

ARTICLES OF INCORPORATION

OF

BIVEN'S SOUTH, INC.

(Non-Profit Corporation)

ARTICLE I

Name and Location

Section 1. The name of this corporation shall be Biven's South, Inc. and the principal office shall be in Alachua County, Florida. The address of the corporation is 2700 S.W. 13th Street, Gainesville, Florida.

ARTICLE II

Purposes

Section 1. The purposes for which this corporation is formed are as follows:

A. To perform all of the acts and duties as are normally performed by an apartment complex manager, as to the property included in the Declaration of Restrictions, Reservations, Covenants, Conditions and Easements covering Biven's Lake Estates South, A Condominium, Alachua County, Florida, and such acts and duties shall include, but are not limited to the following:

(1) To establish and collect assessments from the members for the purpose of operating, maintaining, repairing, improving, and administering said property and each member's interest in that property, and to collect and enforce liens for such assessments, by suit if necessary.

(2) To provide from the proceeds of the assessments for the operation, administration, maintenance, repair, improvement, replacement, insurance and utilities for said property and to purchase and maintain such personal property as provided in the Bylaws.

B. To carry out the obligations and duties required of the corporation and accept the benefits and privileges conferred upon it by the Declaration of Restrictions, Reservations,

Covenants, Conditions and Easements - Biven's Lake Estates, South, a condominium, and to receive the rights given the corporation by that Declaration or by separate conveyance.

C. To accomplish the foregoing purposes, the corporation shall have all powers permitted under Florida law.

Section 2. No part of the income of this corporation shall be distributed to its members, director or officers although this shall not preclude the corporation from hiring employees to fulfill and perform its duties and responsibilities.

Section 3. The corporation shall have a lien on all family units to guarantee performance for the payment of all charges and the performance of all covenants under the terms and conditions of these Articles of Incorporation and the Bylaws.

ARTICLE III

Qualification of Members and Manner of Their Admission

Section 1. All persons owning a vested present interest evidenced by the recordation of a proper instrument in the public records of Alachua County, Florida, in the f4 title to any one of the units shown on the plot plans attached as exhibits to the Declaration of Restrictions, Reservations, Covenants, Conditions and Easements Biven's Lake Estates, South, a Condominium, Alachua County, Florida, shall automatically be members and their memberships shall automatically terminate when they no longer own such interest.

Section 2. Owners of each unit shall collectively be entitled to One (1) vote, except where a condominium unit is owned by the managing corporation, no vote shall be allocated for such condominium unit.

Section 3. There shall not be more than ninety (90) Voting Members at any one time and each may cast one vote.

ARTICLE IV

Term of Existence

Section 1. This corporation shall have perpetual existence unless sooner dissolved according to law.

ARTICLE V

Names and Residences of Subscribers

Section 1. The names and residences of the subscribers are as follows:

<u>Name</u>	<u>Post Office Address</u>
Fred Konstand	2546 S.W. 14th Drive Gainesville, Fl. 32601
Mike N. Harris	2604 S.W. 14th Drive Gainesville, Fl. 32601
Marcia J. Adams	2600 S.W. 14th Drive, Gainesville, Fl. 32601

ARTICLE VI

Management and Time of Election

Section 1. The affairs and property of this corporation shall be managed and governed by a Board of Directors composed of nine (9) members.

Section 2. Directors shall be elected by the Voting Members in accordance with the Bylaws at the regular annual Meeting of the membership of the corporation to be held at 2:00 P.M. on the second Monday in January in each year. Directors shall be elected to serve for a term of one (1) year. In the event of a vacancy, the elected Directors may appoint an additional director to serve the balance of said year. Failure to so appoint shall not in any manner prevent the remaining directors from carrying on all the affairs of the corporation.

Section 3. All officers shall be elected by the Board of Directors in accordance with the Bylaws at the regular annual meeting of the Board of Directors on the second Monday in January in each year, to be held immediately following the annual meeting of the membership. The Board of Directors shall elect

from among the members a President, Vice President, Secretary and Treasurer and such other officers as it shall deem desirable.

ARTICLE VII

Names of Officers

Section 1. The names of the officers who shall serve until the first election are as follows:

<u>Name</u>	<u>Office</u>	<u>Post Office Address</u>
Fred Konstand	President	2546 S.W. 14th Drive Gainesville, Fl. 32601
Mike N. Harris	Vice President	2604 S.W. 14th Drive Gainesville, Fl. 32601
Marcia J. Adams	Secretary	2600 S.W. 14th Drive Gainesville, Fl. 32601
Jean J. Chappell	Treasurer	1002 NE 19th Place Gainesville,, Fl. 32601

ARTICLE VIII

Board of Directors

Section 1. The following three (3 persons shall constitute the first Board of Directors until the first election of the Board of Directors at the organizational meeting of the members.

Name	Post Office Address
Fred Konstand	2546 S.W. 14th Drive Gainesville, Fl. 32601
Mike N. Harris	2604 S.W. 14th Drive Gainesville, Fl. 32601
Marcia J. Adams	2600 S.W. 14th Drive Gainesville, Fl. 32601

ARTICLE IX

Bylaws

Section 1. The Bylaws of this corporation may be made, altered, amended, or rescinded by recording such modification in the public records of Alachua County, Florid, signed by all the owners of seventy-two (72) or more units and by all owners and holders of first mortgage liens on any units.

ARTICLE X

Amendment of Articles of Incorporation

Section 1. Any twenty-five (25) members of the corporation may propose amendments to the Articles of Incorporation, provided, however, that an affirmative vote of eighty percent (80%) of the qualified Voting Members of the corporation shall be necessary to adopt such proposed amendments.

WITNESS the hands and seals of the incorporators in Alachua County, State of Florida, this _____ day of _____, 1973.

Fred Konstand (Seal)

2546 S.W. 14th Drive
Gainesville, Fl. 32601

Mike N. Harris (Seal)

2604 S.W. 14th Drive
Gainesville, Fl. 32601

Marcia J. Adams (Seal)

2600 S.W. 14th Drive
Gainesville, Fl. 32601

STATE OF FLORIDA

COUNTY OF ALACHUA

BEFORE ME, the undersigned authority, personally appeared FRED KONSTAND, MIKE N. HARRIS and MARCIA J. ADAMS, to me well known to be the subscribers to the foregoing Articles of Incorporation of Biven's South, Inc., who being by me first duly sworn, acknowledged that they signed the same for the purposes therein expressed.

WITNESS my hand and seal at Gainesville, Alachua County, Florida, this _____ day of _____, 1973.

Notary Public-State of Florida
My commission expires:

(notarial seal)