



**Department of State.**

**CERTIFICATE OF INCORPORATION  
OF**

*Hunters Point Homeowners' Association, Inc.*

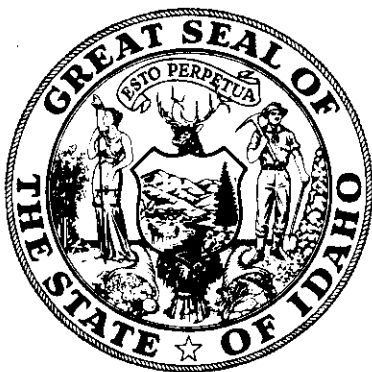
I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of Articles of Incorporation for the incorporation of \_\_\_\_\_

*Hunters Point Homeowners' Association, Inc.*

duly signed pursuant to the provisions of the Idaho Nonprofit Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Incorporation and attach hereto a duplicate original of the Articles of Incorporation.

Dated November 16, 19 79.



*Pete T. Cenarrusa*

SECRETARY OF STATE

\_\_\_\_\_  
Corporation Clerk

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ARTICLES OF INCORPORATION 8 33  
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OF

SECRETARY OF  
HUNTERS POINT HOMEOWNERS' ASSOCIATION, INC.  
STATE

KNOW ALL MEN BY THESE PRESENTS, That we, each being a natural person of full age and a citizen of the United States have voluntarily and do hereby associate ourselves together for the purpose of forming a not-for-profit cooperative association under the laws of the State of Idaho. We do hereby certify, declare and adopt the following Articles of Incorporation.

ARTICLE I

NAME

The name of the Corporation is: Hunters Point Homeowners' Association, Inc.

ARTICLE II

EXISTENCE

The period of existence and the duration of the life of this Corporation shall be perpetual.

ARTICLE III

STATUS

This Corporation shall be a non-profit cooperative association.

ARTICLE IV

REGISTERED AGENT AND OFFICE

The registered agent and the location and post office address of the registered office of this Corporation shall be Timothy R. Musser, Route 1, in the City of Hagerman, County of

1 Gooding, State of Idaho, 83332.

2 ARTICLE V

3 PURPOSE, NATURE AND OBJECTIVES OF THE ASSOCIATION

4 The nature, purposes and objectives of this residential  
5 real estate management association is to provide an entity for the  
6 acquisition, construction, management, maintenance and care of the  
7 Association's property.

8 This cooperative association (hereinafter referred to as  
9 "the association") shall perform such duties and functions as are  
10 required by it to be performed pursuant to these Articles of  
11 Incorporation and a certain Declaration of Covenants, Conditions  
12 and Restrictions which shall be recorded in the office of the  
13 County Recorder for Gooding County, State of Idaho, for The Hunters  
14 Point Homeowners' Association, Inc., and shall be governed by the  
15 By-Laws adopted by the two-thirds vote of the total membership of  
16 the Association.

17 The Association shall have the power to have, exercise  
18 and enforce all rights and privileges and to assume, incur, perform  
19 and carry out and discharge all duties, obligations and  
20 responsibilities of an Association as provided for by Idaho Law  
21 and as the Declaration of Covenants, Conditions and Restrictions  
22 require as they are originally executed or as amended, if they are  
23 amended. The Association shall have the power to adopt and enforce  
24 rules and regulations covering the use of any "property", as that  
25 term is defined in the Declaration of Covenants, Conditions and  
26 Restrictions, to levy and collect the periodic and special assess-

1 ments and charges against the lots and the members thereof, and in  
2 general to assume and perform all of the functions to be assumed  
3 and performed by the Association as provided for in the Declaration.  
4 It shall have the power to transfer, assign, or delegate such  
5 duties, obligations or responsibilities to other persons or  
6 entities as provided for and permitted by Idaho Law, the  
7 Declaration, the Association's By-Laws or in an agreement executed  
8 by the Association with respect thereto.

9           The Association shall actively foster, promote and  
10 advance the interest of owners of lots within the "property".

#### 11                           ARTICLE VI

##### 12                                 ADDITIONAL ASSOCIATION POWERS

13           In addition to the foregoing, where not inconsistent  
14 with Idaho Law or the Declaration of Covenants, Conditions and  
15 Restrictions, the Corporation shall have the following powers:

16                   (1) The authority set forth in Title 30 of the Idaho  
17 Code relating to the organization and conduct of general  
business corporations.

18                   (2) To buy, sell, acquire, hold or mortgage, or enter  
19 into security agreements, pledge, lease, assign, transfer,  
20 trade in and deal with all kinds of personal property,  
goods, wares and merchandise of every kind, nature and  
description.

21                   (3) To buy, sell, lease, let, mortgage, exchange or  
22 otherwise acquire or dispose of lands, lots, houses,  
23 buildings and other real property, hereditments and  
24 appurtenances of all kinds and wherever situated, and of  
any interests and rights therein, to the same extent as  
natural persons might or could do, and without limit as  
to amount.

25                   (4) To borrow money, draw, make, accept, enforce,  
26 transfer and execute promissory notes, debentures and  
27 other evidences of indebtedness, and for the purpose of  
28 securing any of its obligations or contracts, to convey,  
transfer, assign, deliver, mortgage and/or pledge all or  
any part of the property or assets, real or personal, at  
any time owned or held by this Corporation.

1 (5) To have one or more offices, to carry on all or any  
2 part of its operations and business, to do all and  
3 everything necessary, suitable, convenient or proper for  
4 the accomplishment of any of the purposes or the  
5 attainment of any one or more of the objects herein  
6 named, or which shall at any time appear conducive or  
7 expedient for the protection or benefit of the Association,  
8 and which now or may hereafter be authorized by law, and  
9 this to the same extent and as fully as natural persons  
10 might or could do, as principals, agents, contractors,  
11 trustees or otherwise, and either alone or in connection  
12 with any firm, person, association or corporation.

13 (6) The foregoing clauses are to be construed both as  
14 objects and powers. As hereby expressly provided, the  
15 enumeration herein of the objects, powers and purposes  
16 shall not be held to restrict in any manner the general  
17 powers of the Corporation. The Corporation shall have  
18 the power to do all acts that are necessary and convenient  
19 to obtain the objects and purposes herein set forth to  
20 the same extent and as fully as any natural person could  
21 or might do within the framework of these Articles of  
22 Incorporation and the general Corporation Laws for the  
23 State of Idaho.

24 (7) Notwithstanding any of the foregoing to the contrary,  
25 the Association shall perform only such functions which  
26 will qualify it to be treated as a "Homeowners  
27 Association" under Section 528 of the 1954 Internal  
28 Revenue Code as added by Section 2101 of the Tax Reform  
Act of 1976. The Association, by and through its  
authorized officers, is specifically authorized to make  
such election under Section 528 of the Internal Revenue  
Code as to qualify it as a "Homeowners Association" as  
that Act exists at the time of the execution of this  
document or as the same shall be amended to include the  
requisitions promulgated thereunder, to include all  
interpreted governmental actions.

## ARTICLE VII

### MEMBERSHIP CERTIFICATES, VOTING POWER AND

### DETERMINATION OF PROPERTY RIGHTS AND INTERESTS

23 Section 1. Each member shall be entitled to receive a  
24 certificate of membership for each lot which he owns pursuant to  
25 the Declaration of Covenants, Conditions and Restrictions.

26 Section 2. The maximum number of memberships shall be  
27 sixteen (16). The members of the Corporation must be and remain  
28

1 owners of lots within the project set forth in the Declaration of  
2 Covenants, Conditions and Restrictions, to be recorded in Gooding  
3 County, State of Idaho, and the Association shall include all  
4 owners of lots within said project. If title to a lot is held by  
5 more than one person, the persons owning said lots will designate  
6 one of them as the "member" and that person's name shall appear on  
7 the certificate and shall be entitled to the voting rights created  
8 herein.

9           Section 3. No person or entity other than an owner may  
10 be a member of the Association. A member shall not assign or  
11 transfer his membership certificate except in connection with the  
12 transfer of his lot. Membership in the Association is hereby  
13 declared to be appurtenant to the title of the lot upon which such  
14 membership is based and automatically shall pass with the sale or  
15 transfer of the title of the lot. Members shall not have preemptive  
16 rights to purchase other memberships in the Association or other  
17 lots within the development.

18           Section 4. The voting rights of each member of the  
19 Association shall be equal.

#### 20                           ARTICLE VIII

##### 21                                 ASSESSMENTS

22           Each member shall be liable for the payment of periodic  
23 and special assessments as provided for in the Declaration of  
24 Covenants, Conditions and Restrictions.

#### 25                           ARTICLE IX

##### 26                                 BY-LAWS (ALTERATION, ADOPTION OR AMENDMENT)

27           The members are specifically empowered to draft such By-  
28 Laws as are necessary to govern the internal affairs of this

1 Association. The By-Laws of this Association may be altered,  
2 amended, or new By-Laws adopted at any regular or special meeting  
3 of the Corporation called for that purpose by the affirmative vote  
4 of two-thirds of the total membership.

#### 5 ARTICLE X

##### 6 AUTHORITY TO INCORPORATE BY REFERENCE

7 For the purpose of specifying in detail the rights,  
8 responsibilities, duties and obligations of the Board of Directors,  
9 the officers, employees and agents of the Corporation and the  
10 members thereof, including the liability of the members for the  
11 payment of assessments, the By-Laws may incorporate by reference  
12 the provisions of the Declaration of Covenants, Conditions and  
13 Restrictions recorded in Gooding County, State of Idaho, provided  
14 that a true and correct copy of such Declaration of Covenants,  
15 Conditions and Restrictions is attached to and made a part of the  
16 By-Laws of the Corporation.

#### 17 ARTICLE XI

##### 18 BOARD OF DIRECTORS

19 The business and affairs of the Association shall be  
20 managed and controlled by a Board of Directors. The original  
21 Board of Directors shall be three (3) members; however, the By-  
22 Laws of the Association, subject to the voting requirements  
23 contained therein, may provide for an increase or decrease in  
24 their number provided that the number of directors shall not be  
25 greater than 9 or less than 3. The incorporators shall constitute  
26 the initial Board of Directors and shall serve as directors until  
27 the first annual meeting of shareholders or until their successors  
28 be elected and qualify.

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ARTICLE XII

NAMES AND ADDRESSES

The names and post office addresses of the incorporators are as follows:

<u>NAME</u>	<u>ADDRESS</u>
J. Alvin Musser	1721 Wilson Avenue Upland, CA 91786
Hope I. Musser	1721 Wilson Avenue Upland, CA 91786
Timothy R. Musser	Route 1 Hagerman, ID 83332

IN WITNESS WHEREOF, We have hereunto set our hands and seals this 6<sup>th</sup> day of November, 1979.

  
J. ALVIN MUSSER

  
HOPE I. MUSSER

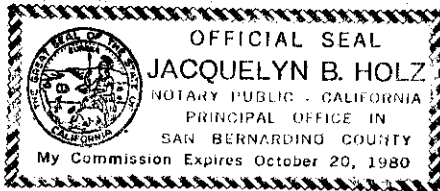
  
TIMOTHY R. MUSSER



1 STATE OF CALIFORNIA )  
2 County of San Bernardino ) ss.

3 On this 6th day of November, 1979, before me,  
4 the undersigned, a Notary Public in and for said County and  
5 State, personally appeared J. ALVIN MUSSER and HOPE I. MUSSER,  
6 known to me to be the persons whose names are subscribed to the  
7 foregoing instrument, and acknowledged to me that they executed  
8 the same.

9 IN WITNESS WHEREOF, I have hereunto set my hand and  
10 affixed my official seal the day and year last above written.



11 *Jacquelyn B. Holz*  
12 Notary Public for California  
13 Residing at 434 N. Second Ave., Upland, CA

14 STATE OF IDAHO )  
15 County of Gooding ) ss.

16 On this 11<sup>TH</sup> day of November, 1979, before me, the  
17 undersigned, a Notary Public in and for said County and State,  
18 personally appeared TIMOTHY R. MUSSER, known to me to be the  
19 person whose name is subscribed to the foregoing instrument, and  
20 acknowledged to me that he executed the same.

21 IN WITNESS WHEREOF, I have hereunto set my hand and  
22 affixed my official seal the day and year last above written.

23 *John R. H. Magnus*  
24 Notary Public for Idaho  
25 Residing at Hayden