



ARTICLES OF AMENDMENT (Non-profit)

FILED

To the Secretary of State of the State of Idaho
Pursuant to Title 30, Chapter 3, Idaho Code, the undersigned non-profit corporation amends its articles of incorporation as follows:

1. The name of the corporation is: _____

Pepper Hills Subdivision Home Owners' Association, Inc.

2. The text of each amendment is as follows:

The Articles of Incorporation have been amended and restated and are submitted herewith.

3. The date of adoption of the amendment(s) was: November 25, 1998

4. Manner of adoption (check one):

☐ Each amendment consists exclusively of matters which do not require member approval pursuant to section 30-3-90, Idaho Code, and was, therefore, adopted by the board of directors. (Please fill spaces below)

- a. The number of directors entitled to vote was: _____
b. The number of directors that voted for each amendment was: _____
c. The number of directors that voted against each amendment was: _____

☒ The amendment consists of matters other than those described in section 30-3-90, Idaho Code, and was, therefore adopted by the members. (Please fill spaces below)

a. The number of members entitled to vote was: 21

b. The number of members that voted for each amendment was: 21

c. The number of members that voted against each amendment was: 0

Dated: 8 FEB 99

Signed by: [Signature]
Its Treasurer

(Capacity of signer)

Customer Acct #:

(if using pre-paid account)

Secretary of State use only
IDHDO SECRETARY OF STATE

02/08/1999 09:00
CX: 1805 CT: 110610 BN: 185971

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AMENDED AND RESTATED ARTICLES OF INCORPORATION

Dec 6 10 03 AM '98

PEPPER HILLS SUBDIVISION HOME OWNERS' ASSOCIATION, INC.

In compliance with the requirements of the laws of Idaho relating to nonprofit corporations and acts amendatory and supplemental thereto, including particularly Chapter 3, Title 30, Idaho Code (the Idaho Nonprofit Corporation Act), the Directors of Pepper Hills Subdivision Home Owners' Association, Inc., adopt the following Amended and Restated Articles of Incorporation.

Article I: Name

The name of the corporation is PEPPER HILLS SUBDIVISION HOME OWNERS' ASSOCIATION, INC., hereinafter called the "Association." The Association may also do business as, and be known as, PEPPER HILLS HOMEOWNERS ASSOCIATION.

Article II: Principal Office

The principal office of the Association shall be 10400 Overland Road, Suite 201, Boise, Idaho, 83709.

Article III: Purpose and Powers of the Association

The purpose of this Association shall be to:

- A. own and provide for maintenance, preservation and control of the Common Areas as defined by the Declaration of Covenants, Conditions, Restrictions and Easements for Pepper Hills (hereinafter the "Declaration"), recorded in the office of the County Recorder of Ada County, Idaho as Instrument No.95053177, 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 (annual, special, or limited) reasonable or necessary for its purposes, pursuant to the terms of the Declaration;
- C. pay all expenses in connection with or incident to the conduct of the business of the Association, including without limitation, all office expenses and all licenses, taxes or governmental charges levied or imposed against the property of the Association;
- D. acquire (by gift, purchase or otherwise), own, sell, hold, improve, build upon, operate, maintain, convey, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;

- E. borrow money, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred, subject to those restrictions contained in the Declaration and any amendments thereto;
- F. 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, subject to those restrictions contained in the Declaration and any amendments thereto;
- G. participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and Common Area, subject to those restrictions contained in the Declarations and any amendments thereto; and
- H. have and exercise any and all powers, rights and privileges which a corporation organized under the Idaho Nonprofit Corporation Act may by law, now or hereafter, have or exercise.

Article IV: Membership

Membership in the Association shall be as set forth in the Bylaws of the Association. All Members shall be Owners of Lots within Pepper Hills Subdivision, as that term is defined in the Bylaws.

Article V: Board of Directors and Officers

The affairs of the Association shall be managed by a Board of at least three (3) Directors and such greater number as may be established in the Bylaws of the Association, all of whom shall be Members of the Association. No more than one Owner of any one Lot shall be a Director at any given time.

The officers of the Association shall be President, one or more Vice-President, Secretary, and Treasurer, all of whom shall be Directors.

Article VI: Dissolution

The Association may be dissolved with assent, given in writing and signed by not less than two-thirds (2/3) of the Owners. 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 the 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. No part of the assets of such dissolution shall inure to the benefit of any Owner.

Article VII: Duration

The Association shall exist perpetually.

Article VIII: Registered Agent

The registered agent of the Association shall be its Secretary, whose address shall be c/o Pepper Hills Homeowners Association, 10400 Overland Rd., Ste. 201, Boise, ID 83709.

Article IX: Amendments

These Amended and Restated Articles may be further amended only by the affirmative vote of two-thirds (2/3) of the votes cast at any annual meeting of the Association or at any special meeting called for that purpose at which a quorum is present, either in person or by proxy, or by the vote of a majority of all Members with or without a meeting.

IN WITNESS WHEREOF, these Amended and Restated Articles of Incorporation have been executed in Boise, Idaho, this 25 day of Nov, 1998.

Allen Blum

A. Leon Blaser

Wm. B. Rose

Bruce W. Blaser

STATE OF IDAHO)
) Ss:
County of Ada)

On this 25 day of Nov., 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared A. Leon Blaser and Bruce W. Blaser, known to me to be the persons who executed the foregoing instrument on behalf of Pepper Hills Home Owners' Association and acknowledged to me that such Association 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.

Notary Public for Idaho

~~Notary Public for Idaho~~

Residing at Earth, Idaho

My Commission Expires: 10-15-2003