

# State of Idaho

## Department of State

### CERTIFICATE OF INCORPORATION OF

LAKESIDE PROPERTIES HOMEOWNERS ASSOCIATION, INC.

File number C 112032

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 LAKESIDE PROPERTIES 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: September 14, 1995



*Pete T. Cenarrusa*  
SECRETARY OF STATE

By *Anna Sipe*

SEP 14 1 42 PM '95

SECRETARY OF STATE  
STATE OF IDAHO

ARTICLES OF INCORPORATION  
OF

LAKESIDE PROPERTIES HOMEOWNERS ASSOCIATION, INC.

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, a corporation duly authorized and existing under the laws of the State of Idaho, does hereby certify that it is forming a non-profit cooperative association or corporation, under the laws of the State of Idaho pertaining thereto, and hereby adopts the following ARTICLES OF INCORPORATION, to-wit:

ARTICLE I.

That name of the corporation is LAKESIDE PROPERTIES HOMEOWNERS ASSOCIATION, INC., hereinafter called the "ASSOCIATION".

ARTICLE II.

The principal office of the ASSOCIATION is located at 915 Main Street, Caldwell, Idaho, 83605.

ARTICLE III.

Robert O. Jenkins, whose address is 16091 Orchard Avenue, Caldwell, Idaho, 83605, is hereby appointed the initial registered agent of this ASSOCIATION.

ARTICLE IV.

NON-PROFIT

The ASSOCIATION is "Non-Profit" and does not contemplate pecuniary gain or profit to the members thereof.

Articles of Incorporation - 1

IDAHO SECRETARY OF STATE

9/14/95 9:00:00 AM

Customer # 14344

IVC960013777 16384

CORPORATION NON PROFIT

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## ARTICLE V.

### PURPOSES

1. To provide for maintenance and architectural control of the "Common Area Road" and Lots 2, 3, 4, 5A, and 5B, located in Canyon County, State of Idaho, and described in Exhibits "A" and "B" (referred to as Lakeside Subdivision) attached hereto and incorporated herein by reference. The Common Area will be conveyed to the ASSOCIATION and is intended for the benefit of said Lots 2, 3, 4, 5A, and 5B. The owners of said lots have agreed to "Declaration Of Covenants, Conditions and Restrictions Of Lakeside Properties, Canyon County, Idaho", recorded in the Office of County Recorder as Instrument No. 9424144, ~~which are incorporated herein by reference and attached hereto as Exhibit "C"~~

2. To promote the health, safety and welfare of the owners and residents of said lots and any additions thereto as may hereafter be brought under the jurisdiction of the ASSOCIATION.

3. To exercise all the duties, powers and privileges set forth in said Declarations of Covenants, Conditions and Restrictions.

4. Fix, levy and collect payment of dues; to pay all office expenses and all 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.

5. 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.

6. Borrow money, and with the assent of two-thirds (2/3) of the members, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred.

7. 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. No such dedication or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of the members, agreeing to such dedication, sale or transfer.

8. Participate in mergers and consolidations with other non-profit corporations organized for the same purposes, or annex additional residential property and Common Area, provided that any such merger, consolidation or annexation shall have the assent of two-thirds (2/3) of the members.

9. To exercise any and all powers, rights and privileges permitted by Idaho law.

#### ARTICLE VI.

#### DEFINITIONS

1. "ASSOCIATION" shall mean and refer to LAKESIDE PROPERTIES HOMEOWNERS ASSOCIATION, INC., Canyon County, Idaho, its successors and assigns.

2. "OWNER" shall mean and refer to the record owner,

whether one or more persons or entities, of a fee simple title to any lot which is a part of the properties, including contract buyers, but excluding those having such interest merely as security for the performance of an obligation.

3. "PROPERTIES" shall mean and refer to that certain real property hereinbefore described, and such additions thereto as may hereafter be brought within the jurisdiction of the ASSOCIATION.

4. "COMMON AREA" shall mean all real property owned by the ASSOCIATION for the common use and enjoyment of the owners. The COMMON AREA to be owned by the ASSOCIATION is described in said Exhibit "A".

5. "LOT" shall mean and refer to any plot of land upon any recorded subdivision map of the PROPERTIES (Exhibit "B") with the exception of the COMMON AREA.

#### ARTICLE VII.

##### MEMBERSHIP AND VOTING RIGHTS

Every owner of a lot which is subject to assessments shall be a member of the ASSOCIATION. Membership shall be appurtenant to (a matter of right), and may not be separated from, ownership of any Lot which is subject to assessments.

The ASSOCIATION shall have two classes of voting membership, to-wit:

CLASS "A": Class "A" members shall be all owners with the exception of the incorporator and shall be entitled to one vote for each Lot owned. When more than one person holds an interest in

any Lot, all such persons shall be members; provided, the vote for any such Lot shall be exercised as the several common owners among themselves shall determine, but in no event shall more than one vote be cast with respect to any such Lot.

CLASS "B": Class "B" members shall be the incorporator and shall be entitled to three (3) votes for each Lot owned. The Class "B" membership shall cease and be converted to Class "A" membership when the total votes outstanding in the Class "A" membership equal the total votes outstanding in the Class "B" membership.

#### ARTICLE VIII

##### BOARD OF DIRECTORS

The affairs of the ASSOCIATION shall be managed by a Board of five (5) Directors, who must be members of the ASSOCIATION. The number of directors may be changed by amendment of the By-Laws of the ASSOCIATION. The names and addresses of the persons who shall act in the capacity of directors until the selection of their successors are:

<u>NAME</u>	<u>ADDRESS</u>
Robert O. Jenkins	16091 Orchard Avenue Caldwell, Idaho 83605
Edward G. Jenkins	14221 Orchard Avenue Caldwell, Idaho 83605
Billye O. Jenkins	14221 Orchard Avenue Caldwell, Idaho 83605
Todd Youren	15782 Yoder Avenue Caldwell, Idaho 83605
John McCune	16011 Orchard Avenue Caldwell, ID 83605

At the first annual meeting, the members shall elect three directors for a term of one year and two directors for a term of two years and at each annual meeting thereafter the members shall elect directors for the vacancies to be filled, for a term of two years.

#### ARTICLE IX.

##### DISSOLUTION

The ASSOCIATION may be dissolved with the assent, given in writing and signed by all of its members. In the event the corporation does not receive unanimous written assent to dissolution, then a meeting of members will be held and written notice of such meeting shall be given within the time and in the manner provided for in the Idaho Code. Such notice shall state the purpose of the meeting. At such meeting a vote of the members entitled to vote shall be taken on a resolution to dissolve the corporation. Such resolution shall be adopted upon receiving the affirmative vote of a two-thirds (2/3) majority of the votes entitled to be cast by the members present, or represented by proxy at a meeting at which a quorum is present. 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 non-profit corporation, association, trust or other organization to be devoted to such similar purposes.

ARTICLE IX.

The incorporator is Mainstreet Properties, Inc., an Idaho Corporation.

ARTICLE X.

The corporation shall exist perpetually.

ARTICLE XI.

AMENDMENTS

Amendment of these Articles shall require the assent of two-thirds (2/3) of the membership.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Idaho, the undersigned, being the incorporator of this ASSOCIATION, has executed these Articles of Incorporation, this 13 day of September, 1995.

MAINSTREET PROPERTIES, INC.

By 

President

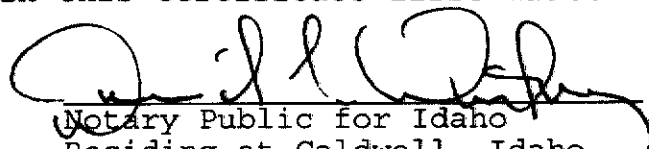
Attest: 

Secretary

STATE OF IDAHO, COUNTY OF CANYON) ss

On this 13 day of September, 1995, before me, the undersigned a Notary Public in and for said State, personally appeared Robert D. Jensen and Todd Jensen who being by me first duly sworn, declared that they are the President and Secretary, respectively, of Mainstreet Properties, Inc., an Idaho Corporation, and whose names are subscribed to the foregoing instrument, 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 written above.

  
Notary Public for Idaho  
Residing at Caldwell, Idaho  
My Commission Expires: 12-6-99



50.00 foot wide ingress-egress and utility easement

COMMENCING at the southeast corner of the NE1/4SE1/4 of Section 17, Township 3 North, Range 3 West of the Boise Meridian;

Thence North  $0^{\circ}34'41''$  East along the east boundary of said NE1/4SE1/4 a distance of 196.00 feet to the TRUE POINT OF BEGINNING;

Thence southeasterly 28.91 feet along the arc of a curve to the left having a central angle of  $82^{\circ}49'09''$ , a radius of 20.00 feet and a long chord which bears South  $40^{\circ}49'54''$  East a distance of 26.46 feet;

Thence southwesterly 275.22 feet along the arc of a curve to the right having a central angle of  $262^{\circ}49'09''$ , a radius of 60.00 feet and a long chord which bears South  $49^{\circ}10'06''$  West a distance of 90.00 feet to a point on a line 50.00 feet westerly from and parallel with said east boundary;

Thence North  $0^{\circ}34'41''$  East along said parallel line a distance of 466.58 feet to a point in the centerline of Orchard Ave.;

Thence South  $74^{\circ}35'00''$  East along said centerline a distance of 51.72 feet to a point on the said east boundary;

Thence South  $0^{\circ}34'41''$  West along said east boundary a distance of 373.96 feet to the TRUE POINT OF BEGINNING.

EXHIBIT A

