

VILLA MARIN HOMEOWNERS' ASSOCIATION

Certificate of Restated Articles of Incorporation of of Villa Marin Homeowners' Association

All California Community Associations are required, when providing a copy of a Governing Document, to include a cover page with the following statement:

If this document contains any restriction based on age, race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, genetic information, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.2 of the Government Code by submitting a "Restrictive Covenant Modification" form, together with a copy of the attached document with the unlawful provision redacted to the county recorder's office. The "Restrictive Covenant Modification" form can be obtained from the county recorder's office and may be available on its internet website. The form may also be available from the party that provided you with this document. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

dlr: 1/1/2022, AB 1466

It has been and continues to be the Association's policy not to discriminate on the basis of any of the above categories.



CERTIFICATE OF RESTATED
ARTICLES OF INCORPORATION OF
VILLA MARIN HOMEOWNERS' ASSOCIATION

For Office Use Only

-FILED-

File No.: BA20221038210

Date Filed: 10/21/2022

The undersigned certify that:

1. They are the President and Secretary, respectively, of Villa Marin Homeowners' Association, a California nonprofit mutual benefit corporation (C1178035).
2. The amendment and restatement set forth in paragraph 3 below has been duly approved by the **Board of Directors** and by the required vote of the **Members**.
3. The **Articles** of Incorporation of this corporation are amended and restated in full to read as follows:

AMENDED AND RESTATED ARTICLES OF INCORPORATION OF
VILLA MARIN HOMEOWNERS' ASSOCIATION

ARTICLE I
NAME OF CORPORATION

The name of this corporation is VILLA MARIN HOMEOWNERS' ASSOCIATION (hereinafter referred to as the "**Association**").

ARTICLE II
PURPOSE OF CORPORATION

This Corporation is a nonprofit mutual benefit corporation organized under the Nonprofit Mutual Benefit Corporation Law. The purpose of this corporation is to engage in any lawful act or activity, other than credit union business, for which a corporation may be organized under such law.

More specifically, the corporation controls, owns, repairs, maintains and/or manages **Common Areas**, enforces **Governing Documents**, including rules and regulations adopted from time to time by the **Board of Directors**, provides **Member** services, and discharges such other lawful duties and responsibilities required pursuant to the corporation's **Bylaws** and the Declaration of Covenants, Conditions and Restrictions (the "**Declaration**"), as amended from time to time, with respect to Villa Marin Homeowners' Association.

This includes promoting the health, safety and welfare of residents as provided for by the Continuing Care Retirement Community Act.

ARTICLE III
HOMEOWNERS' ASSOCIATION

This corporation is intended to qualify as a nonprofit homeowners' association under the applicable provisions of the Internal Revenue Code and of the Revenue and Taxation Code of California. No part of the net earnings of this corporation shall inure to the benefit of any private individual, except as expressly provided in those sections with respect to the acquisition, construction, or provision for management, maintenance and care of the property owned or controlled by the corporation, and other than by a rebate of excess membership dues, fees or **Assessments**. Dissolution, liquidation or winding up of the corporation, upon or after termination of the Villa Marin Homeowners' Association **Property** shall only be in accordance with applicable law. Upon winding up and dissolution of this corporation, after paying or adequately providing for the debts and obligations of the corporation, the remaining assets shall be distributed to the **Members** and secured lenders in accordance with their respective rights. For as long as the **Association** has any **Common Area** responsibility, it shall require 100% **Member** approval to dissolve the corporation.

ARTICLE IV
FURTHERANCE OF CORPORATION

Notwithstanding any of the above statements of purposes and powers, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the specific purposes of this corporation.

ARTICLE V
QUALIFICATIONS, RIGHTS AND PRIVILEGES

The qualifications for membership in this corporation, the property, voting and other rights and privileges of **Members** and their liability for dues and **Assessments** and the methods of collection thereof, shall be as provided for in the **Declaration** and the **Bylaws** of this corporation.

ARTICLE VI
STATUTORY NOTICE

In compliance with Civil Code section 4280 and requirements for Articles of Incorporation, the following is hereby provided:

1. This corporation is an association formed to manage a common interest development under the Davis-Stirling Common Interest Development Act.
2. The business office of the **Association** is 100 Thorndale Drive, San Rafael, CA 94903. The front street of the Development is Thorndale Drive, and the nearest cross street is Northgate Drive, San Rafael, California.
3. The name and address of the **Association's** managing agent is currently: Bill Keck, CEO, 100 Thorndale Drive, San Rafael, CA 94903.

**ARTICLE VII
AMENDMENT**

These **Articles** of Incorporation may be amended from time to time by approval of the **Board** and the affirmative vote of the **Members** representing at least a majority of a quorum of the voting power of the **Association**.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge. Executed at San Rafael California, on 04 11, 2022.

Barbara Heller
President:
BARBARA Heller

MA Williams
Secretary: MA WILLIAMS