# N14000008441

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# COVER LETTER

To Amendment Section Division of Corporations

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Name of Corporation: SMRT HOMEOWNERS ASSOCIATION, LVC. Document number: N14000008441

The enclosed Amended and reinstated Articles of Incorporation of SMRT HOMEOWNERS ASSOCIATION INC. are submitted for filing. Fees of \$ 35.00 have been submitted as well.

Please return all correspondence concerning this matter to the following: DANIELA MADDALUNO 12380 NW 15<sup>TH</sup> STREET PLANTATION, FL 333.13 Email: accounting@rpsdist.com

For further information concerning this matter, please call: DANIELA MADDALUNO AT (786) 786-8006312

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Mailing Address: Amendment Section Division of Corporations P.O. Box 6327 Tallahassee, FL 32314

#### AMENDED AND REINSTATED ARTICLES OF INCORPORATION OF SMART HOMEOWNERS ASSOCIATION, INC. A Not-For-Profit Florida corporation

ARTICLE 1

# NAME AND PRINCI AL OFFICE

The name of this "lorporation is "SMRT HOMEOWNERS ASSOCIATION, INC." The corporation is here natter sometimes referred to as the "Association". The principal place of business and mailing address of this corporation is 12380 MV15<sup>th</sup> Street, Plantation Florida 33323.

#### REGISTERED AGEN<sup>®</sup>

The registered Agen of this Corporations is DANIELA MADDALUNO and the relative address is 12380 NV/15th Street, Plantation, FL 33323.

#### ARTICLE II

#### PURPOSES

The Association does – of contemplate pecuniary gain or profit, direct or indirect, to its members. The purpose for which it is formed is as follows:

 $\Lambda_{\rm c}$  . To oper ite as a corporation not-for-profit pursuant to chapter 617, Florida Statute, .

- B To enforce the Declaration of Covenants, Restrictions and easements for the residential community known as Paragon estates (hereinafter called the "Project") and any and all the rules and regulations and other agreements applicable thereto;
- C To promote the health, safety, welfare, conifort, and social and economic benefit of the members.
- D To supr ement municipal services;
- E Insofar is permitted by law, to do any other thing that, in the opinion of the Boa d of Directors, will promote the common benefit and enjoyment of the residents of the Property (as defines in the Declaration).

#### ARTICLE III

#### POWERS

The powers of the Association shall include and be governed by the following provisions:

- A The Association shall have all of the common-law and statutory powers of a corporation not-for-profit not in conflict with the terms of these Articles.
- -R The association shall have all the powers and duties set forth in these Articles and the Declaration and all the powers and duties reasonably necessary operate the association, including but not limited to the following:



- 1. To hold title and own fee simple or other lesser interest in real, personal or mixed property, wherever situated, and to lease, mortgage and convey the same.
- 2. To make and collect assessments against the members as property owners to defray the costs, expenses and losses of the Association and to defray the costs, expenses and losses of any other business, enterprise, venture or property interest of the Association.
- 3. To use proceeds of the assessments in the exercise of these powers and duties.
- 4. To maintain, repair, replace and operate the property of the Association.
- 5. To purchase insurance upon the property of the Association, the other property of the Association and insurance for the protection of the association and its members.
- 6. To reconstruct improvements after casualty and to further improve the property of the association or any other property of the Association.
- 7. To make and amend reasonable regulations respecting the use of the property of the Association.
- 8. To contract for the management of the Association, the property of the Association or any other portion thereof, and to delegate to such contractor all power and duties of the Association except such as are specifically required by the Declaration to have approval of the Board of Directors or the membership of the Association.
- 9. To acquire fee simple title to, to lease, acquire memberships or acquire other possessory or use interest in land to operate lands and facilities, whether or not contiguous to the lands of the Project intended to provide for the enjoyment, recreation or other use or benefit of the members, or a substantial number of members, of the Association.
- 10. To employ personnel to perform the services required for proper operation, management, maintenance, or control of the association, or any other property of the Association.
- 11. To hire attorneys or other professionals for the purpose of bringing legal action or enforcing rights in the name of and on behalf of the members of the Association where such action in the name of and on behalf of the members.
- 12. All funds and, the title of all properties acquired by the Association and their proceeds, shall be held in trust for the members in accordance with the provisions of the Declaration and the By-Laws of the Association.

### ARTICLE IV

### MEMBERSHIP

- a. Every person or entity who is or shall become a record owner of a gee or undivided fee interest in any Lot in the properties (as defined in the Declaration), which is or shall be subject to the Declaration, shall be a member of this Association from the date such member acquires record title to a Lot, provided that any such person or entity which holds such interest merely as a security for the performance of an obligation shall not be a member.
- b. A change of membership in the Association shall be established by recording in the public records of Broward County, Florida, a deed or other instrument establishing a record title to a Lot and the delivery to the association of a certified copy of such instrument. The owner designated by such instrument thus becomes a member of the Association and the membership of the prior owner is terminated.
- c. The interest of any Member in the common Properties or in the funds and assets of the Association cannot be conveyed, assigned, mortgaged, hypothecated or transferred in any manner, except as authorized by the Declaration, these Articles, or the Bylaws of the association.
- d. The owner of each Lot shall be entitled to at least one (1) vote as a member of the association. The exact number of votes to be cast and the manner of exercising voting rights shall be determined by the Bylaws of the association.

# ARTICLE V

#### 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 five (5) persons, who can be members of the Association.
- B. Beginning with the election at which property owners are entitled to elect at least a majority of the board of Directors, he affairs of the Association will be managed by a Board consisting of three (3) directors. Directors of the Association shall be elected at the annual meeting of the members in the manner determined by the By-Laws. Directors may be removed and vacancies on the Board of Directors shall be files in the manner provided by the By-Laws.

ARTICLE VI

#### THE SUBSCRIBERS

The name and post office address of the subscriber of these Articles of Incorporation is  $\infty$  tollows:

Daniela Maddaluno 12380 NW 15th Street Plantation, FL 33323

ARTICLE VIE

#### **OFFICERS**

The Officers shall be a President, a Vice President, a Secretary and Treasurer. The President and the Secretary shall be members of the Board of Directors. The Officers shall be chosen by a majority vote of the directors. All officers shall hold office during the pleasure of the board of Directors. The offices of Secretary and Treasurer may be held by the same individual.

The affairs of the Association shall be administered by the officers designated in the Bylaws. The officers shall be elected by the Board of Directors at its first meeting following the annual meeting of the members of the Association and shall serve until their successors are designated by the Board of Directors are as follows:

OFFICE	NAME	ADDRESS
President	Daniela Maddaluno	12380 NW 15th Street
		Plantation FL 33323
Vice President	Davida McPhee	12380 NW 15th Street
		Plantation FL 33323
Secretary/Treasurer	Krizia Neal	12380 NW 15th Street
		Plantation FL 33323

ARTICLE VIE

#### **INDEMNIFICATION**

A Every director and every officer of the Association shall be indemnified by the Association against all expenses and liabilities, including attorney's fees, reasonably incurred by or imposed upon him in connection with any proceeding or any settlement of any proceeding to which be may be a party or in which he may become involved by reason of his being or having been a director or officer of the Association, whether or not be is a director or officer at the time such expenses are incurred, except when the director or officer is adjudged guilty of willful misfeasance in the performance of his duties. The foregoing right of indemnification shall be in addition to and not exclusive of all of the rights to which such directors or officers may be entitled. The directors shall be authorized to purchase directors and officer's liability insurance providing coverage to the officers and directors of the Association at the expense of the association.

# ARTICLE IX

### <u>BYLAWS</u>

The first By-laws of the Association shall be adopted by the Board of Directors and may be altered, amended or rescinded in the manner provided in the By-Laws.

### ARTICLE X

#### AMENDMENT TO THE ARTICLES OF INCORPORATION

Amendments to the Articles of incorporation shall be proposed and adopted in the following manner:

- A. Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting at which a proposed amendment is considered
- B. A resolution for the adoption of a proposed amendment may be proposed either by the Board of Directors or by the members of the Association. Directors, and members not present in person or by proxy at the meeting considering the amendment may express their approval in writing provided such approval is delivered to the secretary or assistant secretary, at or prior to the meeting.
- C. Except as elsewhere provided, these Articles may be amended by the Members by two-thirds (2/3) of the votes of all members present in person or by proxy at a duly called meeting of the Membership. No such Amendment shall materially affect or interfere with the rights of owners or lienors.

# ARTICLE XI

# VOTING RIGHTS/"TURNOVER" OF ASSOCIATION

A. Voting rights: Members shall be entitled to one vote in accordance with the Bylaws, for each Lot they own. The vote of a Lot shall not be divisible.

#### ARTICLE XII

#### ADDITION TO PROPERTIES

Additions to the Properties may be made only in accordance with the provisions of the Declaration or any other recorded covenants and restrictions applicable to the Properties. Such additions, when properly made under the Declaration or other applicable covenants and restrictions, shall extend the jurisdiction., functions, duties and membership of this Association to such properties. ARTICLE XIII

# DEDICATION OF PROPERTIES OR TRANSFER OF FUNCTION TO PUBLIC AGENCY OR UTILITY

The Association shal not have power to dispose of its real properties.

ARTICLE XIV

DISPOSITION OF ASSETS UPON DISSOLUTION

Upon dissolution of the association, which shall require the consent of two-thirds (2/3) of the members, the assets, both real and personal, of the Association shall be dedicated to an appropriate public agency or utility to be devoted to the same purposes to which they were required to be devoted by the association. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any non-profit corporation, association, trust, or other organization to be devoted by the Association. No such disposition of the Association's properties shall be effective to divest or diminish any right or title vested in any Member under the recorded covenant; and deeds applicable to the Properties unless made in accordance with the provisions of such covenants and deeds.

ARTICLE XV.

TERM

A The term of this Association shall be perpetual.

In faith		
Registered Agent	Daniela Maddaluno	01/14/2022
Subscriber	Daniela Maddaluno 7	01/14/2022