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# State of Idaho

## Department of State

### CERTIFICATE OF INCORPORATION OF

WHISPER CREEK ESTATES, INC.

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 WHISPER CREEK ESTATES, 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 09, 1993



*Pete T. Cenarrusa*  
SECRETARY OF STATE

By *Sheryl Decker*

**ARTICLES OF INCORPORATION  
OF  
WHISPER CREEK ESTATES, INC.**

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**ARTICLE I**

**NAME**

The name of the corporation is WHISPER CREEK ESTATES, INC.

**ARTICLE II**

**NON-PROFIT CORPORATION**

The corporation is a non-profit corporation.

**ARTICLE III**

**DURATION**

The period of duration of the corporation is perpetual.

**ARTICLE IV**

**PURPOSES**

The purposes for which the corporation is organized are as follows:

1. To maintain all common areas and any common facilities of Whisper Creek Estates as on file and of record in Plat Book Number 9 at Page 38, Instrument Number 9210419, in the office of the County Recorder, Canyon County, Idaho, and to do every act necessary or convenient to maintain the common areas and facilities as may be permitted by the by-laws of the corporation.

2. To do all lawful things necessary to the continued maintenance and operation of the common area and common facilities, including the power to borrow money, issue bonds, mortgages or other commitments as security for money loaned or borrowed.

3. To purchase, lease, hold, sell, develop, mortgage, convey or otherwise acquire or dispose of real and personal property necessary and proper for the carrying out of the purposes of this corporation.

4. To do all things permitted to be done by a non-profit organization by laws of the State of Idaho, so long as the purpose is to carry out the necessary functions of the corporation.

## ARTICLE V

### MEMBERS

1. The corporation shall have members. There shall be no stock issued, and no dividends or pecuniary profits shall be declared to the members. Members shall be issued certificates of membership.

2. Any person, corporation or co-partnership who shall own improved real property within Whisper Creek Estates as on file and of record in Plat Book Number 9 at Page 38, Instrument Number 9210419, in the office of the County Recorder, Canyon County, Idaho, shall be a member of this corporation and shall have a voting right in said corporation. There shall be one such membership and vote in the corporation for each improved lot within said Whisper Creek Estates. In the event any one person, corporation or co-partnership shall own more than one lot, such owner shall be entitled to one vote for each lot owned. A purchaser under a valid and existing contract of sale shall be considered an owner of such property as he may be purchasing. Membership and voting rights in this corporation shall be appurtenant to each lot in Whisper Creek Estates, and no membership or shares shall be separated or severed from the land to which it is appurtenant or sold or transferred separate and apart from said land, and the ownership of land within the subdivision shall be determinative of the right to exercise the powers of membership in this corporation, and such membership and voting right shall pass and inure to the benefit of any person who shall become the owner of any lot located in said subdivision. Membership in this association shall be assessable to the members thereof, as may be provided in the by-laws; and such members shall be personally liable for the assessments of the monthly fee, as may be provided by the by-laws of the corporation. New members may be admitted and shall be entitled to vote and share in the property of the association with the old members in accordance with the general rules of membership. Unpaid fees shall be deemed to be a lien against the individual or lots for which assessments have not been paid.



**ARTICLE IX**

**DIRECTORS**

The number of directors constituting the initial Board of Directors is three (3), and the name and street address of the initial Board of Directors are as follows:

<b><u>NAME</u></b>	<b><u>ADDRESS</u></b>
Charles R. Buskirk	202 South Dewey Middleton, Idaho 83644
Ruth Marie Buskirk	202 South Dewey Middleton, Idaho 83644
John Lindbloom	314 West Main Middleton, Idaho 83644

**ARTICLE X**

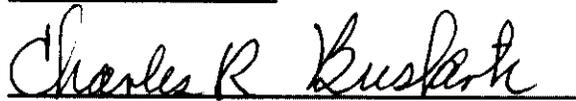
**INCORPORATORS**

The name and street address of each incorporator is as follows:

<b><u>NAME</u></b>	<b><u>ADDRESS</u></b>
Charles R. Buskirk	202 South Dewey Middleton, Idaho 83644
Ruth Marie Buskirk	202 South Dewey Middleton, Idaho 83644

IN WITNESS WHEREOF, the undersigned have signed the Articles of Incorporation this 5<sup>th</sup> day of August, 1993.

**INCORPORATORS:**

  
\_\_\_\_\_  
CHARLES R. BUSKIRK

  
\_\_\_\_\_  
RUTH MARIE BUSKIRK