

Note: Please print this page and use it as a cover sheet. Type the fax audit number (shown below) on the top and bottom of all pages of the document.

((H20000172532 3)))



H200001725323ABCW

Note: DO NOT hit the REFRESH/RELOAD button on your browser from this page. Doing so will generate another cover sheet.

To:
Division of Corporations
Fax Number : (850)617-6380

13748-1

From:
Account Name : NORTON, HAMMERSLEY, LOPEZ & SKOKOS, P.A.
Account Number : I20010000202
Phone : (941)954-4691
Fax Number : (941)954-2128

****Enter the email address for this business entity to be used for future annual report mailings. Enter only one email address please.****

Email Address: corporation@nhlslaw.com

**COR AMND/RESTATE/CORRECT OR O/D RESIGN
3811 DRAINAGE AND IMPROVEMENT ASSOCIATION, INC**

Certificate of Status	0
Certified Copy	0
Page Count	06
Estimated Charge	\$35.00

FILED
2020 JUN -9 PM 2:32
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Electronic Filing Menu

Corporate Filing Menu

Help

V. SHI KFP
JUN 10 2020



June 9, 2020

FLORIDA DEPARTMENT OF STATE

Division of Corporations
3811 DRAINAGE AND IMPROVEMENT ASSOCIATION, INC.
2823 RYAN BLVD.
PUNTA GORDA, FL 33950US

SUBJECT: 3811 DRAINAGE AND IMPROVEMENT ASSOCIATION, INC.
REF: N20000001239

We have received your document for 3811 DRAINAGE AND IMPROVEMENT ASSOCIATION, INC. and the authorization to debit your account in the amount of \$35.00. However, the document has not been filed and is being returned for the following:

Please include in Article XVI: these amended/ restated articles of incorporation were adopted by the board by the board of directors or these amended/restated articles of incorporation contain an amendment to the articles of incorporation which required member approval. The date of adoption and the votes cast were sufficient for approval.

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

Octavia L Simmons FAX Aud. #: H20000172532
Regulatory Specialist II Supervisor Letter Number: 920A00011316

H200001725323

AMENDED AND RESTATED
ARTICLES OF INCORPORATION
OF
3811 DRAINAGE AND IMPROVEMENT ASSOCIATION, INC.
(A FLORIDA NOT FOR PROFIT CORPORATION)

We, the undersigned, hereby subscribe to and adopt the following as our Amended and Restated Articles of Incorporation (the "Articles") under the laws of the State of Florida:

ARTICLE I.

The name of this corporation is 3811 DRAINAGE AND IMPROVEMENT ASSOCIATION, INC., a Florida not for profit corporation (the "Association"). The initial principal office of the Association is 2823 Ryan Blvd., Punta Gorda, FL 33950, and the initial mailing address of the Corporation is 2823 Ryan Blvd., Punta Gorda, FL 33950.

ARTICLE II.

This Association is organized to act as the governing association for the management and maintenance of the stormwater management system for certain commercial property located in Charlotte County, Florida (the "System").

ARTICLE III.

The terms used in these Articles shall have the same definitions and meanings as those set forth in the Declaration of Covenants, Conditions, and Restrictions for 3811 Drainage and Improvement Association, Inc., a Florida not for profit corporation (the "Declaration").

ARTICLE IV.

The qualification of members and the manner of their admission shall be as follows: The owner of any portion of the Property subject to the Declaration shall, by virtue of such ownership, be a member of this Corporation.

ARTICLE V.

These Articles shall become effective upon filing with the Secretary of State, Tallahassee, Florida. These Articles fully amend and restate the Articles of Incorporation originally filed on January 28, 2020. The Association shall exist in perpetuity.

In the event of termination, dissolution or final liquidation of the Association, the

FILED
2020 JUN -9 PM 2:32
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

H 200001725323

responsibility for the operation, control and maintenance of the System together with any easement or other rights of access shall be transferred to and accepted by an entity which complies with Rule 62-330.310, of the Florida Administrative Code. Such transfer shall be subject to approval by the Southwest Florida Water Management District ("SWFWMD") prior to such termination, dissolution, or liquidation.

ARTICLE VI.

The Association shall have all powers and duties existing under applicable provisions of the Florida Not-For-Profit Corporation Act (Chapter 617 of the Florida Statutes). Without limiting the generality of the foregoing, the Association shall have the power to do the following:

- a. Own and control property.
- b. Operate, maintain, and manage the System, including all inlets, ditches, swales, culverts, water control structures, retention and detention areas, ponds and any associated buffer areas in a manner consistent with the requirements of applicable permits, including, but not limited to the SWFWMD Permit No. 43009677.004 and applicable SWFWMD rules, and to assist in the enforcement of the restrictions and covenants contained herein and in the Declaration.
- c. Establish and enforce rules and regulations.
- d. Assess its members and enforce assessments with the power to place liens on the Property subject to the Declaration. In addition to other assessments, the Association shall levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the System. These assessments shall be used for the maintenance and repair of the System, including, but not limited to work within retention areas, drainage structures and drainage easements.
- e. Sue and be sued.
- f. Contract for services to provide for operation and maintenance of the System.
- g. Require all owners to be members.
- h. Take any other action necessary for the purposes for which the Association is organized.

ARTICLE VII.

The name and residence of the subscriber to these Articles is as follows:

<u>NAME</u>	<u>ADDRESS</u>
a) Todd Stockhausen	2823 Ryan Blvd. Punta Gorda, FL 33950
b) Lance Stockhausen	2823 Ryan Blvd. Punta Gorda, FL 33950

H200001725323

c) Sandra Hack

2823 Ryan Blvd.
Punta Gorda, FL 33950

ARTICLE VIII.

The affairs of the Association are to be managed by a Board of Directors, the number of members of which shall be as provided in the Bylaws provided that there shall be not fewer than three (3) and not more than seven (7). The Directors will be elected each year at the annual meeting of the Association as provided for in the Bylaws and in the Declaration.

ARTICLE IX.

The names of the officers who are to serve until the first election or appointment under the Articles are:

President Todd Stockhausen

Vice President Lance Stockhausen

Secretary/Treasurer Sandra Hack

ARTICLE X.

The number of persons constituting the first Board of Directors shall be three (3) and their names and addresses are as follows:

<u>Name</u>	<u>Address</u>
Todd Stockhausen	2823 Ryan Blvd., Punta Gorda, FL 33950
Lance Stockhausen	2823 Ryan Blvd., Punta Gorda, FL 33950
Sandra Hack	2823 Ryan Blvd., Punta Gorda, FL 33950

ARTICLE XI.

The Bylaws of the Association are to be made, altered or rescinded by the members of the Association as provided for in the Bylaws.

ARTICLE XII.

Amendments to these Articles may be proposed and adopted at any regular or specially called meeting of the members of the Association by a majority vote of all voting interests. Due notice of the meeting must have been given as provided for in the Bylaws.

H20000 1725323

ARTICLE XIII.

The voting rights for each Commercial Tract shall be determined by a fraction, the numerator of which shall be the number of square feet of usable real property owned by each respective Owner and the denominator of which shall be the total number of usable square feet of real property in the Development all as defined and set forth in the Declaration. The initial voting rights shall be as established in the Declaration. If an Owner sells a portion of his Commercial Tract to another party, the voting rights for such Tract shall be adjusted accordingly.

ARTICLE XIV.

This Association reserves the right to amend or repeal any provisions contained in these Articles, subject to the limitations, terms and conditions of the Declaration.

ARTICLE XV.

No part of the net earnings of the Association shall inure to the benefit of any member or individual, except through the acquisition, construction, management, maintenance, or care of association property or through the rebate of the excess membership dues, fees, or assessments.

ARTICLE XVI.

These Amended and Restated Articles of Incorporation contain an amendment to the Articles of Incorporation which required approval of the Board of Directors and were adopted and approved by the Board of Directors. These Amended and Restated Articles of Incorporation have been approved and adopted on June 3, 2020, and the votes cast were sufficient for approval.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]
[SIGNATURES ON FOLLOWING PAGE]

H200001725323


**CERTIFICATE DESIGNATING A REGISTERED AGENT
AND REGISTERED OFFICE FOR THE SERVICE OF PROCESS.**

In compliance with Section 48.091, Florida Statutes, the following is submitted:

3811 DRAINAGE AND IMPROVEMENT ASSOCIATION, INC., a Florida not for profit corporation, desiring to organize under the laws of the State of Florida with its principal office, as indicated in the Articles at Punta Gorda, County of Charlotte, State of Florida, has designated Todd Stockhausen, whose street address is 2823 Ryan Blvd., Punta Gorda, Florida 33950, as its agent to accept service of process within this state.


3811 DRAINAGE AND IMPROVEMENT ASSOCIATION, INC., a
Florida not for profit corporation

By: _____


Todd Stockhausen, President

ACCEPTANCE

Having been designated as agent to accept service of process for the above-named corporation, at the place stated in this certificate, I hereby agree to act in this capacity and to comply with the provision of said law relative to same.



Todd Stockhausen

H 200001725323

IN WITNESS WHEREOF, the undersigned subscriber has executed these Amended and Restated Articles of Incorporation this 5 day of June, 2020.

3811 DRAINAGE AND IMPROVEMENT
ASSOCIATION, INC., a Florida not for profit
corporation

By: Todd Stockhausen
Todd Stockhausen, President