

DC275/a:5815.1/8/15/00

FILED
In the Office of the Secretary of State of Texas
AUG 14 2000
Corporations Section

ARTICLES OF INCORPORATION

KERRVILLE SUMMIT PROPERTY OWNERS ASSOCIATION

ARTICLE ONE

The name of the corporation is KERRVILLE SUMMIT PROPERTY OWNERS ASSOCIATION

ARTICLE TWO

The corporation is a nonprofit corporation.

ARTICLE THREE

The period of the duration is perpetual.

ARTICLE FOUR

The purposes for which the corporation is organized is (are):

(a) Specifically and primarily:

(i) to provide an organization consisting of the owners of lots situated in The Summit, Phase III and Phase IV; Phase V and Phase VI; and Phase VII being subdivisions in Kerr County, Texas, according to the respective plats thereof of record in Volume 6, Page 196; Volume 6, Page 265; and Volume 6, Page 348 of the Plat Records of Kerr County, Texas, together with any additional subdivisions which may be subsequently developed and platted by the Phoenix Venture, a Texas joint venture partnership (being the Declarant in the Declarations as hereafter defined) [ the "Project" ] in order to provide for the management, enforcement and architectural control of the Project as more particularly described in the Declaration of Covenants, Conditions and Restrictions for (1) Phase III and Phase IV of record in Volume 761, Page 149, Real Property Records of Kerr County, Texas; (2) Phase V and Phase VI of record in Volume 820, Page 506, Real Property Records of Kerr County, Texas; (3) Phase VII of record in Volume 938, Page 389, Real Property Records of Kerr County, Texas; and (4) any additional subdivisions which may be subsequently developed and platted by the Phoenix Venture, a Texas joint venture partnership ("Additional Subdivisions") [collectively the "Declarations"].

(b) Generally:

- (i) To promote the health, safety and welfare of the owners of lots in the Project; and
- (ii) To exercise all of the powers and privileges and to perform all of the duties and obligations of the corporation as set forth in the Declarations and Bylaws; and

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(iii) To fix, levy, collect, and enforce payment of any charges or assessments as set forth in the Declarations; to exercise all of the powers and privileges and to perform all of the duties and obligations of the corporation as set forth in the Declarations; to pay all expenses in connection therewith and all office and other expenses incidental 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; and

(iv) To acquire (by gift, purchase, or otherwise), own, hold, improve, build on, operate, maintain, convey, sell, lease, transfer, or otherwise dispose of real or personal property in connection with the affairs of the corporation; and

(v) To borrow money with the affirmative vote of a majority of all voting Members of the corporation; and

(vi) To have and to exercise any and all powers, rights, and privileges which a corporation organized under the Texas Non-Profit Corporation Act by law may now or hereafter have or exercise; and

(vii) To act in the capacity of principal, agent, joint venturer, partner or otherwise; and

(viii) To participate in mergers and consolidations with other non-profit corporations organized for the same purposes or annex additional property and common area, provided that any such merger, consolidation or annexation shall have the affirmative vote of a majority of all voting members of the corporation.

(c) Notwithstanding any of the above statements or purposes the Corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purposes of the Corporation.

#### ARTICLE FIVE

The street address of the initial registered office is 829-A Main Street, Kerrville, Texas 78028, and the name of its initial registered agent at such address is A. B. PHILLIPS.

#### ARTICLE SIX

The number of Directors constituting the initial Board is three.

The names and address of the persons who are to serve as the initial Directors are:

A. B. Phillips  
829-A Main Street  
Kerrville, Texas 78028

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Donn Huot  
2085 Summit Crest Dr.  
Kerrville, Texas 78028

Anita Lachner  
2161 Summit Crest Drive  
Kerrville, Texas 78028

At the first annual meeting of the members, the members shall elect one director for a term of one year, one director for a term of two years, and one director for a term of three years; and at each annual meeting thereafter, the members shall elect a number of directors necessary to fill the director positions then coming vacant and the terms of all such directors elected thereafter shall be three years. Provided however, the Board of Directors shall always have at least (i) one member from Phase III or Phase IV, (ii) one member from Phase V or Phase VI and (iii) one member from Phase VII. Additionally, the Phoenix Venture shall retain the right to appoint and remove all voting and advisory members of the Architectural Control Board for Phase V and Phase VI, and Phase VII as provided in the Declarations for same. Until such right is delegated to the Board of Directors of the corporation as provided in Section 4 (n) of the Declarations for Phase V and Phase VI, and Phase VII, the Board of Directors of the corporation shall have no say, power or authority with respect to the Architectural Control Committee for Phase V and Phase VI or Phase VII or any Additional Subdivisions as provided in the Declarations for such subdivisions.

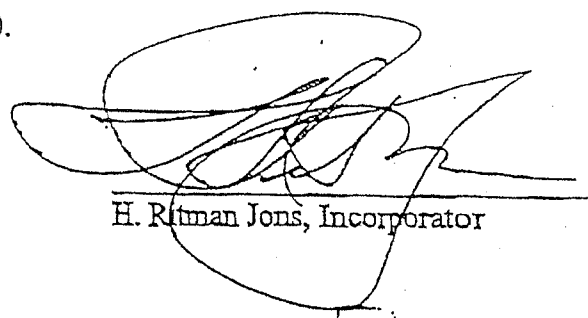
ARTICLE SEVEN

The name and street address of the incorporator of this corporation is:

H. Ritman Jons

829-B Main Street  
Kerrville, Texas 78028

Signed this 10<sup>th</sup> day of August, 2000.



H. Ritman Jons, Incorporator