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SECRETARY OF STATE  
STATE OF IDAHO

**ARTICLES OF INCORPORATION  
OF  
CHEROKEE ACRES HOMEOWNERS ASSOCIATION NO. 3, INC.**

In compliance with the requirements of the law of Idaho relating to nonprofit corporations and acts amendatory and supplemental thereto, including particularly Title 30, Chapter 3, Idaho Code, the undersigned natural person, being of full age and a resident of the United States, in order to form a nonprofit corporation for the purposes hereinafter stated, does hereby as incorporator, adopt the following Articles of Incorporation and certify:

**ARTICLE I**

**NAME**

The name of the corporation is Cherokee Acres Homeowners Association No. 3, Inc., hereinafter called the "Corporation".

**ARTICLE II**

**NONPROFIT CORPORATION**

This Corporation is a nonprofit corporation.

**ARTICLE III**

**DURATION**

The duration of this Corporation shall be perpetual.

**ARTICLE IV**

**PURPOSE AND POWERS OF THE CORPORATION**

This Corporation shall be a nonprofit membership corporation. The purpose of the Corporation shall be to provide for the maintenance, preservation and control of certain improved real property within the

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Common Area and other portions of Cherokee Acres No. 3 located in Valley County, Idaho, and to promote the recreation, health, safety and welfare of the members thereof, and for this purpose to:

- a. Exercise all of the powers and privileges and to perform all of the duties and obligations of the Corporation as set forth in that certain Declaration of Covenants and Restrictions for Cherokee Acres No. 3 hereafter called the "Declaration", applicable to the property and recorded in the office of the County Recorder of Valley County, Idaho at Cascade, 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. Perform the duties of the Architectural Committee as set forth in the Declaration.
- c. 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 Corporation, including all licenses, taxes or governmental charges levied or imposed against the property of the Corporation;
- 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 Corporation;
- 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. 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 Declaration and any amendments thereto; and
- g. Have and to exercise any and all powers, rights and privileges which a corporation organized under the laws for general nonprofit corporations in the State of Idaho by law may now or hereafter have or exercise.

## **ARTICLE V**

### **MEMBERSHIP**

There shall be eleven (11) members in the Corporation which memberships shall be evidenced by a certificate of membership or certificate of stock corresponding to the ownership or joint ownership and occupancy of each of the following lots in Cherokee Acres Subdivision No. 3: 1, 2, 3, 4, 5, 6, 8, 9, 10, 11 and 12. Each person or entity who is a record owner of any of the foregoing lots shall be a member of the corporation. Membership and voting rights for Lot 7 which is reserved for an airstrip and aircraft parking shall be as specified in the By-Laws. The foregoing is not intended to include persons or entities that hold an interest in a lot as security for the performance of an obligation. Membership shall be appurtenant to and shall not be separated from the ownership of any lot which is subject to assessment by the Corporation.

## **ARTICLE VI**

### **VOTING RIGHTS**

Each member of the corporation shall be entitled to one vote for the lot in which they hold the interest required for membership in accordance with the Declaration of Covenant and Restrictions filed with the Valley County Recorder.

## **ARTICLE VII**

### **BOARD OF DIRECTORS**

The initial Board of Directors shall be comprised of three (3) members, who need not be members of the Corporation, who are as follows:

Allen P. Rice	690 High Valley Road Cascade, Idaho 83611
Ronald G. Hanks	2749 N. Greenbelt Place Meridian, Idaho 83646
Eldon Hatch	P.O. Box 38 Ola, Idaho 83657

## **ARTICLE VIII**

### **DISSOLUTION**

Upon dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the court of jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine which are organized and operated exclusively for such purposes.

ARTICLE IX

INCORPORATOR AND REGISTERED AGENT

The name and street address of the incorporator and registered agent is:

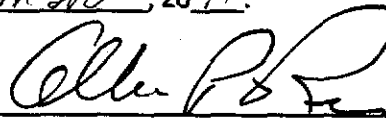
Allen P. Rice  
690 High Valley Road  
Cascade, Idaho 83611

ARTICLE X

AMENDMENT OF ARTICLES

Amendments to these Articles of Incorporation shall require the assent of those members casting two-thirds (2/3) of the votes of the Corporation at any regular member's meeting or a special meeting called specifically for that purpose.

IN WITNESS WHEREOF, for the purpose of forming this Corporation under the laws of the State of Idaho, I, the undersigned incorporator of this Corporation, have executed these Articles of Incorporation this 1st day of December, 2011.



Allen P. Rice

STATE OF IDAHO

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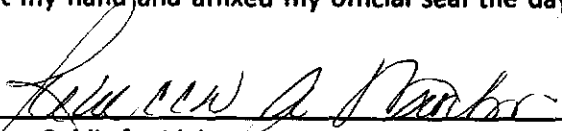
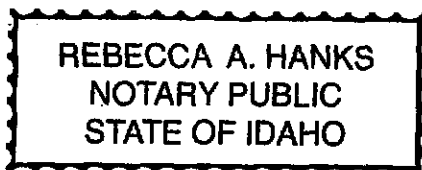
) ss:

County of Ada

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On this 1st day of December, 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared ALLEN P. RICE, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he 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  
Residing at Meridian, Idaho  
My Commission Expires: December 6, 2017