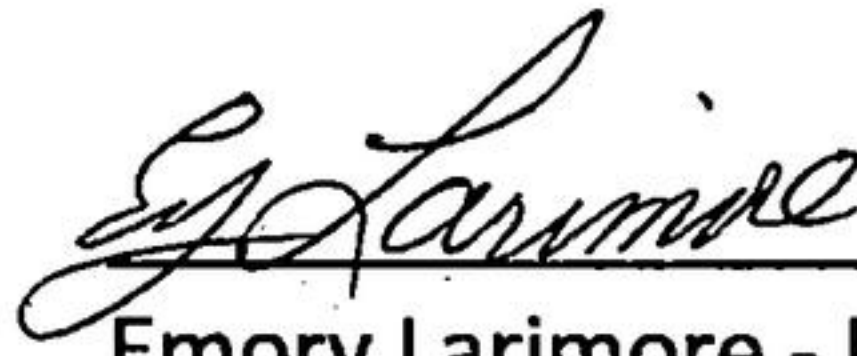
The foregoing was acknowledged before me this 26th day of February 2020, 2020, by EMORY LARIMORE, President of HIBERNIA PLANTATION HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation. [] He is personally known to me or [✓] has provided Florida Driver's License as identification.



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

In compliance with Section 48.091, Florida Statutes, the following is submitted:

That Hibernia Plantation Homeowners Association, Inc., desiring to organize or qualify under the laws of the State of Florida, with its principal place of business at, 767 Blanding Blvd., Suite 112, Orange Park, Florida has named Phillip Wickham, Licensed Community Association Manager for Byers Properties, Inc. as its agent to accept service of process within Florida.



Emory Larimore - President

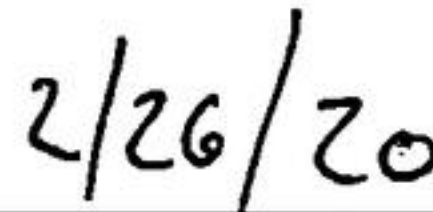


Date

Having been named to accept service of process for the above stated corporation, at the place designated in this certificate Phillip Wickham, Licensed Community Association Manager for Byers Properties, Inc. hereby agrees to comply with the provisions of all statutes relative to the proper and complete performance of its duties.



Phillip Wickham – Registered Agent



Date