

ARTICLES OF INCORPORATION

OF

THE PLANTATIONS COMMUNITY ASSOCIATION, INC.

To: State Department of Assessments  
and Taxation  
Baltimore, Maryland

I, the undersigned, Barbara G. Melvin, whose post office address is 305 Laura Lane, Rockville, Maryland, 20850, who am at least twenty-one years of age, in compliance with Article 23 of the Code of Public Laws of the State of Maryland and for the purpose of forming a corporation not for profit under the general laws of the State of Maryland, do hereby adopt the following Articles of Incorporation and do certify:

ARTICLE I

The name of the Corporation is THE PLANTATIONS COMMUNITY ASSOCIATION, INC. hereinafter called "The Association".

ARTICLE II

The post office address of the principal office of the Association is 401 North Washington Street, Suite 218, Rockville, Maryland, 20850.

ARTICLE III

Barbara G. Melvin, whose post office address is 14 Maryland Ave, Rockville, Maryland, 20850, is hereby appointed the registered agent of this Association. Said resident agent is a citizen of the State and actually resides therein.

ARTICLE IV

PURPOSE AND POWERS OF THE ASSOCIATION

This Association is not authorized to issue capital stock and 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 residence lots and Common Area and any facilities thereon, and for maintenance of storm water management, within that certain tract of property described -----  
----- herein, 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 Clerk of the Circuit Court for Montgomery County 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 all 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 each class of 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 purpose 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 two-thirds (2/3) of each class of members, agreeing to such dedication, sale or transfer, and until such transfer or dedication has been approved in writing by the Maryland National Capital Park and Planning Commission. The request for dedication or transfer shall be submitted in writing to the said Maryland National Capital Park and Planning Commission and the said Commission shall render in writing its approval or disapproval within ninety (90) days after the submission of such request to the said Commission. Failure on the part of the Commission to reply within the said ninety (90) day period shall be deemed to be approval by said Commission;

(f) participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and Common Area, provided that any such merger, consolidation or annexation shall have the assent of two-thirds (2/3) of each class of members;

(g) have and to exercise any and all powers, rights and privileges which a non-profit corporation organized under Article 23 of the Laws of the State of Maryland by law now or hereafter have or exercise.

#### ARTICLE V

#### MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest in any Lot, or portion of any lot, which is subject by covenants of record to assessment by the Association, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for performance of an obligation. Membership shall be appurtenant to and shall not be separated from ownership of any Lot which is subject to assessment by the Association.

#### ARTICLE VI

#### VOTING RIGHTS

The Association shall have two classes of voting membership.

Class A. Class A members shall be all Owners with the exception of the Declarant and shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members. The vote for such Lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any Lot.

Class B. The Class B member(s) shall be the Declarant (as defined in the Declaration) and shall be entitled to three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier;

(a) when the total votes outstanding in Class A membership equal the total votes outstanding in the Class B membership; or

(b) February 2, 1985

ARTICLE VII

BOARD OF DIRECTORS

The affairs of the Association shall be managed by a Board of not more than nine (9) Directors, of whom three (3) need not be members of the Association, or such other number, not less than five (5) as shall be prescribed in the Bylaws. The names and address of the persons who are to act in the capacity of directors until the first annual meeting or until their successors are duly chosen and qualify are:

<u>Name</u>	<u>Address</u>
John H. Pettit	112 Monument Street, Rockville, Maryland, 20850
Barbara G. Melvin	14 Maryland Ave. Rockville, Maryland 20850
Josephine H. Sibley	20605 Farcroft Lane, Gaithersburg, Maryland 20760
James Henry Murdock	9716 Overlea Drive, Glen Hills, Rockville, Md. 20850
David E. Betts	Falls Road, Rockville, Maryland, 20850

At the first annual meeting the members shall elect three Directors for a term of one year, three directors for a term of two years and three directors for a term of three years; and at each annual meeting thereafter the members shall elect three directors for a term of three years, unless otherwise provided for in the Bylaws.

ARTICLE VIII

DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each class of members, and after obtaining consent in writing of at least seventy-five (75%) percent of the first mortgagees, and with the written approval of the Maryland National Capital Park and Planning Commission, or its successor, which approval shall not be unreasonably held. 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 this 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.

ARTICLE IX

DURATION

This Corporation shall exist perpetually.

ARTICLE X

AMENDMENTS

Amendments of these Articles shall require the assent of seventy-five percent (75%) of the entire membership, and seventy-five percent (75%) of the first mortgagees, and the consent in writing of the Maryland National Capital Park and Planning Commission, or its successor.

ARTICLE XI

FHA/VA APPROVAL

As long as there is a Class B membership, the following actions will require the prior approval of the Federal Housing Administration or the Veterans Administration; annexation of additional properties, mergers and consolidations, mortgaging of Common Areas, dedication of Common Areas, dissolution and amendment to these Articles.

IN WITNESS WHEREOF, for the purpose of forming this Corporation under the laws of the State of Maryland, I, the undersigned, constituting the incorporator of the Association, have executed these Articles of Incorporation this 8<sup>th</sup> day of August, 1978.

Barbara G. Melvin  
Barbara G. Melvin

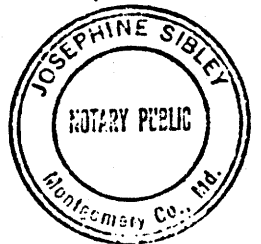
STATE OF MARYLAND, COUNTY OF MONTGOMERY, to wit:

I HEREBY CERTIFY that on this 8<sup>th</sup> day of August, 1978, before the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared BARBARA G. MELVIN, and she acknowledged the foregoing Articles of Incorporation to be her act and deed.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Josephine Sibley  
Josephine Sibley Notary Public

My Commission expires July 1, 1982



SCHEDULE A

Lots numbered 31 through 58, both inclusive, in Block lettered A; Lots numbered 5 through 10, both inclusive, in Block lettered B; in the subdivision known as "PLAT ONE, PART OF BLOCKS A AND B, THE PLANTATIONS" as per Plat thereof duly recorded among the Land Records for Montgomery County, Maryland, in Plat Book 101, at Plat 11454; and

Lots numbered 24 through 30, both inclusive, in Block lettered A; Lots numbered 11 through 15, both inclusive, in Block lettered B; Lots 1 through 7, both inclusive, in Block lettered E; Lots 32 through 37, both inclusive, in Block lettered G; in the subdivision known as "PLAT TWO, PART OF BLOCKS A, B, E AND G, THE PLANTATIONS" as per Plat thereof duly recorded among the Land Records for Montgomery County, Maryland, in Plat Book 101, at Plat 11455; and

Lot 10 Block D, in Block lettered D; Lots 8 and 21 and 22, in Block lettered E; and Lots 38 through 42, both inclusive, in Block lettered G; in the subdivision known as "PLAT THREE, PART OF BLOCKS D, E, G AND H, THE PLANTATIONS" as per Plat thereof duly recorded among the Land Records for Montgomery County, Maryland, in Plat Book 101, at Plat 11456.

Schedule B

Lots numbered 9 through 20, both inclusive, in Block lettered E, in the subdivision known as "PLAT THREE, PART OF BLOCKS D, E, G AND H, THE PLANTATIONS", as per Plat thereof duly recorded among the Land Records for Montgomery County, Maryland, in Plat Book 101, at Plat 11456.

Schedule C

Parcel lettered A, in Block lettered E, in the subdivision known as "PLAT 2, THE PLANTATIONS" as per Plat thereof duly recorded among the Land Records of Montgomery County, Maryland in Plat Book 101 at Plat 11455.

Parcel lettered C, in Block lettered E, in the subdivision known as "PLAT THREE, THE PLANTATIONS" as per Plat thereof duly recorded among the Land Records of Montgomery County, Maryland, in Plat Book 101 at Plat 11456.

SAVING AND EXCEPTING from Parcel C, Block E all of that land described in Schedule D hereof, containing 0.1380 acres of land to be used for parking area.

Schedule D

Being a strip or parcel of land lying and being in Montgomery County, Maryland, and being part of the land conveyed by Alvin I. Brown, Donald L. Brown, William Gasperow and Sylvia R. Gasperow, his wife, to D & A Corp., by deed dated August 18, 1976, and recorded among the Land Records of Montgomery County, Maryland, in Liber 4833 at Folio 710 and also being part of Parcel C, Block E as Shown on a plat of subdivision entitled "The Plantations" and recorded in Plat Book 101 as Plat 11456 among the aforesaid Land Records, and being more particularly described as follows:

Beginning for the same at the beginning of curve number 3 on the northerly right-of-way line of Ambergate Court as shown on the aforesaid plat of subdivision; thence running westerly with part of said curve number 3 deflecting to the right having an

1. Arc length of 44.53 feet and a radius of 136.33 feet and a chord bearing and length of S50°07'25"W 44.34 feet to a point; thence leaving said right-of-way line and running so as to cross and include a part of Parcel C
2. N30°31'06"W 20.00 feet to a point; thence running with a curve deflecting to the left having an
3. Arc length of 38.00 feet and a radius of 116.33 feet and a chord bearing and length of N50°07'25"E 37.83 feet to a point of tangency; thence
4. N40°45'56"E 18.59 feet to a point; thence
5. N43°42'49"W 3.93 feet to a point of curvature; thence running with a curve deflecting to the right having an
6. Arc length of 95.84 feet and a chord bearing and length of N01°28'27"W 87.39 feet to a point of tangency; thence
7. N40°45'56"E 45.00 feet to a point; thence
8. S49°14'04"E 20.00 feet to a point; thence
9. N40°45'56"E 20.00 feet to a point; thence
10. S49°14'04"E 72.00 feet to a point; thence
11. S40°45'56"W 29.00 feet to a point on curve number 9 being the cul-de-sac right-of-way line of Ambergate Court as shown on the aforesaid plat of subdivision; thence running with part of said curve number 9 deflecting to the left having an
12. Arc length of 165.99 and a radius of 45.00 feet and a chord bearing and distance of S61°57'40"W 86.65 feet to the end of curve number 9; thence running with curve number 6 deflecting to the right having an



13. Arc length of 35.87 feet and a radius of 24.33 feet and a chord bearing and length of S01°28'27"E 32.71 feet to a point of tangency; thence
14. S40°45'56"W 14.66 feet to the place of beginning containing 6,012 square feet or 0.1380 of an acre of land

Subject to easements and/or rights-of-way of record.



STATE OF MARYLAND  
STATE DEPARTMENT OF ASSESSMENTS AND TAXATION  
301 WEST PRESTON STREET  
BALTIMORE, MARYLAND 21201

A76066

YOU ARE ADVISED THAT THE ARTICLES OF INCORPORATION  
OF  
THE PLANTATIONS COMMUNITY ASSOCIATION, INC.

HAVE BEEN RECEIVED AND APPROVED BY THE STATE DEPARTMENT OF ASSESSMENTS  
AND TAXATION THIS 18<sup>th</sup> DAY OF  
August, 1978, at 8:30 AM AND WILL BE RECORDED.

STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF MARYLAND

BY:

*Barbara Turnbull*