

ARTICLES OF
INCORPORATION
FOR CROSS CREEK
HOMEOWNERS
ASSOCIATION
PHASE TWO, INC.

RETYPE WITH MERGER AMENDMENTS JUNE 2023

ARTICLES OF INCORPORATION

OF

CROSS CREEK HOMEOWNERS ASSOCIATION OF DELAND, PHASE TWO, INC.

A NONPROFIT CORPORATION

We, the undersigned, with other persons being desirous of forming a nonprofit corporation, under the provisions of Chapter 617 of the Florida Statutes, do agree to the following:

ARTICLE I

The name of the corporation shall be: CROSS CREEK HOMEOWNERS ASSOCIATION OF DELAND, PHASE TWO, INC. The address of the principal office of this corporation shall be 400 Nut Tree Drive, Deland, Florida 32724, and the mailing address of the corporation shall be the same.

ARTICLE II

~~The general purpose of the business or businesses to be transacted by this corporation, together with and in addition to the authority and powers conferred by the laws of the State of Florida is a homeowners association. This provision of Article II is hereby deleted and replaced with the following from **Amendment One** dated November 19, 1996.~~

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purpose for which it is formed is to provide, within those certain tracts of real property described as: CROSS CREEK **OF DELAND, PHASE I**, a subdivision as recorded in Plat Book 43, Page 114, Public Records of Volusia County, Florida; ~~and~~ CROSS CREEK DELAND, Phase 2, a subdivision as recorded in Plat Book 44, Page 176, Public Records of Volusia County, Florida; ~~;~~ **and CROSS CREEK DELAND, PHASE III, as recorded in Plat Book 47, Page 86, Public Records of Volusia County, Florida**, together with any additions or annexations thereto as may hereafter be brought within the jurisdiction of this Association, for the promotion of the health, safety and welfare of the owners and residents within the described real properties, and to otherwise exercise all of the powers and privileges allowed and legal under the laws of the State of Florida and to perform all of the duties and obligations of the Association as set forth in that certain Declaration of Covenants and Restrictions, by the Developer dated October 2, 1990, and recorded October 9, 1990, in Official Records Book 3534, Page 1206, Public Records of Volusia County, Florida, and in that Declaration of Covenants and Restrictions dated November 23, 1994, and recorded December 2, 1994, in Official Records Book 3967, Page 3824, Public records of Volusia County, Florida, **in that Declaration or Covenants, Conditions, and Restrictions of Cross Creek Deland, Phase III, A Subdivision, recorded at Official Records Book 4475, Page 2044 of the Public Records of Volusia County, Florida**, and such other Declaration or Declarations of Covenants, Conditions and Restrictions as may hereafter be recorded and which provide for operation and management by

this Association, **including all amendments to all of the above referenced Declarations**, and to fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the aforesaid Declarations and directed to be assessed by the Association hereunder, and to pay all expenses incident to the conduct of the business of the Association, including all licenses, taxes or governmental charges and maintenance and upkeep of the Association's properties.

Amendment Two dated April 27, 2023, to the above Article VIII is indicated by **bolding and underlining** for additions and ~~striking through~~ for deletions.

ARTICLE III

The manner in which the directors are to be elected or appointed is as stated in the Bylaws.

ARTICLE IV

The name of the incorporator of these Articles is:

Corporation Information Services, Inc.

1201 Hays Street

Tallahassee, Florida 32301

ARTICLE V

This corporation is to exist perpetually.

ARTICLE VI

All corporate powers shall be exercised by or under the authority of, and the business and affairs of the corporation managed under the direction of its Board of Directors, subject to any limitation set forth in these Articles of Incorporation. This corporation shall have three Directors and three Officers, with the Secretary/Treasurer position being combined, initially. The names and addresses of the initial members of the Board of Directors are:

Ellwood A. Titcomb, Dir., Pres.	400 Nut Tree Drive, Deland, Florida 32724
Susan Titcomb, Dir., V. Pres.	Same
Kent S. Titcomb, Dir., Sec./Treas	Same

ARTICLE VII

The By-laws may be altered, amended, rescinded, or modified at any meeting of the Association, or at any special meeting duly for such purposes, on the affirmative vote of fifty-one (51%) percent of all the members existing at the time of and present at such meeting

except that the initial By-laws of the Association shall be made and adopted by the Board of Directors.

ARTICLE VIII

~~The street address of the initial registered office of the corporation shall 1201 Hays Street, Tallahassee, Florida 32301, and the name of the initial registered agent of the corporation at that address is Corporation Information Services, Inc. This provision of Article VIII is hereby deleted and replaced with the following from **Amendment One** dated November 19, 1996.~~

The members of the Association shall consist of all of the record owners of all lots in CROSS CREEK OF DELAND, I, a subdivision, as recorded in Plat Book 43, Page 114 Public Records of Volusia County, Florida and in CROSS CREEK DELAND, PHASE 2 II, a subdivision, as recorded in Plat Book 44, Page 176, Public Records of Volusia County, Florida, **CROSS CREEK DELAND, PHASE III**, and such other subdivisions as may be added by Developer or its successors assigns.

Amendment Two dated April 27, 2023, to the above Article VIII is indicated by **bolding and underlining** for additions and ~~striking through~~ for deletions.

IN WITNESS WHEREOF, the undersigned agent of Corporation Information Services, Inc., has hereunto set their hand and seal of Corporation Information Services, Inc. on October 6, 1994.

Corporation Information Services, Inc.

By: /s/_____

Its Agent, Gail Shelby

ACCEPTANCE OF REGISTERED AGENT DESIGNATED

IN ARTICLES OF INCORPORATION

Corporation Information Services, Inc., a Florida corporation authorized to transact business in this State, having a business office identical with the registered office of the corporation named above, and having been designated as the Registered Agent in the above and foregoing Articles, is familiar with and accepts the obligations of the position of Registered Agent under Section 607.0505, Florida Statutes.

CORPORATION INFORMATION SERVICES, INC.

By: /s/_____

Its Agent, Gail Shelby

The above original Articles of Incorporation were filed with the State of Florida on October 7, 1994.

Amendment One: Pursuant to Florida Statutes Chapter 617, the undersigned, President and Secretary of Cross Creek Homeowners Association of DeLand, Phase Two, Inc., hereby submit and file these amendments to the Articles of Incorporation of Cross Creek Homeowners Association of DeLand, Phase Two, Inc., previous filed with the Florida Secretary of State on October 7, 1994.

Amendment Two: Filed with the State of Florida on April 27, 2023, to accommodate the merger of Phases II and III.