

ARTICLES OF INCORPORATION  
OF  
OLD HICKORY HOME OWNERS ASSOCIATION, INC.

FILED  
1986 JUN -4 11:11:03  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

In compliance with the requirements of Florida Statutes Chapter 718, 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 purpose of forming a corporation not for profit and do hereby certify:

ARTICLE I

The name of the corporation is OLD HICKORY HOME OWNERS ASSOCIATION, INC., hereafter called the "Association".

ARTICLE II

The corporation shall have perpetual existence.

ARTICLE III

The principal office of the Association is located 1045 S. Fairfield Drive, Pensacola, Florida 32506.

ARTICLE IV

HENRY W. RANDALL, whose address is 1045 S. Fairfield Drive, Pensacola, Florida 32506, is hereby appointed the initial registered agent of this Association, and by signature below the registered agent accepts this designation.

  
HENRY W. RANDALL

ARTICLE V

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 to the access easement of the residence Lots or Units and common area within that certain tract of property in Escambia County, Florida described as:

See attached Exhibit A

~~When used in these Articles of Incorporation, words such as,~~  
for example, "Declarant, "Unit" and "Owner", shall have the same meaning set forth in said Declaration of Covenants, Conditions and the Florida Condominium Act, unless the context shall prohibit.

Insofar as permitted by law, this corporation shall have the power to do anything that in the opinion of the Board of Directors of this corporation, will promote, directly or indirectly, the recreation, health, safety, welfare, common benefit and enjoyment of the Owners and Occupants of Units in OLD HICKORY SUBDIVISION, including, but not limited to, the power (i) to purchase, accept by gift, lease, hold, sell, mortgage, convey or otherwise acquire to dispose of any real property necessary or proper for the carrying out of the purposes of the corporation; (ii) to own,

acquire, construct, equip, operate and maintain amenities, services and facilities incident to the purposes of the corporation; (iii) to fix, levy, collect assessments as provided; and (iv) in general, to exercise all rights, powers, privileges and immunities as are provided and allowed in said Declaration of Covenants, Conditions and Restrictions and as are provided and allowed for similar corporations under the laws of Florida, including, but not limited to the Florida Condominium Act and the Florida Nonprofit Corporation Code, subject, however, to any limitations set forth in the Declaration of Covenants, Conditions and Restrictions recorded or to be recorded in the office of the Comptroller of Escambia County, Florida.

ARTICLE VII  
VOTING RIGHTS

Class A. Class A members shall have two classes of voting membership; exception of the Declarant, and shall be all Owners, with the Lot or Unit owned. When more than one person holds an interest in any Lot or Unit, all such personal shall be members. The vote for such Lot or Unit shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any Lot or Unit.

Class B. The Class B member(s) shall be the Declarant (as defined in the Declaration), and shall be entitled to three (3) votes for each Lot or Unit 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 July 1, 1989.

ARTICLE VIII  
BOARD OF DIRECTORS

The affairs of the Association shall be managed by a Board of not less than two (2) Directors, who need not be members of the Association. The names and addresses of the persons who are to act in the capacity of directors until selection of their successors are:

HENRY W. RANDALL  
1045 S. Fairfield Drive  
Pensacola, Florida 32506

ELIZABETH A. RANDALL  
6809 W. Jackson Street  
Pensacola, Florida 32506

HENRY E. RANDALL  
6809 W. Jackson Street  
Pensacola, Florida 32506

The number of Directors may be changed by amendment of the By-Laws of the Association.

Directors shall be elected and serve as provided in the By-Laws of this corporation, and in conformity with the provisions of Florida Statutes Chapter 718, Declarant shall have the power and authority to appoint and remove all of the Directors of this corporation during the period set forth.

ARTICLE VIII  
OFFICERS

The affairs of the Association shall be administered by the President, and a Secretary-Treasurer, together with such other officers as may be designated by the By-Laws of the Association. A person may hold more than one office; however, the president shall not also be the Secretary. The officers shall be elected by

the Board of Directors at its annual meeting. The names and addresses of the officers to serve until their successors are designated by the Board of Directors are as follows:

President

HENRY W. RANDALL  
1045 S. Fairfield Drive  
Pensacola, Florida 32506

Secretary-  
Treasurer

HENRY E. RANDALL  
6809 W. Jackson Street  
Pensacola, Florida 32506

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 nonprofit corporation, association, trust or other organization to be devoted to such similar purposes.

ARTICLE XI  
AMENDMENTS

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

ARTICLE XII  
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.

ARTICLE XIII  
MISCELLANEOUS

The Association shall make no distributions of income to its members, directors or officers and no part of the net earnings of the corporation shall inure to the benefit of any individual or member. The corporation shall not carry on propaganda or otherwise act to influence legislation.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, the undersigned, constituting the incorporators of this Association, have executed these Articles of Incorporation this 26<sup>th</sup> day of May, 1986.

OLD HICKORY HOME OWNERS ASSOCIATION, INC.

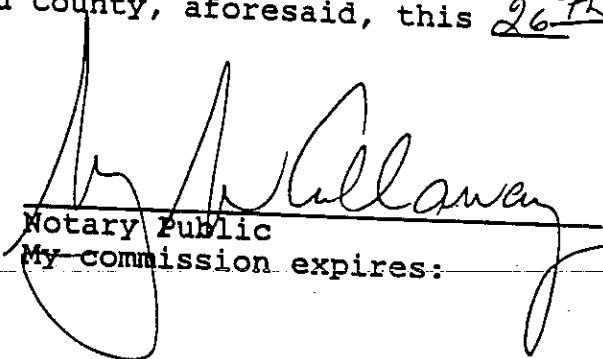
  
HENRY W. RANDALL

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

Before me, a Notary Public authorized to take acknowledgments in the State and County set forth above, personally appeared HENRY W. RANDALL, known to me to be the person who executed the foregoing Articles of Incorporation and he acknowledged before me that he 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 26<sup>th</sup> day of May, 1986.

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

  
Notary Public  
My commission expires:

Prepared by: Mary M. Callaway  
P.O. Box 3697  
Pensacola, Florida 32516