

**FILED EFFECTIVE**

**ARTICLES OF INCORPORATION**

2002 OCT -2 AM 8:49

**OF**

STATE OF IDAHO

**KINGS ESTATES HOMEOWNER'S ASSOCIATION, INC.**

**ARTICLE ONE**

The name of the corporation is KINGS ESTATES HOMEOWNER'S ASSOCIATION, INC., hereinafter called the "Association".

**ARTICLE TWO**

The initial registered office of the Association is located at 1339 Mastiff, Meridian, Idaho, 83642.

**ARTICLE THREE**

Flora Bellomy, whose address is 1339 Mastiff, Meridian, Idaho, 83642, is hereby appointed the initial registered agent of this Association.

**ARTICLE FOUR**

**INITIAL INCORPORATORS**

The following individuals are the initial incorporators of the Corporation:

NAME: Donald Bellomy  
ADDRESS: 1339 Mastiff, Meridian, Idaho, 83642  
NAME: Flora Bellomy  
ADDRESS: 1339 Mastiff, Meridian, Idaho, 83642

**ARTICLE FIVE**

**PURPOSE AND POWERS OF THE ASSOCIATION**

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the residence Lots and Common Area within that certain tract of property located in Canyon County, Idaho, and to promote the health, safety and welfare of the residents within the above described property and any additions thereto as may thereafter be brought within the jurisdiction of this

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Association for the purpose to:

(a) exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in that certain Declaration of Covenants, Conditions and Restrictions, and its first Amendment, hereinafter called the "Declaration", applicable to the property and recorded or to be recorded in the records of Canyon County, Idaho, and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth at length;

(b) fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied or imposed against the property of the Association;

(c) acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;

(d) borrow money, and as provided in the Declaration, mortgage, pledge, secure or hypothecate any or all of its real or personal property as secured for money borrowed or debts incurred;

(e) dedicate, sell or transfer all or any part of the common area to any public agency, authority or utility for such purposes and subject to such conditions as may be agreed to by the members as set forth in the Declaration;

(f) participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and common area, as provided in the Declaration;

(g) have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation law of the State of Idaho by law may now or hereafter have or exercise.

## **ARTICLE SIX**

### **MEMBERSHIP**

Every person or entity who is a record owner of a fee or undivided fee interest in any lot which is subject by covenants of record to assessment by the Association, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Every lessee of a living unit constructed on any Lot who holds a written lease having an initial term of at least twelve (12) months shall be a member of the Association.

## **ARTICLE SEVEN**

### **VOTING RIGHTS**

The Association shall have three classes of voting membership:

Class A. Class A members shall be all Owners of Lots designated for residential purposes and shall be entitled to one vote for each Lot owned.

Class B. Class B members shall be all occupants, either owners or lessees as defined in Article V, of all living units constructed on Lots in the properties, and shall have one vote for the living unit they occupy.

Class C. The Class C member shall be the developer, his successors and assigns, who shall have one vote. The Class C membership shall cease upon written notice to the Association no later than the transfer of the last real property interest from the developer to a third party.

When more than one person holds interest or interests in any Lot or Living Unit the vote for such Lot or Living Unit shall be exercised as they among themselves determine.

## **ARTICLE EIGHT**

### **BOARD OF DIRECTORS**

The affairs of this Association shall be managed by a Board of Directors. The initial Board of Directors shall consist of three (3) directors, provided however, that the number of directors may be changed in accordance with the Bylaws of the Association. The names and addresses of the persons who are to act in the capacity of directors until the selection of their successors are:

NAME: Donald Bellomy

ADDRESS: 1339 Mastiff, Meridian, Idaho, 83642

NAME: Flora Bellomy

ADDRESS: 1339 Mastiff, Meridian, Idaho, 83642

NAME: Kathleen Anderson

ADDRESS: 2594 N. Valmet, Meridian, Idaho 83642

## **ARTICLE NINE**

### **DISSOLUTION**

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each class member. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to such similar purposes.

## **ARTICLE TEN**

### **DURATION**

The corporation shall exist perpetually.

## **ARTICLE ELEVEN**

### **AMENDMENTS**

Amendment of these Articles shall require the assent of seventy five percent (75%) of the entire

membership.

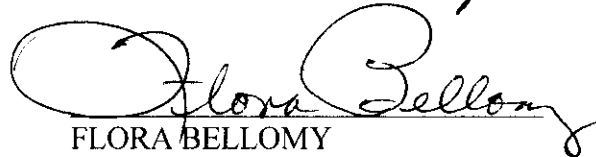
## ARTICLE TWELVE

### SEVERABILITY

Invalidation of any one of these articles or sections of articles by judgment or Court order shall in no way affect any other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, We have hereunto set our hands this 1<sup>st</sup> day of October, 2002.

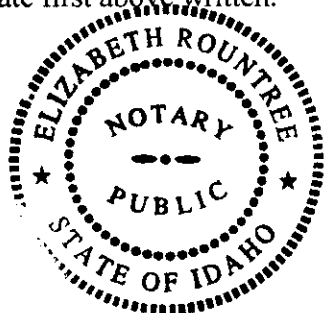
  
DONALD BELLOMY

  
FLORA BELLOMY

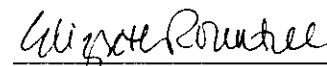
STATE OF IDAHO                     )  
  : ss.  
County of Canyon                 )

On this 1<sup>st</sup> day of October, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared DONALD BELLOMY and FLORA BELLOMY, known to me to be the persons who executed the foregoing ARTICLES OF INCORPORATION and acknowledged to me that they executed the same.

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



(Seal)

  
Notary Public for Idaho  
Residing at: Meridian, Idaho  
My Commission Expires: 01.14.06