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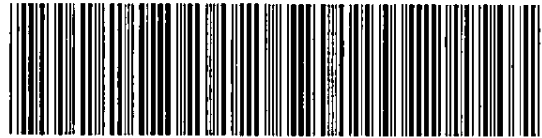
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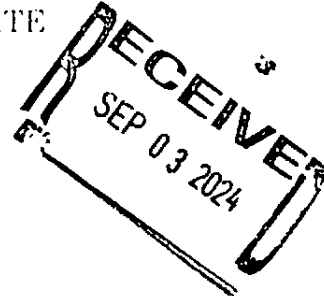


FLORIDA DEPARTMENT OF STATE
Division of Corporations

July 30, 2024

DONALD PAUSTIAN
172 MARKHAM H
DEERFIELD BEACH, FL 33442

SUBJECT: MARKHAM "H" CONDOMINIUM ASSOCIATION, INC.
Ref. Number: 730017



We have received your document for MARKHAM "H" CONDOMINIUM ASSOCIATION, INC. and your check(s) totaling \$43.75. However, the enclosed document has not been filed and is being returned for the following correction(s):

You may not file both an amendment and an amended and restated articles.
You may only file one at a time.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6050.

Morgan E Lovett
Regulatory Specialist II

Letter Number: 724A00016918

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AMENDED AND RESTATED ARTICLES OF INCORPORATION OF
MARKHAM H CONDOMINIUM ASSOCIATION, INC.

(A CORPORATION NOT FOR PROFIT)

SUBSTANTIAL REWORDING OF ARTICLES OF INCORPORATION - SEE CURRENT
ARTICLES OF INCORPORATION FOR CURRENT TEXT

The Articles of Incorporation for **Markham H Condominium Association** were originally filed in Book 5907, page 511 - 514, of the Official Public Records of Broward County, Florida,

WHEREAS, the Board of Directors for Markham H Condominium Association restate the Articles of Incorporation with the approval of the members as set forth in original Articles;

NOW THEREFORE, the following AMENDED AND RESTATED ARTICLES OF INCORPORATION is hereby adopted:

I. NAME AND OFFICE

The name of this corporation shall be as indicated in the title of this instrument. This corporation shall hereinafter be referred to as the "ASSOCIATION". The principal office and mailing address of the ASSOCIATION shall be the name of the CONDOMINIUM together with: CENTURY VILLAGE EAST, DEERFIELD BEACH, FLORIDA, or such other place or location as may be subsequently designated from time to time by the Board of Directors. All books and records of the Association shall be kept at its principal office or at such other place as may be permitted by Chapter 718, Florida Statutes, as amended or renumbered from time to time.

II. PURPOSE

The purpose for which the ASSOCIATION is organized is to provide an entity pursuant to Chapter 617 Florida Statutes, governing corporations not for profit, and Chapter 718 Florida Statutes, hereinafter referred to as the "CONDOMINIUM ACT," each as amended or renumbered from time to time, to operate that certain CONDOMINIUM as housing for older persons as such term is used and defined in the Housing for Older Persons Act of 1995, as amended, to enable the operation of a qualified housing community for older persons thereby achieving and maintaining exemption from otherwise relevant provisions of the Fair Housing Amendments Act of 1988, as amended and the Broward County

Human Rights Act, Chapter 83-380, as amended by Chapter 89-437, Laws of Florida, bearing the same name as the ASSOCIATION (hereinafter referred to as the "CONDOMINIUM"), at Century Village, Deerfield Beach, Florida, in accordance with the AMENDED AND RESTATED DECLARATION OF CONDOMINIUM this CHARTER, and the pertinent provisions of the BY-LAWS of the ASSOCIATION, all as may be amended from time to time.

III. DEFINITIONS

For convenience, these AMENDED AND RESTATED ARTICLES OF INCORPORATION shall be referred to as the "ARTICLES." All terms used in these ARTICLES shall have the same definitions and meanings as those set forth in the AMENDED AND RESTATED DECLARATION OF CONDOMINIUM and EXHIBITS attached thereto, unless herein specifically provided to the contrary, or unless the context otherwise requires.

IV. POWERS

The ASSOCIATION shall have the following powers:

1. GENERAL: The ASSOCIATION shall have all of the common law and statutory powers and privileges granted to corporations not for profit under the laws of the State of Florida except where same are expressly limited or restricted by the terms of the AMENDED AND RESTATED DECLARATION OF CONDOMINIUM and EXHIBITS attached thereto, including these ARTICLES and/or the AMENDED AND RESTATED BY-LAWS of this ASSOCIATION, or the CONDOMINIUM ACT.
2. ENUMERATION: The ASSOCIATION shall have all of the powers and duties set forth in the CONDOMINIUM ACT, except as limited by these ARTICLES, the AMENDED AND RESTATED BY-LAWS and the AMENDED AND RESTATED DECLARATION OF CONDOMINIUM and EXHIBITS attached thereto (to the extent that they are not in conflict with the CONDOMINIUM ACT), and all of the powers and duties reasonably necessary to operate the Condominium and implement and effectuate the purposes of the ASSOCIATION, except as limited herein, as specified in the AMENDED AND RESTATED DECLARATION OF CONDOMINIUM, these ARTICLES, the BY-LAWS of the ASSOCIATIONS, and the CONDOMINIUM ACT, as amended from time to time, including, but not limited to, the power:
 - (a) To make and establish reasonable Rules and Regulations governing the use of the CONDOMINIUM PROPERTY, including the UNITS.
 - (b) To levy and collect assessments and other charges against members of the ASSOCIATION (whether or not such sums are due and payable to the Association), and to use the proceeds thereof in the exercise of its powers

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and duties and/or to defray the COMMON and LIMITED COMMON EXPENSES of the CONDOMINIUM as provided for in the AMENDED AND RESTATED DECLARATION OF CONDOMINIUM and EXHIBITS attached thereto, including, but not limited to, the provision of insurance for the CONDOMINIUM PROPERTY and the ASSOCIATION, the acquiring, operating, leasing, managing and otherwise dealing with property, whether real or personal (including UNITS in said CONDOMINIUM), which may be necessary or convenient for the operation and management of the CONDOMINIUM and to do all things necessary to accomplish the purposes set forth in said AMENDED AND RESTATED DECLARATION OF CONDOMINIUM.

- (c) To maintain, improve, repair, reconstruct, replace, add to, operate and manage the CONDOMINIUM PROPERTY and/or Association Property, and other property acquired or leased by the Association.
- (d) To contract for the management of the CONDOMINIUM and to delegate in such contract all or any part of the powers and duties of the ASSOCIATION provided in these ARTICLES, the AMENDED AND RESTATED DECLARATION OF CONDOMINIUM and EXHIBITS attached thereto.
- (e) To enforce the provisions of said AMENDED AND RESTATED DECLARATION OF CONDOMINIUM, these AMENDED AND RESTATED ARTICLES OF INCORPORATION, the AMENDED AND RESTATED BY-LAWS of the ASSOCIATION and the RULES AND REGULATIONS governing the use of said CONDOMINIUM including, but not limited to, any provision for the levying, enforcement and collection of fines as may be provided for in the BY-LAWS of the ASSOCIATION.
- (f) To exercise, undertake and accomplish all of the rights, duties and obligations which may be granted to, or imposed upon the ASSOCIATION pursuant to the AMENDED AND RESTATED DECLARATION OF CONDOMINIUM.
- (g) As provided in the AMENDED AND RESTATED DECLARATION OF CONDOMINIUM, to acquire and enter into agreements whereby the ASSOCIATION acquires Use Agreements providing recreational benefits for those residing in this CONDOMINIUM, CENTURY VILLAGE, Deerfield Beach, Florida, membership and other possessory or use interests in lands or facilities, whether or not contiguous to the lands of the CONDOMINIUM intended to provide for the enjoyment, recreation or other use or benefit of the members, provided, that the same are located within that development known as CENTURY VILLAGE, Deerfield Beach, Florida.
- (h) To approve or disapprove of the transfer, mortgage, ownership and occupants of CONDOMINIUM PARCELS.

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- (i) To merge with other condominium associations and to delegate such powers to a common entity as may be necessary for the civil and legal protection and enforcement of the rights and remedies of the ASSOCIATION in an appropriate and expedient manner.
- (j) To purchase insurance upon the Condominium Property and Association Property and insurance for the protection of the ASSOCIATION, its officers, directors and Unit Owners.
- (k) To enforce by legal means the provisions of the Condominium Act, the AMENDED AND RESTATED DECLARATION, these ARTICLES, the AMENDED AND RESTATED BYLAWS AND RULES AND REGULATIONS for the use of the Condominium Property and Association Property.
- (l) To employ personnel or a Management Firm to perform the services required for the proper operation of the CONDOMINIUM and Association Property.
- (m) To make contacts and incur liabilities, borrow money from financial institutions at such rates of interest as the Board may determine, and secure any of its obligations by pledge of all or any of its property or income.
- (n) To pay all taxes and assessments of any type which are liens against any part of the CONDOMINIUM PROPERTY, other than UNITS, and the appurtenances thereto and to assess the same against the members and their respective UNITS.
- (o) To enter any UNIT during reasonable hours as may be necessary in accordance with the provisions of Florida Statutes and to effectuate the purposes of the DECLARATION and all EXHIBITS attached thereto, including these BY-LAWS, and to assure the compliance with all the terms there. To that end, the ASSOCIATION shall retain a pass key to all UNITS, and shall require all owners to provide a key to his or her UNIT.

V. MEMBERS

The qualification of members, the manner of their admission, termination of such membership, and voting by members shall be as follows:

1. The owners of UNITS in the CONDOMINIUM shall be members of the ASSOCIATION, shall be over eighteen (18) years of age and use such UNITS as their single-family residences for themselves, their immediate families (i.e., spouse, parents, children and grandchildren, guests, and invitees) in compliance with the provisions of the AMENDED AND RESTATED DECLARATION OF CONDOMINIUM, and no other person or persons shall be entitled to membership.

2. Subject to the provisions of the AMENDED AND RESTATED DECLARATION OF CONDOMINIUM and the AMENDED AND RESTATED BY-LAWS of this ASSOCIATION, membership shall be established by the acquisition of fee title to a UNIT in the CONDOMINIUM. The membership of any party shall be automatically terminated upon his or her being divested of title to all UNITS owned by such member in the CONDOMINIUM. Membership is non-transferable except as an appurtenance to a UNIT.
3. On all matters on which the membership shall be entitled to vote, each member shall have one vote for each UNIT in the CONDOMINIUM owned by such member. Such vote may be exercised or cast by the owner or owners of each UNIT in such manner as is provided for in the AMENDED AND RESTATED DECLARATION or in the AMENDED AND RESTATED BY-LAWS hereinafter adopted by the ASSOCIATION.

VI. TERM OF EXISTENCE

The ASSOCIATION shall have perpetual existence.

VII. DIRECTORS

The affairs of the ASSOCIATION will be managed by a Board of Directors consisting of no less than three (3) or as amended by the Board of Directors from time to time. Directors must be Members of the Association or the Legal Spouse **that is an approved occupant, and as long as the spouse member does not hold a position on the BOARD**, Officer or Managing Member of a Member shall serve terms as set forth in the AMENDED AND RESTATED BY-LAWS, and any vacancies in their number occurring before the election shall be filled by the remaining Directors, as the AMENDED AND RESTATED BY-LAWS provide. The Board of Directors shall have the power to adopt the budget of the ASSOCIATION. The ASSOCIATION shall be managed by the officers set forth in ARTICLE VIII herein.

VIII. OFFICERS

The officers of the ASSOCIATION shall be elected by the Board of Directors at the Organizational Meeting of the Board held within ten (10) days of the Annual Meeting or immediately **following the** annual meeting of the Members of the ASSOCIATION and shall serve at the pleasure of the Board of Directors.

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IX. INDEMNIFICATION

The ASSOCIATION shall indemnify its officers and directors as provided in the AMENDED AND RESTATED BY-LAWS.

X. AMENDMENTS

Amendments to these ARTICLES may be proposed and adopted in the manner set forth for amendments to the AMENDED AND RESTATED BY-LAWS of the ASSOCIATION and all rights conferred upon members herein are granted subject to this reservation and its lawful exercise.

XI. NON-ASSIGNMENT

The share of a member in the funds and assets of the ASSOCIATION cannot be assigned, hypothecated or transferred in any manner, except as an appurtenance to his UNIT. The funds and assets of the ASSOCIATION shall belong solely to the ASSOCIATION, subject to the limitation that the same be expended, held, or used for the benefit of the membership and for the purposes authorized in the AMENDED AND RESTATED DECLARATION OF CONDOMINIUM, these ARTICLES and in the AMENDED AND RESTATED BY-LAWS of the ASSOCIATION hereafter adopted.

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