



Office of the Minnesota Secretary of State

Minnesota Business & Nonprofit Corporations

Amendment to Articles of Incorporation

Minnesota Statutes, Chapter 302A or 317A



Read the instructions before completing this form.

Filing Fee: \$55 for expedited service in-person and online filings, \$35 for mail

1. Corporate Name: (Required)

Grand View Estates of Nelson Lake Condominium Owners' Association

List the name of the company prior to any desired name change

2. This amendment is effective on the day it is filed with the Secretary of State, unless you indicate another date, no later than 30 days after filing with the Secretary of State.

Format: (mm/dd/yyyy)

3. The following amendment(s) to articles regulating the above corporation were adopted: (Insert full text of newly amended article(s) indicating which article(s) is (are) being amended or added.) If the full text of the amendment will not fit in the space provided, attach additional pages.

ARTICLE 1

The Registered office of the corporation shall be 14370 Grandview Lane, Unit B, Lake Park, MN 56554, the Registered Agent for the corporation shall be James T. Gerdes. The President of the corporation shall be Earl Magnuson, 14320 Grandview Lane, Unit C, Lake Park, MN 56554

4. This amendment has been approved pursuant to *Minnesota Statutes*, Chapter 302A or 317A.

5. I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

Signature of Authorized Person or Authorized Agent

Date

Email Address for Official Notices

Enter an email address to which the Secretary of State can forward official notices required by law and other notices:

gerdesjt@gmail.com

☒ Check here to have your email address excluded from requests for bulk data, to the extent allowed by Minnesota law.

List a name and daytime phone number of a person who can be contacted about this form:

Charles Ramstad

(218) 847-5653

Contact Name

Phone Number

Entities that own, lease, or have any financial interest in agricultural land or land capable of being farmed must register with the MN Dept. of Agriculture's Corporate Farm Program.

Does this entity own, lease, or have any financial interest in agricultural land or land capable of being farmed?

Yes ☐ No ☒



Work Item 821548700059
Original File Number 549086-2

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
FILED
04/13/2015 11:59 PM

A handwritten signature in black ink that reads "Steve Simon". The signature is fluid and cursive.

Steve Simon
Secretary of State



544086-2
NP, CN,
MINNESOTA SECRETARY OF STATE



AMENDMENT OF ARTICLES OF INCORPORATION

READ INSTRUCTIONS LISTED BELOW, BEFORE COMPLETING THIS FORM.

1. Type or print in black ink.
2. There is a \$35.00 fee payable to the Secretary of State for filing this "Amendment of Articles of Incorporation".
3. Return Completed Amendment Form and Fee to the address listed on the bottom of the form.

CORPORATE NAME: (List the name of the company prior to any desired name change)

Nelson Lake Townhomes Association, Inc.

This amendment is effective on the day it is filed with the Secretary of State, unless you indicate another date, no later than 30 days after filing with the Secretary of State.

Format (mm/dd/yyyy)

The following amendment(s) to articles regulating the above corporation were adopted: (Insert full text of newly amended article(s) indicating which article(s) is (are) being amended or added.) If the full text of the amendment will not fit in the space provided, attach additional numbered pages. (Total number of pages including this form ____.)

ARTICLE I.

Article I of the original Articles of Incorporation of Nelson Lake Townhomes Association, Inc. is hereby amended to read as follows:

The name of the corporation shall be Grand View Estates of Nelson Lake Condominium Owners' Association, hereinafter called the Association, and its registered office shall be at 611 Summit Avenue, Suite 212, in the City of Detroit Lakes, County of Becker, State of Minnesota 56502-0070, and the registered agent for this corporation at said address shall be Brant R. Beeson.

This amendment has been approved pursuant to *Minnesota Statutes chapter 302A or 317A*. I certify that I am authorized to execute this amendment and I further certify that I understand that by signing this amendment, I am subject to the penalties of perjury as set forth in section 609.48 as if I had signed this amendment under oath.

Brant R. Beeson

(Signature of Authorized Person)

Name and telephone number of contact person: Brant R. Beeson (218) 844-5000
Please print legibly

If you have any questions please contact the Secretary of State's office at (651)296-2803.

RETURN TO: Secretary of State, Business Services Division
180 State Office Bldg., 100 Rev. Dr. Martin Luther King Jr. Blvd
St. Paul, MN 55155-1299. (651)296-2803

Make Check Payable to the "Secretary of State". Your cancelled Check is your receipt.

All of the information on this form is public and required in order to process this filing. Failure to provide the requested information will prevent the Office from approving or further processing this filing.

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

FEB 09 2005

Mary Hiffmeyer
Secretary of State



5490860002

NP-OK

Received w/ Attached
Amendment
12-17-07
\$1500
Brian Solomon

**ARTICLES OF INCORPORATION OF
NELSON LAKE
TOWNHOMES ASSOCIATION, INC.**

I, the undersigned, being of adult age, do hereby associate myself for the purpose of forming a non-profit corporation under Chapter 317A of the Minnesota Statutes known as the Minnesota Nonprofit Corporation Act, and certify as follows:

ARTICLE I.

The name of the corporation shall be NELSON LAKE TOWNHOMES ASSOCIATION, INC., hereinafter called the Association, and its registered office shall be at 611 Summit Avenue, Suite 212, in the City of Detroit Lakes, County of Becker and State of Minnesota, 56502-0070, and the registered agent for this corporation at said address shall be Brant R. Beeson.

ARTICLE II.

The period of duration of this non-profit corporation shall be perpetual.

ARTICLE III.

The purpose for which the Association is organized is to provide an entity pursuant to Chapter 515B Minnesota Statutes, hereinafter called the Minnesota common Interest Ownership Act, for the operation of the Nelson Lake Townhomes, a common interest planned Community located upon certain lands situate in the County of Becker, and State of Minnesota as described on Exhibit A attached hereto and incorporated herein by reference.

ARTICLE IV.

The corporation shall be a non-stock corporation and no dividends or pecuniary profits shall be declared or paid to the members thereof.

The corporation shall be a membership Association consisting of all of the record owners of units within the subject community, who shall all be of the same class.

Transfer of membership in the Association shall be made only in accordance with the applicable provisions of these Articles, the Declaration and the By-laws of this Corporation and by the recording in the public records of Becker County, Minnesota, of a deed or other instrument establishing a record title to a unit in the community and the delivery to the Association of a certified copy of such instrument whereupon the owner designated by such instrument shall thereby become a member of the Association and the membership of the prior owner shall be thereby terminated.

The share of a member in the funds and assets of the Association cannot be assigned, hypothecated, or transferred in any manner except as an appurtenance to the townhome unit.

The members of the Association shall be entitled to at least one vote for each unit owned. The exact number of votes to be cast by owners of a unit and the manner of exercising voting rights shall be determined by the By-laws of the Association.

ARTICLE V.

The Association shall have and shall be governed by the following provisions:

A. The Association shall have all of the common law and statutory powers of a non-profit corporation which are not in conflict with the Statutes of Minnesota or the terms of these Articles.

B. The Association shall have all the powers and duties set forth in the Minnesota Common Interest Ownership Act except as limited by these Articles and the Declaration and all the powers and duties reasonably necessary to operate the condominium as set forth in the Declaration and as it may be amended from time to time, including but not limited to the following:

- (1) To adopt and amend rules and regulations.

(2) To adopt and amend budgets, revenues, expenditures and reserves and collect assessments for common expenses from unit owners.

(3) To hire and terminate managing agents and other employees, agents, and independent contractors.

(4) To institute, defend, or intervene in litigation or administrative proceedings in its own name on behalf of itself or two or more unit owners on matters affecting the community.

(5) To regulate the use, maintenance, repair, replacement, and modification of common elements.

(6) To cause improvements to be made as a part of the common elements.

(7) To grant leases, licenses, and concessions not to exceed one year and utility easements through or over the common elements; provided, however, that after conveyance to owners other than the Declarant or affiliate of the Declarant of units to which more than Fifty Per cent (50%) of the voting power is allocated, the Association may, by resolution of a meeting of the members duly called grant leases, licenses, and concessions in excess of one year and easements through or over the common elements.

(8) To impose and receive any payments, fees, or charges for the use, rental, or operation of the common elements, other than limited common elements.

(9) To impose reasonable charges, including reasonable costs and attorneys' fees, for the evaluation, preparation, and recording of amendments to the Declaration, resale certificates required by Minnesota Statutes, or statements of unpaid assessments.

(10) To provide for the indemnification of its officers and Board and maintain directors' and officers' liability insurance.

(11) To impose charges for late payment of assessments and, after notice and an opportunity to be heard, levy reasonable fines for violations of the Declaration, Bylaws, and Rules and Regulations of the Association, and

(12) To acquire through purchase, lease, gift, or otherwise, additional properties or interests or rights therein whether the same be for the use and benefit of the individual units, or part of them, or for use as common areas for the benefit of the organization, and whether to be acquired or utilized in whole or in part solely or in conjunction with others, and to enter into arrangements with others for the joint use or ownership of common areas, facilities, or

amenities, where such acquisitions or arrangements are permitted by applicable law and are not in conflict with the general purposes of this Association.

(13) To exercise any other powers conferred by state law, the Declaration, or Bylaws.

C. All funds and the titles of all properties acquired by the Association and the proceeds thereof shall be held in trust for the members in accordance with the provisions of the Declaration, these Articles, and the By-laws.

D. The powers of the Association shall be subject to, and shall be exercised in accordance with, the provisions of the Declaration and the By-laws.

E. The members shall be personally liable for the payment of all common assessments or charges assessed by the Board of Directors from time to time to defray the costs, expenses, and losses of the community. The common assessments shall be assessed at least annually and the Board of Directors shall take prompt action to collect such assessments from a unit owner when a common assessment due remains unpaid for a period of thirty (30) days or more from the due date. In the event of default by a member in the payment of the common assessments, the member shall be obligated to pay interest at the highest legal rate on such common assessments from the due date thereof, together with all expenses, including attorneys' fees, incurred by the Board of Directors in any proceeding brought to collect such unpaid common charges. The Board of Directors shall have the right and duty to attempt to recover such common assessments, together with interest and attorneys' fees applicable thereto, in a legal action brought against such member or by foreclosure of a lien pursuant to the provisions of Minnesota Statutes.

ARTICLE VI.

The affairs of the Association shall be managed by a Board of Directors of at least three members, provided, however, that when a membership is issued in the name of two or more joint owners of a unit, only one of such named persons (as designated by such joint owners) shall be a member of said Board, and if said joint owners fail or refuse to so designate any individual as above provided, then the other Board members shall, by majority vote, make such designation.

Until the first election of a Board of Directors as set forth hereafter, this corporation shall initially have one member who shall constitute the initial Board of Directors and shall hold office until the first annual meeting of the

members or until a successor Board of Directors is elected and has qualified as set forth hereafter and whose names and addresses are as follows:

Brian Solum
Kim Stokes

415 38th Street SW, Suite B, Fargo, ND 58103
601 Sheyenne Street, Horace, ND 58047

The first election of a Board of Directors shall not be held until sixty (60) days after 6 of the units have been sold by the developer/Declarant to owners other than the developer/Declarant, or until three (3) years after the date the developer/Declarant first elects members to the Board of Directors of this corporation, or until such developer/Declarant elects to terminate its control of the community, whichever shall first occur; provided, however, that not later than sixty (60) days after the conveyance of 6 of the units to unit owners other than the developer/Declarant, not less than Thirty-three and one-third Per cent (33 1/3%) of all of the members of the Board of Directors shall be elected by unit owners other than the Declarant. After termination of Declarant control within the periods as provided above, the Board of Directors shall thereafter consist of at least three (3) individuals. Members of the Board shall serve so long as they remain members of the Association except as may be otherwise provided in the Bylaws. Directors may be removed and vacancies on the Board of Directors shall be filled in the manner provided in the Bylaws.

ARTICLE VII.

The affairs of the Association shall be administered by officers elected by the Board of Directors at its first meeting following the annual meeting of the members of the Association which officers shall serve at the pleasure of the Board of Directors.

The officers of the Association shall consist of a Chief Executive Officer and a Chief Financial Officer and such assistants of such offices as the Board of Directors shall determine from time to time.

ARTICLE VIII.

Every Director and officer of the Association shall be indemnified by the Association against all expenses and liabilities including counsel fees reasonably incurred by or imposed upon him in connection with any proceeding to which he may be a party, or in which he may become involved, by reason of his being or having been a Director or officer of the Association, or any settlement thereof, whether or not he is a Director or officer at the time such expenses are incurred, except in such cases wherein the Director or officer is adjudged guilty of willful misfeasance or malfeasance in the performance of his duties; provided that in the

event of a settlement, the indemnification herein shall apply only when the Board of Directors approve such settlement and reimbursement as being for the best interests of the Association. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which such Director or officer may be entitled.

ARTICLE IX.

The first By-laws of the Association shall be adopted by the Board of Directors and may be altered, amended, or rescinded in the manner provided by the By-laws.

ARTICLE X.

Amendments to the Articles of Incorporation shall be proposed and adopted in the following manner:

A. Notice of the subject matter of a proposed amendment (setting forth the proposed Amendment in full), shall be included in the notice of any meeting in which a proposed Amendment is to be considered. Such notice shall be given in accordance (where applicable) with the appropriate provisions of the Declaration and By-laws, and shall be given to each member entitled to vote on the proposed Amendment, and to each officer and Director irregardless of his right to vote.

B. A resolution approving a proposed Amendment shall be proposed by the Board of Directors of the Association. Directors and members not present in person or by proxy at the meetings considering the Amendment may express their approval in writing providing such approval is delivered to the Secretary at or prior to the meeting.

C. Approval of an Amendment must be by not less than sixty-six and two-thirds (66 2/3%) per cent of the votes of the entire membership of the Association.

D. No Amendment shall make any changes in the qualifications for membership nor the voting rights of members without approval in writing by all members.

E. When an Amendment has been adopted, the Chief Executive Officer or Assistant Executive Officer and the Chief Financial Officer or Assistant Financial Officer shall execute and acknowledge Articles of Amendment which shall set forth the Amendment and its manner of adoption which shall be filed for record with the Secretary of State and a copy thereof certified by the Secretary of State shall be recorded in the public records of Becker County, Minnesota.

ARTICLE XI.

Name and address of the subscriber to these Articles of Incorporation and initial incorporator is as follows:

Brian Solum

415 38th Street SW, Suite B. Fargo, ND 58103

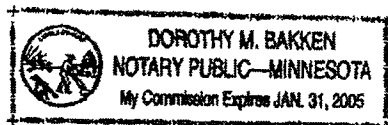
IN WITNESS WHEREOF, I, the undersigned subscriber, have hereunto affixed my signature as of this 12 day of June, 2003.

Brian Schum

Brian Solum

STATE OF MINNESOTA)
) ss
COUNTY OF BECKER)

On this 12th day of June, 2003, before me, a Notary Public within and for said County and State, personally appeared Brian Solum, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/~~she~~ executed the same as his/~~her~~ free act and deed.



Dorothy Bakker
Notary Public
My commission expires: _____

THIS INSTRUMENT DRAFTED BY:
Brant R. Beeson
BEESON LAW OFFICE, P.A.
611 Summit Avenue, P O Box 70
Detroit Lakes, MN 56502
(218) 844-5000

That portion of the real property within the plat of Grand View Estates of Nelson Lake, according to the certified plat thereof on file and of record in the office of the County Recorder, Becker County, Minnesota, that is included within the Declaration of Nelson Lake Townhomes and that part of the following described property included within the Declaration of said Nelson Lake Townhomes, to-wit:

That part of Government Lot 4 and that part of Government Lot 5 in Section 15, Township 138 North, Range 43 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows: Beginning at a found iron monument which designates the southeasterly corner of Lot One, Block One, of Grand View Estates of Nelson Lake, said plat is on file and of record in the office of the Recorder in said County; thence North 89 degrees 10 minutes 36 seconds West 2094.18 feet on an assumed bearing along the southerly line of said Lot One to a found iron monument; thence continuing North 89 degrees 10 minutes 36 seconds West 200 feet, more or less, along the southerly line of said Lot One to the water's edge of Nelson Lake; thence southeasterly along the water's edge of said Nelson Lake to the northerly line of Agape Acres Subdivision, said plat is on file and of record in the office of the Recorder in said County; thence South 89 degrees 10 minutes 55 seconds East 178 feet, more or less, along the northerly line of said Agape Acres Subdivision to a found iron monument; thence continuing South 89 degrees 10 minutes 55 seconds East 2058.43 feet along the northerly line of said Agape Acres Subdivision to the intersection with the southerly extension of the easterly line of said Lot One; thence North 01 degree 39 minutes 05 seconds East 21.49 feet along said extension to the point of beginning. The above described tract contains 1.0 acre, more or less.

EXHIBIT A
#2001-228

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

JUN 27 2003

Mary H. Hefner
Secretary of State

ADDITIONAL REAL ESTATE

That part of Government Lot 4 and that part of Government Lot 5 in Section 15, Township 138 North, Range 43 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Beginning at a found iron monument which designates the southeasterly corner of Lot One, Block One, of GRAND VIEW ESTATES OF NELSON LAKE, said plat is on file and of record in the office of the Recorder in said County; thence North 89 degrees 10 minutes 36 seconds West 2094.18 feet on an assumed bearing along the southerly line of said Lot One to a found iron monument; thence continuing North 89 degrees 10 minutes 36 seconds West 200 feet, more or less, along the southerly line of said Lot One to the water's edge of Nelson Lake; thence southeasterly along the water's edge of said Nelson Lake to the northerly line of AGAPE ACRES SUBDIVISION, said plat is on file and of record in the office of the Recorder in said County; thence South 89 degrees 10 minutes 55 seconds East 178 feet, more or less, along the northerly line of said AGAPE ACRES SUBDIVISION to a found iron monument; thence continuing South 89 degrees 10 minutes 55 seconds East 2058.43 feet along the northerly line of said AGAPE ACRES SUBDIVISION to the intersection with the southerly extension of the easterly line of said Lot One; thence North 01 degree 39 minutes 05 seconds East 21.49 feet along said extension to the point of beginning.

AND

Lot 1, Block One, of said GRAND VIEW ESTATES OF NELSON LAKE

EXCEPT

Commencing at a found iron monument which designates the southwesterly corner of a Dedicated Public Road according to said GRAND VIEW ESTATES OF NELSON LAKE; thence North 88 degrees 40 minutes 12 seconds West 103.81 feet on an assumed bearing along the northerly line of said Lot 1 to a found iron monument; thence continuing North 88 degrees 40 minutes 12 seconds West 268.12 feet along the northerly line of said Lot 1 to the point of beginning; thence South 51 degrees 54 minutes 43 seconds West 506.49 feet; thence South 26 degrees 18 minutes 05 seconds East 253.33 feet; thence North 56 degrees 08 minutes 38 seconds East 850.09 feet to a found iron monument on the westerly line of said Dedicated Public Road; thence southeasterly along the westerly line of said Dedicated Public Road on a curve concave to the northeast, having a central angle 59 degrees 12 minutes 08 seconds and a radius of 75.00 feet, for a distance of 77.49 feet (chord bearing South 28 degrees 35 minutes 22 seconds East); thence South 54 degrees 07 minutes 56 seconds West 1187.36 feet; thence North 12 degrees 45 minutes 06 seconds West 535.62 feet, more or less, to the water's edge of Nelson Lake; thence northeasterly along the water's edge of said Nelson Lake to the northerly line of said Lot 1; thence South 88 degrees 40 minutes 12 seconds East 5 feet, more or less, along the northerly line of said Lot 1 to a found iron monument; thence continuing South 88 degrees 40 minutes 12 seconds East 158.68 feet along the northerly line of said Lot 1 to the point of beginning.

EXHIBIT B