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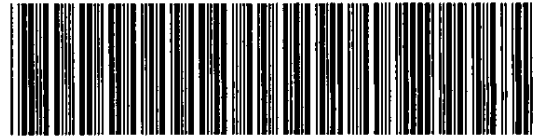
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2017 MAR 29 PM 12:29
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

cc
Amended/Restated

MAR 31 2017
I ALBRITTON

Law Office of
Jamie B Greusel, Esq.
Attorney at Law

1104 North Collier Boulevard
Marco Island, FL 34145

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Jamie B Greusel
Licensed in Florida and New Jersey

March 23, 2017

Amendment Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301

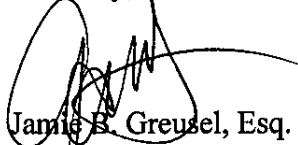
Re: Moorgate Point Homeowners Association, Inc.

Gentlemen/Ladies:

Enclosed are two original copies of the Amended and Restated Articles of Incorporation for the corporation referenced above, along with a check in the amount of \$43.75 made payable to the Department of State, representing \$35.00 filing fee and \$8.75 for certification.

Kindly file the original in your office and return a certified copy to our office.

Sincerely,



Jamie B. Greusel, Esq.

JBG/rgb
Enclosures

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

AMENDED AND RESTATED ARTICLES OF INCORPORATION
FOR
MOORGATE POINT HOMEOWNERS ASSOCIATION, INC.

In compliance with the requirements of Chapter 617, Florida Statutes, the undersigned 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, hereinafter called "Homeowners Association" is MOORGATE POINT HOMEOWNERS ASSOCIATION, INC. and the corporate office address is 601 E. Elkcam Circle #B-14, Marco Island, FL 34145. The corporate office address may be changed by the Board of Directors from time to time.

ARTICLE II

PURPOSE AND POWERS: The purpose for which the Homeowners Association is organized is to provide an entity in accordance with the Homeowners Association Act for the operation of Moorgate Point, a Homeowners Association located in Collier County, Florida.

The Homeowners Association is organized and shall exist upon a non-stock basis as a not-for-profit corporation under the laws of the State of Florida, and no portion of any earning of the Homeowners Association shall be distributed or inure to the private benefit of any member, director or officer of the Homeowners Association. For the accomplishment of its purposes, the Homeowners Association shall have all of the common law and statutory powers and duties of a corporation not for profit under the laws of the State of Florida, and as provided in these First Amended and Restated Articles of Incorporation, the Declaration of Covenants, Restrictions and Easements, and the Amended and Restated Bylaws or the Florida Homeowners Association Act, as they may be amended from time to time.

The Homeowners Association, by and through its Board of Directors, shall have all the powers and duties reasonably necessary to operate Moorgate Point pursuant to the Declaration of Covenants, Restrictions and Easements for Moorgate Point, these Articles, and the Bylaws, and as they may hereafter be amended, including, but not limited to, the following:

A. To make and collect assessments and to fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the Declaration of Covenants, Restrictions and Easements; to pay all expenses in connection with

therewith and all other expenses incident to the conduct of the business of the Association, including but not limited to all licenses, taxes or governmental charges levied or imposed against the property of the Association and as may be needed in the exercise of its powers and duties;

B. To protect, maintain, repair, replace and operate the Association property and common areas;

C. To purchase insurance on the Association property and common areas for the protection of the Association, its members and their mortgagees;

D. To make, amend, and enforce reasonable rules and regulations governing the use of the Association property and common areas and the operation of the Association;

E. To reconstruct improvements after casualty and to make further improvements of the Association property;

F. To enforce the provisions of the Homeowners Association Act, the Declaration of Covenants, Restrictions and Easements, these Amended and Restated Articles, the Amended and Restated By-laws and any Rules and Regulations of the Association, as amended;

G. To contract for the management and maintenance of the Homeowners Association and its property, and to delegate any powers and duties of the Association in connection therewith except such as are specifically required by the Declaration of Covenants, Restrictions and Easements to be exercised by the Board of Directors or the membership of the Homeowners Association;

H. To employ accountants, attorneys, and other professional personnel to perform the services required for the proper operation of the Homeowners Association;

I. To acquire, own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real and/or personal property in the name of the Association;

J. To borrow money, if necessary, to perform its other functions hereunder.

K. To charge transfer fees set by the Board of Directors for leases and sales of Dwelling Units

All funds and the title to all property acquired by the Association shall be held for the benefit of the members in accordance with the provisions of the Declaration of Covenants, Restrictions and Easements, these Amended and Restated Articles of Condominium, and the Amended and Restated By-laws, as may be amended from time to time.

ARTICLE III

MEMBERSHIP: The members of the Association shall consist of all record owners of a fee simple interest in one or more residential lots in the Homeowners Association and as further provided in the Amended and Restated By-laws. After termination of the Homeowners Association, the members shall consist of those who are members at the time of such termination. Change of membership shall be established by recording in the Public Records of Collier County, Florida, a deed or other instrument and by delivery to the Association of a copy of such instrument. The share of a member in the funds and assets of the Association cannot be assigned or otherwise transferred in any manner except as an appurtenance to his or her residential lot. The owners of each residential lot, collectively, shall be entitled to one vote in the Association matters as set forth in the Declaration of Covenants, Restrictions and Easements and Amended and Restated By-laws. The manner of exercising voting rights shall be as set forth in the Amended and Restated By-laws.

ARTICLE IV

TERM: The term of the Homeowners Association shall be perpetual.

ARTICLE V

BY-LAWS: The Amended and Restated Bylaws of the Homeowners Association may be amended or rescinded in the manner provided for therein.

ARTICLE VI

AMENDMENTS: Except as otherwise provided by law, amendments to these Articles shall be made by an affirmative vote in favor of such amendment of not less than sixty six and two thirds percent (66 2/3rds) of those members present in person or by proxy and voting at a properly noticed meeting at which a quorum is present. Any amendment shall become effective upon filing with the Secretary of State and recording a copy in the Public Records of Collier County, Florida.

ARTICLE VII

DIRECTORS AND OFFICERS: The affairs of the Association shall be administered by a Board of Directors consisting of the number of Directors determined by the Amended and Restated By-laws, but in any event no less than three (3) Directors, and no greater than five (5) Directors. All Directors shall be elected by the members in the manner detailed in the Amended and Restated Bylaws. Eligibility of individuals to

serve as Directors shall be determined in the manner detailed in the Amended and Restated Bylaws. Members of the Board of Directors may be removed and vacancies on the Board of Directors shall be filled in the manner provided in the Amended and Restated By-laws. The officers shall conduct the business of the Association, and shall be elected by the Board of Directors at its first meeting following the annual meeting of the members of the Homeowners Association and shall serve at the pleasure of the Board.

ARTICLE VIII

INDEMNIFICATION: The Association shall indemnify every Director and every officer of the Association against all expenses and liabilities including attorney's fees incurred by or imposed on them in connection with any legal proceeding to which he may become a party as a result of his position as an officer or director of the Association, provided, however, said indemnification shall not apply in the event of gross negligence or willful misconduct of the Director or officer, or in any criminal action, unless the Director or officer acted in good faith and in a manner he reasonably believed was in the best interest of the Homeowners Association. Indemnification shall also not apply in the event that there is a Final Judgment or other judicial or quasi-judicial determination that establishes that the act and/or omission is material and the person seeking the indemnification derived an improper personal benefit,

CERTIFICATE

The undersigned, being the duly elected President and Secretary of Moorgate Point Homeowners Association, Inc. hereby certify that the foregoing were duly proposed by the Board of Directors and that the foregoing were approved by at least seventy five percent (75%) of the votes of the entire membership at a meeting held on January 25, 2017, in accordance with the requirements of the Articles of Incorporation for their amendment. The foregoing both amend and restate the Articles of Incorporation in their entirety.

Executed this 17 day of March, 2017.

MOORGATE POINT HOMEOWNERS
ASSOCIATION, INC.
A Florida not-for-profit corporation

By: 

Print name: Anthony Bottalico
As President

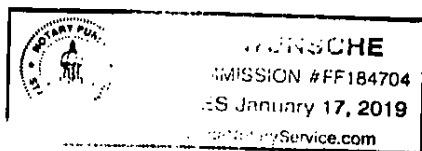
Attest: 

Print Name: JOHN TAYLOR
As Secretary

STATE OF Florida
COUNTY OF Collier

The foregoing instrument was acknowledged before me on this 17 day of
March, 2017 by Rudolph, President of Moorgate Point
Boffalco

Homeowners Association, Inc., who is personally known to me or who has produced
_____ (type of identification) as identification.



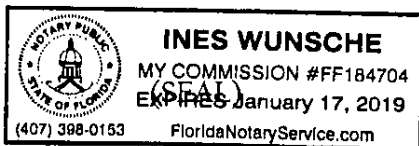
Ines Wunsche

Notary Public
Print Name: Ines Wunsche
My commission expires: Jan. 17, 2019

(SEAL)

STATE OF Florida
COUNTY OF Collier

The foregoing instrument was acknowledged before me on this 17 day of
March, 2017 by John Taylor, Secretary of Moorgate Point
Homeowners Association, Inc., who is personally known to me or who has produced
_____ (type of identification) as identification.



Ines Wunsche

Notary Public
Print Name: Ines Wunsche
My commission expires: Jan. 17, 2019