

STATE OF NEW YORK
DEPARTMENT OF STATE

I hereby certify that the annexed copy for FORESTBURGH POND PROPERTY OWNERS' ASSOCIATION INC., File Number 200623000440 has been compared with the original document in the custody of the Secretary of State and that the same is true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on April 07, 2021.

Brendan C. Hughes

Brendan C. Hughes
Executive Deputy Secretary of State

Rev. 10/2020

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CERTIFICATE OF INCORPORATION

OF

FORESTBURGH POND PROPERTY OWNERS' ASSOCIATION INC.

GW-13

Under Section 402 of the Not-for-Profit Corporation Law

The undersigned, for the purposes of forming a corporation pursuant to Section 402 of the not-for-Profit Corporation Law of the State of New York, does hereby certify and set forth:

FIRST: The name of the corporation is FORESTBURGH POND PROPERTY OWNERS' ASSOCIATION INC.

SECOND: The corporation is a corporation as defined in subparagraph (a)(5) of Section 102 (definitions) of the Not-for-Profit Corporation Law.

THIRD: The purpose or purposes for which the corporation is formed are as follows:

To create, form and establish a homeowners association for the benefit of homeowners residing in the Forestburgh Pond subdivision; to own, acquire, maintain, administer, control, preserve and/or operate the common areas and recreation facilities on behalf of and for the benefit of the homeowners residing in said development; to promote the common interests, benefit, health, safety and welfare of the residents of said homeowners; to own, acquire, operate, manage and/or maintain land or facilities for the use of said community, including roads, recreational and administrative facilities and other improvements and personal property incidental thereto; to enforce any and all covenants, restrictions and agreements applicable to the homeowners and

particularly any declaration of covenants and restrictions or similar declarations which may hereafter be recorded; to exercise all of the powers suitable, convenient, proper or incidental to or connected with the foregoing purposes or in advancement thereof and generally to foster, promote and advance the health and welfare of the homeowners residing in the Forestburgh Pond Subdivision through the purposes of the corporation.

FOURTH: In furtherance of its corporate purposes, the corporation shall have all the general powers enumerated in Section 202 of the Not-for-Profit Corporation Law, together with the power to solicit grants and contributions for the corporate purposes. To accept, hold, invest, reinvest and administer any gifts bequests, devises, benefits of trusts (but not to act as trustee of any trust), and property of any sort without limitation as to amount or value and to use, disburse or donate the income or principal thereof exclusively for charitable purposes; to receive, establish, and maintain a fund or funds of real or personal property, or both, and subject to any restrictions and limitations hereinafter set forth, to use and apply the whole or any part of the income therefrom exclusively for charitable, scientific, and benevolent purposes either directly or by funding programs or projects that accomplish such charitable and benevolent purposes.

FIFTH: The corporation is not formed to engage in any activity or for any purpose requiring consent or approval of any state official, department, board, agency or other body. No consent or approval is required.

SIXTH: The corporation is a non-charitable corporation pursuant to Section 201 of the Not-for-Profit Corporation Law.

SEVENTH: The names and address of the initial directors of the corporation are as follows:

Robert Earl Lepserence, 155 Main Street, Suite D, Oneonta, New York 13820

William A. MacApline, 277 Locust Street, Dover, New Hampshire 03820

Alan Lord, 415 State Highway 41, Smithville Flats, New York 13841

EIGHTH: No part of the net earnings of the corporation shall inure to benefit of, or be distributable to its directors, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the Article Third hereof.

NINTH: Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(c)(4) Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any federal tax code.

TENTH: Upon the dissolution of the corporation assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(4) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principle office of the corporation is

then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

ELEVENTH: The office of the corporation is to be located in the County of Otsego.

TWELFTH: The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is: 155 Main Street, Suite D, Oneonta, New York 13820.

IN WITNESS WHEREOF, this certificate has been subscribed to this 18th day of June 2020 by the undersigned who affirms that the statements made herein are true under penalties of perjury.

Lawrence A. Kirsch

Lawrence A. Kirsch, Esq.
90 State St., Suite 815
Albany, New York 12207

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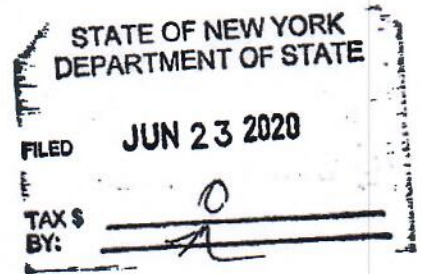
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CERTIFICATE OF INCORPORATION

OF

FORESTBURGH POND PROPERTY OWNERS' ASSOCIATION INC.

Under Section 402 of the Not-for-Profit Corporation Law



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Filed by:

Brown, Kelleher & Zwickel, LLP
370 Main Street
Catskill, New York 12414

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