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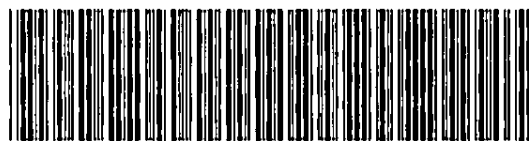
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Amended
Restated

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ALBRITTON

**AMENDED AND RESTATED
ARTICLES OF INCORPORATION
OF
THE HARBOUR AT HOBE SOUND HOMEOWNERS ASSOCIATION, INC.**

The purpose of these Amended and Restated Articles of Incorporation is to continue the purpose of the Articles of Incorporation originally filed with the Secretary of State on September 28, 1977 and recorded in Official Records Book 429, Page 403, et seq., public records of Martin County, Florida.

ARTICLE I

Name

The name of this corporation shall be THE HARBOUR AT HOBE SOUND HOMEOWNERS ASSOCIATION, INC., hereinafter called the "Association."

ARTICLE II

Principal Office

The principal office of the Association shall be located at a location designated by the Board of Directors from time to time.

ARTICLE III

Purposes

The general nature, objects and purposes of the Association shall be:

(a) To promote the health, safety and social welfare of the owners of the property described as THE HARBOUR AT HOBE SOUND according to the plat thereof filed in the public records of Martin County, Florida, at Plat Book 5, Page 24.

(b) To provide for the improvement, maintenance and preservation of the aforescribed property and to provide for architectural control of all buildings, fences, walls, boat docks or other structures or improvements located thereon.

(c) To administer and enforce all of the terms and conditions of that certain Declaration of Protective Covenants and Reservations of the subdivision recorded in the Official Records of Martin County, Florida.

(d) To operate without profit for the sole and exclusive benefit of its members.

ARTICLE IV

General Powers

The Association shall have all of the powers and duties reasonably necessary to operate and maintain the Association, including, but not limited to, the following:

- (a) To exercise all of the powers, privileges and duties set forth in the aforesaid Declaration of Protective Covenants and Reservations as said Declaration presently exists and as it may, from time to time, be amended.
- (b) To establish, levy, collect and enforce payment of all fees, dues, charges or assessments pursuant to the terms of the aforesaid Declaration or the By-laws of the Association for all of the purposes of the Association and to create and establish reasonable reserves for all of such purposes.
- (c) To pay all expenses incident to the conduct of the business of the Association.
- (d) To promulgate or enforce rules, regulations, by-laws, covenants, restrictions or agreements to effectuate all of the purposes for which the Association is organized.
- (e) To purchase, lease, hold, sell, mortgage or otherwise acquire or dispose of real or personal property and to enter into, make, perform or carry out contracts of every kind with any person, firm, corporation or association.
- (f) To charge recipients for services rendered by the Association and the user for the use of Association property where such is deemed appropriate by the Association.
- (g) To pay taxes and other charges, if any, on or against any property owned, used or accepted by the Association.
- (h) To borrow money and to make, accept, endorse, execute and issue debentures, promissory notes or other obligations of the Association for money borrowed or in payment for property acquired or for any of the other purposes of the Association and to secure the payments for such obligations by mortgages, pledges or other instruments of trust by liens upon or assignment of or agreement in regard to all or any part of the property rights or privileges of the Association.
- (i) To exercise any and all powers, rights and privileges which a corporation organized under the Corporations Not for Profit Law of the State of Florida by law may now or hereafter have or exercise.

ARTICLE V

Membership

The members of the Association shall consist of the property owners of the platted lots of the subdivision according to the plat thereof recorded in the public records of Martin County, Florida, at Plat Book 5, Page 24. Membership shall be as a result of the ownership of a platted lot in the aforesaid plat and may not be separated from such ownership.

ARTICLE VI

Voting and Assessments

A. Each member shall be entitled to one vote for each platted lot owned. In the event the platted lot is owned by more than one person, all of such persons shall be entitled to a total of one vote so that each platted lot is represented by one vote. There shall be no splitting or division of votes and multiple owners shall designate one of their numbers to cast the vote represented by the lot.

B. The Association shall obtain funds with which to operate by the assessment of its members in accordance with the provisions of the aforesaid Declaration of Protective Covenants and Reservations as supplemented by the By-Laws of the Association. All fees, dues, charges and assessments shall be due and payable in such manner and at such times as the Board of Directors of the Association shall designate and the collection of the same may be enforced by all lawful means as provided in the aforesaid Declaration of Protective Covenants and Reservations.

ARTICLE VII

Board of Directors

A. The affairs of the Association shall be managed by a Board of Directors consisting of not less than three (3) nor more than nine (9) directors who need not be members of the Association. The exact number of directors shall be fixed from time to time, as provided in the Bylaws.

ARTICLE VIII

Officers

A. The officers of the Association shall be a President, a Vice President, a Secretary, a Treasurer and such other officers as the Board of Directors may from time

to time, by resolution, establish. Any two or more offices may be held by the same person except the office of President and Secretary. The officers shall be elected by the Board of Directors at the first meeting of the Board of Directors following the annual meeting of the members of the Association.

ARTICLE IX

Corporate Existence

The corporation shall have perpetual existence.

ARTICLE X

By-Laws

By-Laws consistent with these Articles may be amended, altered or rescinded in a manner provided in said By-Laws.

ARTICLE XI

Indemnification of Officers and Directors

Each and every officer and director of the Association shall be indemnified by the Association against all costs, expenses, and liabilities, including legal fees reasonably incurred by or imposed upon such officer or director in connection with any claim, demand or proceeding to which such officer or director may be a party or in which such officer or director may become involved by reason of his being or having been an officer or director of this Association whether or not such person is an officer or director at the time such expenses are incurred, provided however, if such officer or director is adjudged guilty of willful misfeasance or willful malfeasance in the performance of the duties of such officer or director, the Association shall not indemnify such officer or director. In the event of a settlement of any claim or proceeding, the indemnification herein provided shall be applicable only when the Board of Directors of the Association shall approve such settlement and shall determine that such indemnification shall be in the best interest of the officer or director and the Association. The Association may purchase such insurance policies as the Board of Directors of the Association shall deem appropriate to provide such indemnification. The foregoing right of indemnification shall be in addition to, but not exclusive of, any and all other rights to which such officer or director may be entitled.

ARTICLE XII

Transactions in which Officers or Directors are Interested

A. No contract or transaction between the Association and one or more of its officers or directors or between the Association and any other legal entity in which one or more of the officers or directors of the Association are interested in any manner, shall be invalid, void or voidable solely for that reason, or solely because an officer or director of the Association is present at or participates in the meeting of the Board of Directors of the Association or any committee thereof which authorizes such a contract or transaction, or solely because of the vote of such officer or director in connection therewith. No officer or director of the Association shall incur liability by reason of the fact that such officer or director is or may be interested in any such contracts or transactions.

B. Interested directors may be counted in determining the presence of a quorum at the meeting of the Board of Directors or of any committee thereof, which authorizes contracts or transactions.

ARTICLE XIII

Dissolution

This Association may be dissolved upon the written consent of three-fourths (3/4ths) of the votes entitled to be cast. 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 and shall be used for purposes similar to those for which this Association was created. In the event that such dedication is refused or in the event that those persons voting for dissolution so indicate such assets shall be granted, conveyed or assigned to any other non-profit corporation devoted to such similar purposes.

ARTICLE XIV

Amendment of Articles of Incorporation

These Articles may be altered, amended, or repealed in the following manner:

(a) Notice of the proposed amendment shall be included in the notice of any meeting in which a proposed amendment is considered.

(b) A resolution for the adoption of the proposed amendment may be proposed either by the Board of Directors or by the members of the Association.

Approval of a proposed amendment must be by a majority of the Board of Directors of the Association and not less than seventy-five percent (75%) of the votes entitled to be cast by members.

ARTICLE XV

Resident Agent

The resident agent of the Association to accept service of process in this state and who shall serve until replaced by the Board of Directors of the Association and the registered office shall be as designated from time to time by the Board of Directors.

These Amended and Restated Articles of Incorporation for The Harbour at Hobe Sound Homeowners Association, Inc., were approved by a majority of the Board of Directors and by at least seventy-five percent (75%) of the members. Said approval occurred at the meeting held on October 19, 2020 and was sufficient for approval

IN WITNESS WHEREOF, the undersigned has caused these presents to be signed in its name, by its President and Secretary, and its corporate seal affixed on this 28 day of Oct, 2020.

WITNESSES AS TO PRESIDENT:

Sean Balash
Print Name: Sean Balash

Pamela J Hadley
Print Name: Pamela J Hadley

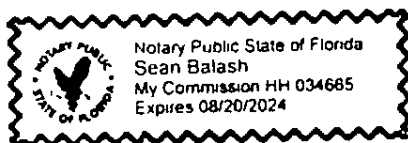
STATE OF FLORIDA
COUNTY OF Martin

THE HARBOUR AT HOBE SOUND HOMEOWNERS ASSOCIATION, INC.

By: Ross Harte President

The foregoing instrument was subscribed, sworn, and acknowledged before me by means of ☒ physical presence or ☐ online notarization, by Ross Harte, as President of The Harbour at Hobe Sound Homeowners Association, Inc., ☐ who is personally known to me, or ☒ who has produced FL Drivers License as identification on 28th, October, 2020.

Notarial Seal



Sean Balash
Notary Public
Print Name: Sean Balash
My Commission Expires: 8/20/2024

WITNESSES AS TO SECRETARY:

Sean Balash
Print Name: Sean Balash

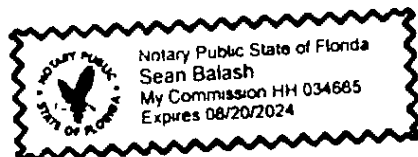
Pamela J. Hickey
Print Name: Pamela J. Hickey

STATE OF FLORIDA

COUNTY OF Martin

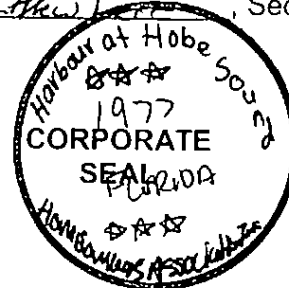
The foregoing instrument was subscribed, sworn, and acknowledged before me by means of [☒] physical presence or [☐] online notarization, by Edward Matthew Farr, as Secretary of The Harbour at Hobe Sound Homeowners Association, Inc., [☐] who is personally known to me, or [☒] who has produced FL Drivers Licence as identification on 28th, October, 2020.

Notarial Seal



THE HARBOUR AT HOBE SOUND
HOMEOWNERS ASSOCIATION, INC.

By: E. Matthew Farr, Secretary



Sean Balash
Notary Public
Print Name: Sean Balash
My Commission Expires: 8/20/2024