

ORIGINAL

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ARTICLES OF INCORPORATION  
OF  
THE BLIZZARD BUNGALOWS  
HOMEOWNERS' ASSOCIATION, INC.

2006 NOV -6 AM 9:20

SECRETARY OF STATE  
STATE OF IDAHO

The undersigned, acting as the incorporator of a nonprofit corporation ("Corporation") organized under and pursuant to the Idaho Nonprofit Corporation Act, Chapter 3, Title 30, Idaho Code ("Act"), adopts the following Articles of Incorporation ("Articles").

**ARTICLE I. NAME**

The name of the Corporation is THE BLIZZARD BUNGALOWS HOMEOWNERS' ASSOCIATION, INC.

**ARTICLE II. NONPROFIT STATUS**

The Corporation is a nonprofit corporation.

**ARTICLE III. PERIOD OF DURATION**

The period of duration of the Corporation is perpetual.

**ARTICLE IV. REGISTERED OFFICE AND AGENT**

The location of the Corporation is in Sandpoint, Bonner County, Idaho. The address of the initial registered office is 1131 Michael Lane, Sandpoint, Idaho 83864, and the name of the initial registered agent at this address is Craig T. Mearns.

**ARTICLE V. PURPOSES**

The Association is formed to be a Management Body for the administration, maintenance, preservation and control of The Blizzard Bungalows Condominiums, located in

Paul William Vogel, P.A.  
Attorney-at-Law  
120 East Lake Street  
Suite 313  
P.O. Box 1828  
Sandpoint, ID 83864-0903  
Ph: (208) 263-6636  
Fax: (208) 265-6775

ARTICLES OF INCORPORATION OF THE BLIZZARD  
BUNGALOWS HOMEOWNERS' ASSOCIATION, INC. - 1

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Bonner County, Idaho consistent with the Idaho Condominium Property Act, Title 55, Chapter 15, Idaho Code (the "Condominium Act") and its powers are and shall be consistent with the provisions of the Condominium Act. The nature of the business and the object and purposes of the Association shall be as follows:

1. The association shall be the "Management Body" as defined in Idaho Code section 55-1503, and as provided for in the terms and conditions of that Declaration of Condominium Plat for The Blizzard Bungalows (the "Declaration") to be executed by H. Keith Mearns and Carol M. Mearns, husband and wife (the "Declarant"), which delegates and authorizes the Association to exercise certain functions as the Management Body. The Declaration shall be recorded in the Bonner County Recorder's Office, State of Idaho, together with a certified copy of these Articles of Incorporation appended thereto. All of the words and terms which are initially capitalized herein shall have the meanings and definitions ascribed to them in the Declaration, which definitions are incorporated herein by reference.

2. The Association shall have the power to exercise and enforce all rights and privileges, and to assume, incur, perform, carry out and discharge all duties, obligations and responsibilities of a Management Body as provided for in the Condominium Act, and in the Declaration, as amended from time to time. The Association shall have the power to adopt and enforce rules and regulations covering the use of the Project or Units therein, to levy and collect the Assessments and charges against the Owners and the Units themselves and in general to assume and perform all the functions to be assumed and performed by the Association as provided for in the Declaration. It shall have the power by resolution or vote to transfer, assign or delegate such duties, obligations or responsibilities to other persons or

entities as permitted or provided for in the Condominium Act, the Declaration or in an agreement executed by the Association with respect thereto.

3. The Association shall comply with all terms, conditions and provisions of any and all permits pertaining to the Condominium Property (as defined in the Declaration).

4. In addition to the foregoing, where not inconsistent with either the Condominium Act or Title 30, Idaho Code, the Association shall have all the general powers provided in Sections 30-1-302 and 30-3-24, Idaho Code.

#### **ARTICLE VI. MEMBERSHIP:**

1. There shall be one (1) membership in the Association for each Owner as established by the declaration. The Members of the Association must be and remain Owners of a Unit, as defined in the Declaration, within the Project. If title to a Unit is held by more than one person, the membership relating to the Unit shall be shared by all such persons in the same proportionate interest and the same type of tenancy in which the title to the Unit is held.

In the event that title to any Unit is held by more than one person, other than a marital couple, then, in that event, the individuals holding title shall designate the titleholder that is entitled to vote the Membership interest for such Unit. Said designation shall be in writing and shall be filed with the Association. Provided, however, if title is held by a marital couple then either party to the marriage shall be entitled to vote the Membership interest without filing a designation.

2. No person or entity other than an Owner may be a member of the Association. A member shall not assign or transfer his membership except in connection with the transfer or sale of a Unit; provided, however, that although membership is not

intended to include persons or entities who hold an interest merely as security for the performance of an obligation, the rights of membership may be assigned as further security for a loan secured by a lien on a Unit. Every person or entity who is an owner of any Unit for which the Association has been or may be designated as a Management Body shall be required to be a member of the Association and remain a member so long as such person or entity shall retain the ownership of a Unit. Membership in the Association is declared to be appurtenant to the title of a Unit upon which such membership is based and automatically shall pass with the sale or transfer of the title of the Unit.

#### **ARTICLE VII. VOTING RIGHTS:**

The Association shall have one class of voting membership. Members shall be all Owners and shall be entitled to one vote for each Unit owned. When more than one person holds an interest in any Unit, all such persons shall be members. The vote for such Unit shall be exercised as set forth in a written designation, but in no event shall more than one vote be cast with respect to any Unit. Fractional votes shall not be allowed. The vote applicable to any Unit being sold under contract of purchase shall be exercised by the contract seller, unless the contract expressly provides otherwise.

#### **ARTICLE VIII: BOARD OF DIRECTORS:**

1. The number of directors of the Association shall be fixed by the by-laws and may be increased or decreased from time to time in the manner specified herein. The initial board of directors shall consist of three (3) directors. The names and addresses of the persons who shall serve as directors until the first meeting of the members and until their successors are elected and qualify, or unless they resign or are removed, are:

Name	Address
Harrison K. Mearns	P.O. Box 397 Hope, ID 83836
Craig T. Mearns	1131 Michael Lane Sandpoint, ID 83864
Mike Ball	1625 Sequoia Lane Sandpoint, ID 83864

2. All Directors shall be elected in the manner set forth in the By-Laws. Directors may be removed and vacancies may be filled in the manner provided in the By-Laws.

#### **ARTICLE IX. INCORPORATOR:**

The name and address of the Incorporator is as follows:

Harrison K. Mearns  
P.O. Box 397  
Hope, ID 83836

#### **ARTICLE X. BY-LAWS:**

The By-Laws of the Association shall be adopted as set forth in the By-Laws, and may be altered, amended or rescinded in the manner provided therein.

#### **ARTICLE XI. ASSESSMENTS:**

Each member shall be liable for the payment of Assessments and charges provided for in the Declaration and for the payment and discharge of the liabilities of the Association as provided for in the Declaration, the Condominium Act, and as set forth in the By-Laws.

#### **ARTICLE XII. AMENDMENT:**

Amendments to these Articles shall be proposed and adopted in the following manner:

1. Until Turnover of Control (as defined in the By-Laws), the Declarant shall have the unilateral right to amend these Articles.

2. After election of a majority of the Board other than by the Declarant, amendments to these Articles may be proposed either by a majority of the whole Board or by a petition signed by the Members representing at least seventy-five percent (75%) of the voting interests of the Association. Once so proposed, the amendments shall be submitted to a vote of the Members no later than the next annual meeting for which proper notice can be given. These Articles of Incorporation may be amended by a vote of seventy-five percent (75%) of the Members present and voting at such special or annual meeting at which a quorum has been established. Any such amendment may also be approved in writing by a majority of the total voting interests without a meeting. Notice of any proposed amendment must be given to the Members, and the notice must contain the text of the proposed amendment.

3. An amendment shall become effective upon filing with the Secretary of State and recording a certified copy in the Public Records of Bonner County, Idaho.

#### **ARTICLE XIII. DISSOLUTION:**

Upon dissolution of the corporation, the Board of Directors shall, after paying or making provision for the payment of all liabilities of the corporation, distribute all the assets of the corporation consistent with the purposes of the corporation. Any such assets not so distributed shall be distributed by the District Court of the county in which the principal office of the corporation is then located, exclusively for the purposes or to such organizations, as such Court shall determine to be consistent with the purposes of the corporation. All

dissolution procedures shall be in accordance with applicable provisions Of the Idaho Non-profit Act, Title 30, Chapter 3, Idaho Code.

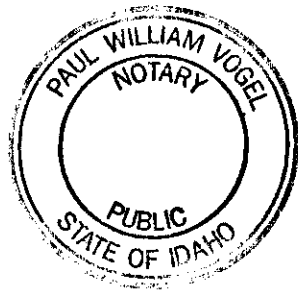
EXECUTED this 2 day of November, 2006, by the undersigned Incorporator.

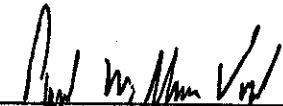
  
HARRISON K. MEARNS

STATE OF IDAHO       )  
                                  : ss.  
County of Bonner       )

On this 2nd day of November, 2006, before me, a Notary Public in and for the State of Idaho, personally appeared HARRISON K. MEARNS, known to me to be the Incorporator of THE BLIZZARD BUNGALOWS HOMEOWNERS' ASSOCIATION, INC., and acknowledged to me that he executed the within and foregoing instrument on behalf of said corporation.

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



  
Notary Public for Idaho  
Residing at 5920 105th  
My Commission Expires 2.3.11