

NOTICE

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RECORDS SECTION  
STATE OF COLORADO

ARTICLES OF INCORPORATION

25 APR '79

OF

STATE OF COLORADO  
DEPT. OF STATE

CASOLAR DEL NORTE HOME OWNERS ASSOCIATION

The undersigned incorporator, DEANE KNOX, hereby establishes a corporation not for profit under Title 7, Article 20 to 29, Colorado Revised Statutes 1973, as amended, known as the "Colorado Nonprofit Corporation Act".

ARTICLE I

The name of the corporation is CASOLAR DEL NORTE HOME OWNERS ASSOCIATION

ARTICLE II

The period of duration of this corporation shall be perpetual.

ARTICLE III

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the residences within that certain tract of property described as Lot A-8 and A-9, Lion's Ridge Subdivision, County of Eagle, State of Colorado, and to promote the health, safety and welfare of the residents within the above-described property and any additions thereto as may hereafter be brought within the jurisdiction of this Association for this purpose to:

- (a) Exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in that certain Declaration of Covenants, Conditions and Restrictions, hereinafter called the "Declaration", applicable to the property and recorded or to be recorded in the Office of the Eagle County Clerk & Recorder 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 pursuant to the terms of the Declaration; to pay all expenses in connection therewith and office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied or imposed against the property of the Association.
- (c) Acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;
- (d) Borrow money, and with the assent of two-thirds (2/3) of the members, mortgage, pledge, deed in trust, or

hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(e) 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. No such dedication or transfer shall be effective unless an instrument has been signed by all of the members, agreeing to such dedication, sale or transfer;

(f) Participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property;

(g) Have and exercise any and all powers, rights, and privileges which a corporation organized under the Colorado Nonprofit Corporation Act may now or hereafter have or exercise.

#### ARTICLE IV

The corporation formed hereby shall have no capital stock and shall be composed of members rather than shareholders. Every person or entity who is a record owner of a fee or undivided fee interest in any building site within the above described property, and the Developer, so long as it is the owner of a fee or undivided fee interest in any Building Location within the above described property, shall be a member of the Association, provided that any such person or entity who holds such interest merely as a security interest for the performance of an obligation shall not be a member. The Association shall have two classes of voting membership:

CLASS A. Class A Members shall be all those owners of building sites shown upon the recorded plat of Casolar Del Norte Subdivision. Class A Members shall be entitled to one vote for each building site in which they hold the interest required for membership. When more than one person holds such interest or interests in any building site, all such persons shall be members, and the vote for such building site shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any such building site.

CLASS B. Class B members shall be the Developer. The Class B Member shall be entitled to one and one-half votes for each Building Location in which it holds the interest required for membership, provided that from and after September 1, 1980, the Class B Member shall be entitled to no more than one vote for each building in which it holds the interest required for membership.

The voting rights of any member may be suspended by action of the Board of Directors for violations of the Association by-laws and/or the Protective Covenants for Casolar Del Norte Subdivision, or for violations of the rules and regulations promulgated under authority of such by-laws and/or covenants, in accordance with procedures set forth in such by-laws and/or covenants.

#### ARTICLE V

The affairs and management of this corporation are to be under the control of a Board of Directors consisting of three directors who need not be members of the corporation. The initial Board of Directors shall consist of three directors who shall hold office until the election of their successors at the first annual meeting of the members or until their successors be elected and qualify. The name and addresses of those persons who are to act as directors until the election of their successors are:

DEANE KNOX	1 Downing Street Denver, Colorado
LEO PAYNE	300 Wadsworth Boulevard Lakewood, Colorado
EDITH C HUDSON	1 Downing Street Denver, Colorado

Any one or more of the members of the Board of Directors may be removed, either with or without cause, at any time, by a vote of the members voting a majority of the votes entitled to be cast, at any special meeting called for the purpose.

Any vacancy in the Board of Directors shall be filled by the remaining directors and the person so appointed shall hold office until the next annual meeting of the members.

#### ARTICLE VI

The general officers of the corporation shall be a president, vice-president, secretary and treasurer.

Officers shall be elected by the Board of Directors at their first meeting after the election of members of the Board. Officers shall have the duties prescribed in the by-laws.

#### ARTICLE VII

The name of the initial registered agent of the corporation is Deane Knox and the address of its initial registered office is: 1 Downing Street, Denver, Colo. 80218.

The name and address of the incorporator is Deane Knox,

IN WITNESS WHEREOF, for the purpose of forming the corporation under the laws of the State of Colorado, Deane Knox has executed these Articles of Incorporation this 18<sup>th</sup> day of January, 1979.

Deane J. Knox

STATE OF COLORADO )  
County of Eagle ) ss.

The foregoing was acknowledged before me this 18<sup>th</sup> day of Jan, 1979, by Deane Knox. *W.H.*

Witness my hand and official seal.

My Commission expires: 6/1/81

W.H. Brown  
Notary Public

**RECORDED**

RCCL 459

**SECRETARY OF STATES OFFICE**