



CERTIFICATE OF INCORPORATION  
OF

**THE CREEK HEIGHTS TOWNHOUSE OWNER'S ASSOCIATION, INC.**

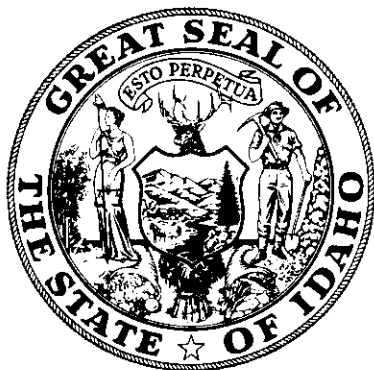
I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that  
duplicate originals of Articles of Incorporation for the incorporation of \_\_\_\_\_

**THE CREEK HEIGHTS TOWNHOUSE OWNER'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 April 25, 19 83.



SECRETARY OF STATE

\_\_\_\_\_  
Corporation Clerk

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ARTICLES OF INCORPORATION

OF

SECRETARY OF  
STATE

THE CREEK HEIGHTS TOWNHOUSE OWNER'S ASSOCIATION, INC.

KNOW ALL MEN BY THESE PRESENTS, that I, the undersigned, being a natural person of full age and a citizen of the United States of America, have voluntarily and do hereby associate and organize for the purpose of forming a non-profit corporation under the laws of the State of Idaho, Idaho Code, Title 30, Chapter 3. I do hereby certify, declare and adopt the following Articles of Incorporation.

ARTICLE I

The name of the corporation shall be The Creek Heights Townhouse Owner's Association, Inc.

ARTICLE II

The period of existence and the duration of the life of this corporation shall be perpetual.

ARTICLE III

This corporation shall be a non-profit membership corporation.

ARTICLE IV

The location and post office address of the registered office of this corporation shall be 1909 Warm Springs Road, Ketchum, Idaho and P.O. Box 388, Sun Valley. Steven Giacobbi shall be the registered agent at the address set forth above.

ARTICLE V

This corporation is formed exclusively for purposes for which a non-profit corporation may be formed pursuant to Idaho Code, Title 30, Chapter 3, and Section 501 (e) (3) of the Internal Revenue Code. The corporation shall be operated exclusively for the purpose of:

1) Providing an Association to which all townhouse owners in Creek Heights Townhouses shall belong.

2) To form an association in which the rights, privileges, burdens, responsibilities and interests of all Owners shall be based upon the ownership of a townhouse at Creek Heights Townhouses. This corporation shall have all powers incidental to a corporate structure except as its powers are restricted in the Declaration.

3) To receive and accept and to be obligated to receive and accept from Grantor, grants of right, title and interest in the Common Area, to assume the functions and obligations imposed upon the Common Area as provided for under the Declaration. All Common Area, both real and personal, received and accepted by the corporation shall be held for the benefit and use of the members of the corporation.

4) To prosecute any violation in law or equity against any person or persons who violate or attempt to violate any provisions of the Restrictions as set forth in the Declaration and to do all acts reasonably necessary or convenient to carry out all of the provisions of the Restrictions.

5) To receive and accept, to take and to hold, directly or indirectly, by bequest, devise, gift, purchase or lease either absolutely or in trust any real or personal property without limitation as to amount or value for any of the purposes and objectives set forth in these Articles of Incorporation.

6) The corporation shall actively foster, promote and advance the interests of its members. It shall have the power to transfer or assign such duties, obligations or responsibilities to other persons or entities as may be permitted by the Idaho Corporation Law.

7) The corporation shall have the power to levy regular or special assessments to fulfill the obligations and purposes set forth in these Articles of Incorporation and in the Declaration.

#### ARTICLE VI

In addition to the foregoing, where not inconsistent with the laws of the State of Idaho and in particular Title 30, Chapter 3, or the Declaration, the corporation shall have the following powers:

1) The authority set forth in Title 30 of the Idaho Code relating to the organization and conduct of general business corporations.

2) To buy, sell, acquire, hold or mortgage, or enter into security agreements, pledge, lease, assign, transfer, trade and deal in and with all kinds of personal property, goods, wares and merchandise of every kind, nature and description.

3) To buy, sell lease, let, mortgage, exchange or otherwise acquire or dispose of lands, Lots, houses, buildings, and real property, hereditaments and appurtenances of all kinds and wheresoever situated, and of any interest and rights therein, to the same extent as natural persons might or could do, and without limit as to amount.

4) To borrow money, to draw, make, accept, enforce, transfer and execute promissory notes, debentures and other evidences of indebtedness, and for the purpose of securing any of its obligations or contracts, to convey, transfer, assign, deliver, mortgage and/or pledge all or any part of the property or assets, real or personal, at any time owned or held by this corporation.

#### ARTICLE VII

The corporation is to be organized upon a non-stock certificate of membership basis; however, the management of its affairs is to be vested in its members pursuant to Idaho Code Section 30-314(c) and as further set forth in detail in the Bylaws of the corporation. In the event of any membership voting deadlock, the Bylaws shall provide a mechanism for breaking the deadlock.

#### ARTICLE VIII

The name and address of the principal organizer is as follows:

Steven Giacobbi

P.O. Box 388, Sun Valley, Idaho

#### ARTICLE IX

Each member shall be liable for payment of all regular and special assessments provided for in the Declaration and for payment and discharge of the liabilities of the corporation as provided for in the Declaration and as set forth in the By-Laws of the corporation.

DATED this 21st day of April, 1983.

  
STEVEN GIACOBBI

STATE OF IDAHO       )  
                              )     ss.  
COUNTY OF BLAINE    )

On this 21st day of April, 1983, before me, a Notary Public in and for the State of Idaho, personally appeared Steven Giacobbi, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Lawrence J. Young  
NOTARY PUBLIC in and for the  
State of Idaho, residing at  
Ketchum.  
Commission expires: 6/25/85