

ARTICLES OF INCORPORATION  
OF  
**BRISTOL HEIGHTS**  
**HOMEOWNERS ASSOCIATION, INC.**

an Idaho Non-Profit Corporation

FILED EFFECTIVE  
2005 APR 14 AM 8:59

STATE OF IDAHO

**KNOW ALL MEN BY THESE PRESENTS:**

That we, the undersigned, acting as the incorporators under the provisions of the Idaho Non-Profit Corporation Act, do hereby adopt the following Articles of Incorporation for such corporation.

**1. NAME: The name of this corporation shall be:**

**BRISTOL HEIGHTS HOMEOWNERS ASSOCIATION, INC.**

and said corporation (also hereinafter referred to as "Association") is and shall be a non-profit corporation.

**2. THE PURPOSE OF THE CORPORATION SHALL BE:**

**2.1.** To care for and maintain the Improvements, the Common Areas and the Gustafson Canal System (associated ditch, canal, pipeline, headgate, pump and easement), including but not limited to: the mowing of lawns and/or snow removal, all within the Bristol Heights Division No. 1 Subdivision located in the City of Idaho Falls, and any additional Divisions or Phases thereof.

**2.2.** To aid and cooperate with the Owners of said Subdivision in the enforcement of all conditions, covenants and restrictions on or appurtenant to their property.

**2.3.** Exercise any and all power that may be delegated to it from time to time by the Owners of said Subdivision.

**3. POWERS:** Pursuant to the purposes of the Corporation, the Corporation is hereby authorized and empowered to do and act, and to carry on any business authorized by the Board of Directors (pursuant to and in accordance with these Articles, the By-Laws and the Declaration of Covenants, Conditions and Restrictions for Bristol Heights Division No. 1 recorded as Instrument No. 1182743, Bonneville County Recorders Office ("Declaration") and the State of Idaho, as necessary to compliment and augment the general purposes of the Corporation. The Articles, By-Laws and Declaration shall be jointly referred to as "**the Documents**".

**4. EXISTENCE:** This Corporation shall have perpetual existence. **04/14/2005 05:00**  
CK: 1028 CT: 49995 BH: 804507  
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## **5. MEMBERSHIP:**

**5.1.** Membership shall be composed of and restricted to persons or duly organized entities under the laws of the State of Idaho who own Lots and/or Units within the Subdivision.

**5.2.** No Membership certificates shall be issued. "Member", as referred to herein, shall mean all the Owners of each Unit ("Unit" as defined in the Declaration). A Lot may contain one or more Units (either a "**Single Dwelling Lot**" or a "**Double Dwelling Lot**") as designated by the Declarant. All Lots not so designated as a Double Dwelling Lot shall be only a Single Dwelling Unit Lot. In the event a Lot is designated as a Double Dwelling Lot, each Unit Owner shall be entitled to one vote per Unit (dwelling) Owner. If Ownership of a Unit is held by one or more persons or entities, the multiple Owners of the Unit shall be deemed a single Owner or Member for purposes of voting in meetings of the Association. The voting power of each Unit shall be equal and each Member shall be entitled to cast one vote (per Unit owned) in any Owners Meetings.

**5.3.** Membership interests shall be transferred upon transfer or disposition of a Member's interest or ownership in and to a Unit. Membership qualifications shall be further delineated, described, and resolved by the Board of Directors.

**5.4.** If, following a hearing after due notice, the Board of Directors shall find that a Member has refused to or has not paid all sums due to the Association within thirty (30) days after demand for the same, it may suspend his rights as Member or terminate his Membership. On termination of such Membership in the Association all rights and interest of such Member in the Association shall cease.

**5.5.** A Member may not withdraw from Membership at any time.

**6. REGISTERED AGENT:** The name of the initial registered agent and the location of the office of the Corporation are:

LeRoy F. Gagner  
1301 E 17th Street  
Idaho Falls, ID 83404

**7. INCORPORATORS AND INITIAL DIRECTORS** The management of the Corporation shall be carried out by a Board of Directors consisting of three (3) persons unless expanded by and as allowed by the By-Laws. The Incorporators and Initial Board of Directors are and shall be:

LeRoy F. Gagner  
1301 E 17th Street  
Idaho Falls, ID 83404

Incorporator and Director

C. Roy Ellis  
1301 E 17th Street  
Idaho Falls, ID 83404

Incorporator and Director

J. Mike Hicks  
1301 E 17th Street  
Idaho Falls, ID 83404

Incorporator and Director

The Term of each Director shall be as set forth in the By-Laws of the Corporation.

**8. ASSESSMENTS:** The Board of Directors shall determine the amount and method of payment of any Initial, Regular, Special and/or Limited Assessments, in accordance with the By-Laws of the Corporation and the Declaration.

**9. DISSOLUTION/LIQUIDATION:** In the event of the dissolution and liquidation of this Corporation, to the extent allowed or permitted under applicable laws, the property and assets of the Corporation shall be, as determined by the Board of Directors, distributed to the Members prorata or sold and the proceeds of such sales distributed to any other corporation(s) organized and operating for the same purposes for which the Corporation is organized and operating. In the event no other corporation is so qualified, the proceeds shall be distributed prorata to each Unit Owner within the Subdivision.

**IN WITNESS WHEREOF**, the undersigned executed these Articles of Incorporation in duplicate and certify to the truth of the facts herein.

Dated: 4-11-05

LeRoy F. Gagner  
LeRoy F. Gagner

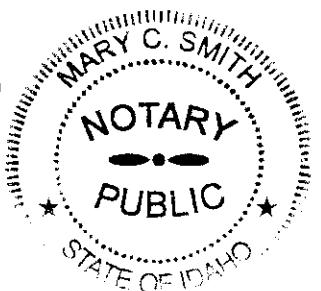
C. Roy Ellis  
C. Roy Ellis

J. Mike Hicks  
J. Mike Hicks

STATE OF IDAHO )  
COUNTY OF BONNEVILLE )  
 ) SS.  
 )

On April 11, 2005, before me, the undersigned, personally appeared LeRoy F. Gagner, C. Roy Ellis and J. Mike Hicks known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that he executed the same.

(SEAL)



*Mary C. Smith*  
NOTARY FOR THE STATE OF Idaho  
Commission Expires: 5/28/08