

# State of Idaho

## Department of State

### CERTIFICATE OF INCORPORATION OF

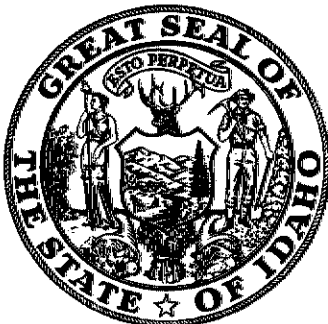
ARANT'S PLANTATION CREEK HOMEOWNER'S  
ASSOCIATION, INC.

File Number C 107355

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 ARANT'S PLANTATION CREEK HOMEOWNER'S 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: August 17, 1994



*Pete T. Cenarrusa*  
SECRETARY OF STATE  
By *[Signature]* *[Signature]*

AUG 8 2 24 PM '94

SECRETARY OF STATE

ARTICLES OF INCORPORATION OF  
ARANT'S PLANTATION CREEK  
HOMEOWNER'S ASSOCIATION, INC.,  
AN IDAHO NON-PROFIT CORPORATION

34 AUG 17 AM 9 08

SEC. OF STATE

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, who is of legal age and a citizens of the United States of America, has this day formed a non-profit corporation (herein after "Corporation") under and pursuant to the laws of the State of Idaho including Idaho Code Sections 30-301 et. seq. Pursuant hereto the undersigned certifies as follows:

ARTICLE I

NAME

The name of the Corporation is Arant's Plantation Creek Homeowner's Association, Inc.

ARTICLE II

The Corporation is not formed in contemplation of pecuniary gain and/or profit to the members thereof. The Corporation is a non-profit corporation pursuant to Idaho Code.

ARTICLE III

The Corporation is a perpetual entity.

ARTICLE IV

The Corporation has not been formed for pecuniary profit or financial gain and no part of the assets, income or profit of the Corporation is or shall be distributable to or inure to the

ARTICLES OF INCORPORATION OF  
ARANT'S PLANTATION CREEK, Page 1

IDAHO SECRETARY OF STATE  
19940809 0900 19660 2  
CK #: 89 CUST# 39709

CORP  
1@ 30.00= 30.00

benefit of the directors or officers of the Corporation. No part of the activities of the Corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation and the Corporation shall not participate in or intervene in any political campaign on behalf of any candidate for public office.

Notwithstanding any other provision contained in these Articles of Incorporation, the Corporation shall not carry on any other activity not permitted to be carried on (A) by a corporation exempt from federal income tax under Section 501(C)(3) of the Internal Revenue Code of 1954 as amended or, (B) by a corporation contributions to which are deductible under Section 170(C)(2) of the Internal Revenue Code of 1954 as amended.

#### ARTICLE V

The Corporation is organized exclusively for the purpose of performing any and all acts which may be necessary for or proper for or incidental to the ownership of and proper management and operation of the common areas of Arant's Plantation Creek Subdivision.

The Corporation may do any act or enter into any contract that a natural person might lawfully do or enter into. In general, it has the powers to transact and carry on any other business and to exercise any other powers which may be necessary, proper or convenient to be carried on or exercised in connection with any of the business purposes of the Corporation.

The Corporation may have and exercise all such powers as are by law conferred upon such corporations of like character,

consistent with its purposes, and in carrying out its purposes, the Corporation may do any and all things necessary thereto and may exercise any and all powers not prohibited by these Articles of Incorporation or by Sections 30-301 et seq of the Idaho Code and not prohibited by or inconsistent with Section 501(C)(3) of the Internal Revenue Code for non-profit, tax exempt corporations.

#### ARTICLE VI

Every person who is a lot owner of Arant's Plantation Creek Subdivision according to the official plat thereof filed in Book 59 of Plats, Pages 5702 and 5703, records of Ada County, Idaho, shall be a member of this Corporation and shall be entitled to the voting rights set forth herein. The foregoing is not intended to include persons or entities who hold interests merely as security for the performance of an obligation. This membership is appurtenant to and inseparable from ownership of a lot.

Additionally, there shall be two classes of members in this Corporation who shall be entitled to the following voting rights:

CLASS A: Class A members shall be all lot owners with the exception of the declarant 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. The vote for such lot shall be exercised as they determine, but in no event shall be more than one vote be cast with respect to any lot.

CLASS B: The Class B members shall be the declarant as defined in the Declaration of Covenants, Conditions and

Restrictions and shall be entitled to three votes for each lot owned. The Class B membership shall cease and be converted to the Class A membership on the happening on either of the following events, which ever occur earlier:

1. When 75% of the lots are deeded to Class A members; or
2. On January 1, 2001.

#### ARTICLE VII

The location and post office address of the initial registered office of the Corporation is 6477 Fairview Avenue, Boise, Idaho 83704, and the name of the initial registered agent of the Corporation who may be found at that address is John A. Arant.

#### ARTICLE VIII

The number of directors constituting the initial Board of Directors for this Corporation shall be three (3). The following named persons are appointed as the initial Board of Directors:

Name	Address
John A. Arant	6477 Fairview Avenue Boise, Idaho 83704
Winnie Morton	6477 Fairview Avenue Boise, Idaho 83704
<i>Juanita Sersain</i>	<i>5039 N Hollow Lane Boise ID 83702</i>

#### ARTICLE IX

Upon the dissolution or other termination of this Corporation, no part of the property of the Corporation or any of

the proceeds shall be distributed to, or inure for the benefit of any of the Directors or Officers of the Corporation, but all such property and proceeds subject to the discharge of the valid obligations of the Corporation and to the applicable provisions of the Idaho Non-Profit Corporation Act (Title 30, Chapter 3 Idaho Code) shall be distributed only to a public body or such qualified, non-profit organizations or exempt purposes under Section 501(C)(3) of the Internal Revenue Code as the Board of Directors by unanimous vote shall determine.

#### ARTICLE X

This Corporation shall be authorized to levy assessments upon its members to accomplish the purposes of this Corporation. The method and process of declaring these assessments and collecting those assessments shall be prescribed by the Declaration of Covenants, Conditions and Restrictions of Arant's Plantation Creek Subdivision as recorded in the Records of Ada County, Idaho, and as further prescribed by the Board of Directors. These assessments may be secured by a lien upon the real property owned by a lot owner (member) according to procedures set forth in the Declaration of Covenants, Conditions and Restrictions of Arant's Plantation Creek Subdivision.

#### ARTICLE XI

Amendment of these Articles shall require the approval of at least two-thirds of the entire membership vote.

ARTICLE XII

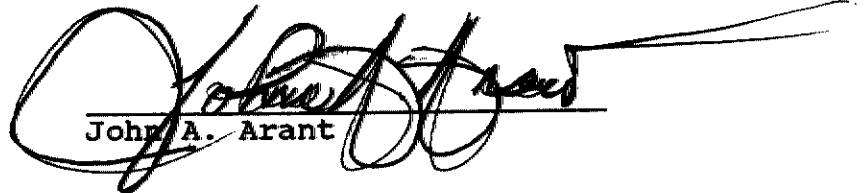
In the event that the Corporation might acquire additional property (other than the common areas defined in the Declaration of Covenants, Conditions and Restrictions), merge or consolidate with another corporation, mortgage any part of the common area, or dissolve and amend these Articles, during a period while they are still Class B members, such action shall first require the approval of HUD/VA.

ARTICLE XIII

INCORPORATOR

The name and address of the Incorporator of the Corporation is as follows: John A. Arant, 6477 Fairview Avenue, Boise, Idaho 83704.

IN WITNESS WHEREOF The undersigned has executed these Articles of Incorporation on the \_\_\_\_\_ day of <sup>Sept</sup>~~July~~, 1993.

  
John A. Arant