

Articles of Incorporation  
Of  
Cherry Creek Vista South Homeowners Association  
A Non Profit Corporation

In Compliance with the requirements of C R S 1973, 7-20-101. et seq. the undersigned, being natural persons of the age of twenty-one (21) years or more, all of such being residents of the County of Arapahoe, State of Colorado, acting as incorporators of a corporation under the Colorado Non-Profit Corporation Act, adopt the following Articles of Incorporation for such corporation.

ARTICLE I

The name of the corporation shall be Cherry Creek Vista South Home Owners association.

ARTICLE II

The corporation shall exist perpetually.

ARTICLE III

This corporation does not contemplate perpetual gain or profit of the members thereof, and its specific purpose, for which it is formed are to provide maintenance, preservation and architectural control of the residents lots and Common Areas within the certain tract of property described as:

CHERRY CREEK VISTA Filling No. 8 and No. 9  
County of Arapahoe, State of Colorado

and to promote the health, safety and welfare of the residents in the above-described property and any additions thereto as may hereafter be brought in the jurisdiction of this corporation for this purpose to:

- (a) exercise all of the powers and privileges and to perform all the duties and obligations of the Architectural Control Committee as set forth in the protective Covenants, hereafter referred to as “Covenants” applicable to the property recorded in the office of the Clerk and Recorder of the County of Arapahoe, State of Colorado, and as the same may be recorder from time to time as therein provided, said Covenants being herein as of set forth at length
- (b) set, establish and determine and collect dues, charges or assessments, if any, as the corporation shall deem proper and appropriate to pay all expenses incident to the conduct of the business of the corporation, specifically including but not limited to all licenses, taxes, or governmental charges levied or imposed against any property as may be owned by the corporation.
- (c) Have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Colorado by law many now and hereafter have or exercise specifically including but not limited to the power to acquire, own, hold, improve, build upon, operate, maintain, lease, transfer, dedicate for public use, real or personal property: to borrow money and pledge, encumber, hypoththecate any or all of its real or personal property as security for money borrowed or debts incurred: and participate in mergers or consolidations with other non profit corporations organized for similar purpose.

#### ARTICLE IV

Cumulative voting of shares is not authorized

#### ARTICLE V

Linley Bell, whose address is 10552 East Orchid Place, Englewood Colorado 80111, is hereby appointed the initial register Agent of this Corporation.

#### ARTICLE VI

The Principal office of the registered agents is 10552 East Orchid Place, Englewood Colorado 80111.

## ARTICLE VIII

The affairs of this corporation shall be managed by a Board of nine(9) directors, and the names and addresses of the person who to serve as Directors until the selection of their successor are:

| Name               | Address  |
|--------------------|--|
| Mary Susan Bechham | 5948 South Kenton Way<br>Englewood, CO 80110     |
| Lindley Bell       | 10552 East Orchid Place<br>Englewood, CO 80110   |
| William A Erskine  | 5944 South Jamaica Way<br>Englewood, CO 80110    |
| Loretta J Erskine  | 5944 South Jamaica Way<br>Englewood, CO 80110    |
| Ronald S Larson    | 5952 South Ironton Court<br>Englewood, CO 80110  |
| Gary Licata        | 5990 South Jamaica Circle<br>Englewood, CO 80110 |
| Robert M Ronald    | 6034 South Ironton Court<br>Englewood, CO 80110  |
| Ronald L Schleade  | 5963 South Jamaica Court<br>Englewood, CO 80110  |
| Richard A. Weiner  | 5942 South Ironton Court<br>Englewood, CO 80110  |

Directors shall serve a term of two years but five of the Directors, selected by lot, elected at the first annual meeting of the active membership shall serve terms of one year. At each annual meeting after the first, the Directors shall be elected to these Board positions becoming vacant through expiration of term and for any other reason.

## ARTICLE VIII

The membership in this association is open to any person, regardless of sex, race, color, creed, religion, nationality or national origin, who is an adult, over the age of eighteen years, and who

resides in the area described in Article III. Membership is of two classes—active and inactive

(a) Every adult resident in the subject area in a household for which the dues have been paid during the current fiscal year of the association, shall be an active member, Only active members shall be entitled to vote at the annual or special meetings, shall be eligible to hold elective office within the association, and shall enjoy the benefits of any redress of grievances obtained by the actions of the associations.

(b) An inactive member is person eligible for active membership, but who resides in a household for which the dues for the current fiscal year have not been paid

## ARTICLE IX

The Corporation may be dissolved if the assent given in writing and signed by not less than two-thirds of the active members. Upon Dissolution of the corporation, other than a merger or consolidation , the assets of the corporation shall be dedicated to an appropriate public agent to be used for purposes similar to the type of for which this corporation was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any non-profit corporation, association, trust or other organization to be devoted to such similar purposes.

## ARTICLE X

Amendment of these Articles shall require the assent of seventy-five percent (75%) of the active membership

## ARTICLE XI

The corporation shall have as its initial managing officers the following named parties who shall be charged with its active management and control, to-wit:

|                    |                |
|--------------------|----------------|
| William A. Ersking | President      |
| Richard A Weiner   | Vice President |
| May Susan Beckham  | Secretary      |
| Gary Licata        | Treasurer      |

The term of office of each of the above name initial managing offices shall be for a period of one year unless sooner replaced by a majority vote of the existing Board of Directors from hence forth.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Colorado, we, the undersigned, constituting the Incorporators of the corporation have executed those Articles of Incorporation this 7<sup>th</sup> day of November, 1977.

Signatures of all members of the original board follows with certification from the state are available with the Secretary of State Office.

The original document can be found at [www.sos.state.co.us/biz](http://www.sos.state.co.us/biz). The document number is 19871335642

SS: FORM D2 NP (Rev. 7/90)  
Submit in duplicate  
Fee: \$10.00

\* document must be typewritten

MAIL TO:  
COLORADO SECRETARY OF STATE  
CORPORATIONS OFFICE  
1560 Broadway, Suite 200  
Denver, Colorado 80202  
(303) 894-2251

for office use only

ARTICLES OF AMENDMENT  
TO THE  
ARTICLES OF INCORPORATION

921063240 \$25.00  
SOS 06-24-92 08:30

DN 871335642

Pursuant to the provisions of the Colorado Nonprofit Corporation Act, the undersigned corporation adopts the following Articles of Amendments to its Articles of Incorporation:

FIRST: The name of the corporation is CHERRY CREEK VISTA SOUTH HOMEOWNERS ASSOCIATION, (NOTE 1)  
~~a non-profit association.~~ *UCBS*

SECOND: The following amendment of the Articles of Incorporation was adopted on the 13<sup>th</sup> day of May 1992, in the manner prescribed by the Colorado Nonprofit Corporation Act, according to the procedure marked with an X below:

a quorum of members was present at such meeting, and the amendment received at least two-thirds of the votes which members present or represented by proxy were entitled to cast.  
 such amendment was adopted by a consent in writing signed by all members entitled to vote with respect thereto.  
 there are no members, or no members entitled to vote thereon, such amendment received the vote of a majority of the directors in office.

Article III: amended to include CHERRY CREEK VISTA, filings No.8, No.9, No.10, No.11, No.12, No.13 and No.14, County of Arapahoe, State of Colorado,

COMPUTER UPDATE COMPLETE  
JM

Aneeda Contadeluci  
Its \_\_\_\_\_ President

Aneeda Contadeluci

and Ed Pike  
Its \_\_\_\_\_ Secretary

Ed Pike

COMP. CH'D. MRA

Note (1) If this is a change of name amendment, the name to be typed in PARAGRAPH FIRST is the corporate name, before this amendment is filed.

*cc*