

Prepared by and returned to:

Becker & Poliakoff, P.A.  
David G. Muller, Esquire  
4001 Tamiami Trail North, Suite 410  
Naples, FL 34103



## CERTIFICATE OF RECORDING

### BERN CREEK IMPROVEMENT ASSOCIATION, INC.

Whereas, Bern Creek Improvement Association, Inc. (the "Association") is a homeowners association located in Sarasota County, Florida, governed by the Declaration of Restrictions of The Ranches at Bern Creek, which is recorded at O.R. Book 1790, Page 2736 et. seq. of the Sarasota County, Florida Public Records; and

WHEREAS, the Association is the corporate entity which has been chartered to provide the management and operation functions enumerated in the Declaration of Restrictions of The Ranches at Bern Creek; and

WHEREAS, the Association has been unable to confirm whether the Articles of Incorporation for the Association, adopted in 1985, attached hereto, have been placed of record in the Sarasota County, Florida Public Records; and

WHEREAS, the Board of Directors of the Association consented to the recording of the attached original Articles of Incorporation for the Association in the Sarasota County, Florida Public Records, at a duly noticed Board Meeting held on Jan 24, 2017.

NOW THEREFORE, it is resolved as follows:

1. The above recitations are true and correct.
2. Attached hereto are the Articles of Incorporation for the Association, as exist on the date hereof.

BERN CREEK IMPROVEMENT ASSOCIATION, INC.

By: 

Michael Hutchinson, President

Attest: *Kaki Decker*  
Kaki Decker, Secretary

*[Signature]*  
Witness Signature

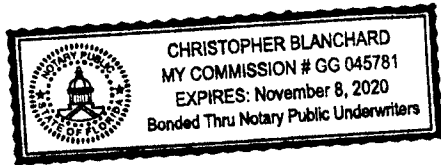
Deedhy Smith  
Printed Name

*[Signature]*  
Witness Signature

Lisa Finchout  
Printed Name

STATE OF FLORIDA  
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 21 day of February 2017 by Michael Hutchinson, as President and Kaki Decker as Secretary of Bern Creek Improvement Association, Inc., a Florida corporation, on behalf of the corporation. They are personally known to me or have produced FL DL as identification. If no type of identification is indicated, the above-named persons are personally known to me.



Notary Public *Christopher Blanchard*  
Printed Name Christopher Blanchard  
State of Florida  
My Commission Expires 11.8.20

ACTIVE: 9391916\_1

# State of Florida



Department of State

I certify that the attached is a true and correct copy of the Articles of Incorporation of BERN CREEK IMPROVEMENT ASSOCIATION, INC., a corporation organized under the Laws of the State of Florida, filed on April 19, 1985, as shown by the records of this office.

The charter number of this corporation is N08816.

Given under my hand and the  
Great Seal of the State of Florida,  
at Tallahassee, the Capital, this the  
22nd day of April, 1985.



CER-101

George Firestone  
Secretary of State

ARTICLES OF INCORPORATION  
OF  
BERN CREEK IMPROVEMENT ASSOCIATION, INC.

FILED  
655 APR 19 11 11 AM '21  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

The undersigned hereby associate themselves together for the purpose of forming a corporation not for profit under the provisions of Chapter 617, Florida Statutes.

ARTICLE I. NAME

The name of this corporation shall be BERN CREEK IMPROVEMENT ASSOCIATION, INC.

ARTICLE II. PURPOSES

The purposes for which this corporation is organized are as follows:

(a) To promote and maintain good and cooperative relationships between the owners of property in said subdivision and to promote and maintain a high quality of development and maintenance of said subdivision.

(b) To do and perform any other acts and things necessary, proper or incident to the performing and carrying out of the powers and purposes hereinabove specifically designated or implied.

ARTICLE III. QUALIFICATION OF MEMBERS

Upon proper application for membership and payment of annual dues, as the same shall be established by the Bylaws of this corporation, any person having an ownership interest in any lot in the subdivision known as "RANCHES AT BERN CREEK" shall be entitled to become a member of the corporation provided that where more than one person owns jointly a lot or lots in the subdivision, they shall together as such owners be entitled to only one membership. Each membership shall be entitled to one vote on any issue requiring or involving a vote of the membership of this corporation.

ARTICLE IV. TERM OF EXISTENCE

This corporation shall exist perpetually unless terminated according to law.

ARTICLE V. SUBSCRIBERS

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

Robert S. McDaniel, Jr.	1444 First Street Sarasota, Florida 33577
Charles H. Ball	1444 First Street Sarasota, Florida 33577

ARTICLE VI. OFFICERS

The affairs of the corporation shall be managed by the following officers, subject to the control of the Board of Directors: a President and a Secretary-Treasurer, and by such additional officers either elected or appointed as may from time to time be provided by the Bylaws.

The President and Secretary-Treasurer shall be elected annually by the membership at its regular annual meeting. Vacancies may be filled by the Board of Directors at any time, at either a regular or special meeting. Every officer shall be a member of the corporation. A person may hold one or more offices except that the President shall not also be the Secretary.

ARTICLE VII. INITIAL OFFICERS

The officers who shall serve until the first election of officers shall be as follows:

Robert S. McDaniel, Jr.	President
Charles H. Ball	Secretary-Treasurer

ARTICLE VIII. BOARD OF DIRECTORS

The Board of Directors shall consist initially of three persons. The number of directors may be increased or decreased from time to time by provision made in the Bylaws, but shall never be less than three. The names and addresses of the initial Board of Directors who shall serve until the first election of directors shall be as follows:

Robert S. McDaniel, Jr.	1444 First Street Sarasota, Florida 33577
Charles H. Ball	1444 First Street Sarasota, Florida 33577
Sandie L. Ross	1444 First Street Sarasota, Florida 33577

The President and Secretary-Treasurer shall, upon their election, automatically become members of the Board of Directors. The remaining members of the Board of Directors shall be elected annually by the membership at the annual membership meeting after the election of officers. The initial Board of Directors shall meet within 60 days after the incorporation of this corporation and shall take such steps as may be necessary to call an initial meeting of the membership of the corporation, and take such other steps as may be necessary to initiate the activities of the corporation.

#### ARTICLE IX. BYLAWS

The Bylaws of the corporation may be made, altered or rescinded by the Board of Directors; provided, however, that the membership may make, alter or rescind the Bylaws and the Board of Directors shall not adopt any Bylaws in conflict with those adopted by the membership.



#### ARTICLE X. AMENDMENT OF ARTICLES OF INCORPORATION

These Articles of Incorporation may be amended by resolution of the Board of Directors, proposed by them to the membership and approved at a meeting of the membership.

#### ARTICLE XI. MISCELLANEOUS PROVISIONS

This corporation shall issue no shares of stock. No dividends shall be paid and no part of the income of this corporation shall be distributed to its members, directors or officers; provided, however, that this corporation may pay compensation in reasonable amounts to its members, directors and officers for services rendered, may confer benefits upon its members in conformity with its purposes, and upon dissolution or final liquidation, may make distributions to its members as permitted by the court having jurisdiction thereof, in which event no such payment, benefit or distribution shall be deemed to be a dividend or distribution of income. The Bylaws may make provision for quorums for membership meetings and for voting by proxy.

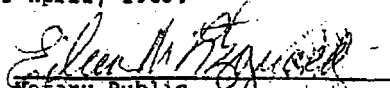
IN WITNESS WHEREOF, the undersigned incorporators have here-  
unto set their hands and seals this 11th day of April, 1985.

  
ROBERT S. MCDANIEL, JR.  
  
CHARLES H. BALL

STATE OF FLORIDA  
COUNTY OF SARASOTA

BEFORE ME, the undersigned authority, personally appeared ROBERT S. MCDANIEL, JR., and CHARLES H. BALL, to me known to be the persons described in and who executed the foregoing Articles of Incorporation of BERN CREEK IMPROVEMENT ASSOCIATION, INC., a not for profit corporation, and they acknowledged before me that they executed the same for the purposes therein expressed.

WITNESS my hand and official seal at Sarasota, Sarasota County, Florida, this 11th day of April, 1985.

  
Notary Public  
My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP JUNE 17, 1988  
BONDED THRU GENERAL INS. CO.

Prepared By:

Robert S. McDaniel, Jr.  
MCDANIEL & BALL, P.A.  
1444 First Street  
Sarasota, Florida 33577  
(813) 955-3357