

2168343A0846107

FILED

Secretary of State
State of California

AUG 20 2020

lpc

JP

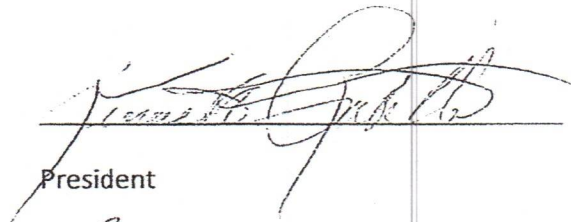
SECOND AMENDED AND RESTATED
ARTICLES OF INCORPORATION OF
SUMMERSET AT BRENTWOOD III ASSOCIATION

We, Ken Rabello and Eugenia Bennett certify:

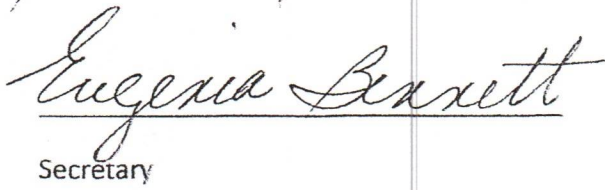
1. That we are the President and Secretary, respectively, of the SUMMERSET AT BRENTWOOD III ASSOCIATION, a California non-profit mutual benefit corporation ("Corporation").
2. That the First Amended and Restated Articles of Incorporation of SUMMERSET AT BRENTWOOD III ASSOCIATION were endorsed and filed on September 30, 2011 as Document No. A0120818 with the California Secretary of State ("Prior Articles"), which such Prior Articles are fully amended and restated as set forth in full herein and incorporated by reference in the form filed concurrently herewith.
3. That the Second Amended and Restated Articles of Incorporation ("Restated Articles of Incorporation") have been approved by the required vote of a majority of the members on July 15, 2020, pursuant to the Prior Articles.
4. That the Restated Articles of Incorporation have been approved by the Board of Directors of the SUMMERSET AT BRENTWOOD III ASSOCIATION.

Each of the undersigned further declares, 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 Brentwood, California, on 15th of July, 2020.



President



Secretary

SECOND AMENDED AND RESTATED ARTICLES OF INCORPORATION**SUMMERSET AT BRENTWOOD III ASSOCIATION**

A California Nonprofit Mutual Benefit Corporation

ARTICLE 1**NAME**

The name of the corporation is SUMMERSET AT BRENTWOOD III ASSOCIATION ("Corporation").

ARTICLE 2**PURPOSES**

The Corporation is a nonprofit mutual benefit corporation organized under the Nonprofit Mutual Benefit Corporation Law. The purpose of the 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. The Corporation does not contemplate pecuniary gain or profit to any of its members. The primary purposes for which the Corporation is organized and operated are as follows:

- a. To provide for the management, administration, preservation and architectural control of the real property in Contra Costa County, California, commonly known as Summerset at Brentwood III Association. Said management, administration, maintenance, preservation and architectural control are to be accomplished according to the terms and provisions set forth in that certain Second Amended and Restated Declaration of Covenants, Conditions and Restrictions ("Amended Declaration") recorded, or to be recorded, with respect to the above-described property in the office of the Recorder of the County of Contra Costa, State of California, as required by California Civil Code Section 4200 (or successor statute), as the Amended Declaration may be amended from time to time, and by the duly adopted Bylaws of the Corporation, as they may be amended from time to time; and
- b. To promote the health, safety and welfare of all the residents of the development, all according to the Amended Declaration.

ARTICLE 3**DAVIS - STIRLING ACT**

The Corporation is an association formed to manage a common interest development under the Davis-Stirling Common Interest Development Act. The Corporation shall be managed in accordance with the provisions of its Amended Declaration and its duly adopted Bylaws. The manner in which Directors shall be chosen and removed from office, their qualifications, powers, duties, compensation and tenure in office, the manner of filling vacancies on the Board, and the manner of calling and holding meetings of Directors are set forth in the Amended Declaration and in the Bylaws. The authorized number and

qualifications of members, the property, voting and other rights and privileges of members and their liability for dues and assessments and the method of collection thereof are set forth in the Bylaws and in the Amended Declaration. Notwithstanding any of the above statements of purposes and powers, the Corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purposes of the Corporation.

ARTICLE 4

CORPORATE ADDRESS

The Corporation's nearest cross street are Fairview Avenue and Baldwin Drive, Brentwood, California 94513. The Corporation's address is: 1581 Regent Drive, Brentwood, California 94513.

ARTICLE 5

MANAGING AGENT

The managing agent for the Corporation at the time these Second Amended and Restated Articles of Incorporation are being filed is Collins Management Company, 500 Alfred Nobel Drive, Suite 250 Hercules, California 94547.

ARTICLES

NONPROFIT CORPORATION LAW

The Corporation is intended to qualify as a homeowners association under the applicable provisions of the Internal Revenue Code and the Revenue and Taxation Code of California. No part of the net earnings of this organization 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 Corporation property, and other than by a rebate of excess membership dues, fees, or assessments. In the event of the dissolution, liquidation, or winding up of the Corporation, upon or after termination of the development in accordance with the provisions of the Amended Declaration, its assets remaining after payment, or provision for payment, of all debts and liabilities of the Corporation shall be divided among and distributed to the members in accordance with their respective rights therein.

These articles may be amended only by the affirmative vote of a majority of the Board of Directors of the Corporation and by the affirmative vote (in person or by proxy) of members representing a majority of the total voting power of the Corporation.