



R. Kyle Ardoin
SECRETARY OF STATE

As Secretary of State of the State of Louisiana, I do hereby Certify that

the attached document(s) of

MONTGOMERY TERRACE HOMEOWNERS ASSOCIATION, INC.

are true and correct and are filed in the Louisiana Secretary of State's Office.

40709852N ORIGF 1/4/2012 7 page(s)

In testimony whereof, I have hereunto set my hand and caused the Seal of my Office to be affixed at the City of Baton Rouge on,

January 21, 2022

Secretary of State

WEB 40709852N



Certificate ID: 11514869#D5P83

To validate this certificate, visit the following web site, go to **Business Services, Search for Louisiana Business Filings, Validate a Certificate**, then follow the instructions displayed.

www.sos.la.gov

**ARTICLES OF INCORPORATION
OF
MONTGOMERY TERRACE
HOMEOWNERS ASSOCIATION, INC.**

**UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF ST. TAMMANY**

BE IT KNOWN, that on this 4th day of January, in the year of Our Lord, two thousand and twelve:

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in and for the state and parish/county, and in the presence of the undersigned competent witnesses:

PERSONALLY CAME AND APPEARED:

JAKOB HOMES, L.L.C., a Louisiana limited liability company doing business in the Parish of St. Tammany, State of Louisiana, herein represented by Jason L. Yancey, duly authorized sole member and manager of the company, pursuant to the Articles of Organization dated on or about June 27, 2006, on file at its registered office and with the Louisiana Secretary of State, its mailing address being 13405 Seymour Myers Boulevard, Suite 18, Covington, Louisiana 70433 (referred to hereinafter as "Developer");

who declared to me, in the presence of the undersigned competent witnesses, that availing itself of the provisions of Louisiana Non-Profit Corporation Law, Chapter 12, Section 201-269 of the Louisiana Revised Statutes, now in effect and as amended; and who do hereby organize a non-profit corporation in pursuance of that law, and in accordance with the following articles of incorporation:

The undersigned do hereby adopt the following as the Articles of Incorporation of **Montgomery Terrace Homeowners Association, Inc.**, for the purpose of forming a corporation under the Louisiana Non-Profit Corporation Law, Chapter 12, Sections 201-269, inclusive, of the Louisiana Revised Statutes now in effect and as amended.

**ARTICLE I
NAME**

The name of the corporation shall be: **Montgomery Terrace Homeowners Association, Inc.**, (hereinafter referred to as the "Association").

**ARTICLE II
PURPOSE**

The purpose for which the Association is organized is to provide a legal entity which shall obtain rights, privileges and obligations under restrictive covenants for Montgomery Terrace Subdivision established by the Developer September 28, 2011 and recorded in the official records of St. Tammany Parish, Louisiana, as Instrument No. 1837284, hereinafter

referred to as "Restriction Covenants", for the development, management, regulation, operation and maintenance of the subdivision easements, streets, roads, alleys, improvements, green spaces, common areas, detention ponds, entrance features, and other properties of every kind and character, described in the Restrictive Covenants of Montgomery Terrace Subdivision.

**ARTICLE III
DOMICILE**

The domicile of this corporation shall be St. Tammany Parish, Louisiana, and its registered office shall be located at 13405 Seymour Myers Boulevard, Suite 18, Covington, Louisiana 70433.

**ARTICLE IV
POWERS**

The Association's powers shall include and be governed by the following provisions:

A. The Association shall have all the powers authorized by the Laws of the State of Louisiana, and in particular the Louisiana Non-Profit Corporation Law as it now exists and as it may be amended from time to time, except in instances where the Non-Profit Corporation Law as aforesaid conflicts with the provisions of these Articles of Incorporation or by the By-Laws executed this date, the Articles and By-Laws shall govern.

B. The Association shall have all of the powers, duties and obligations allowed by law, except as limited by these Articles of Incorporation, the By-Laws of the Association executed in connection with these Articles, and the Restriction Covenants, as all of these documents may be amended from time to time. The said power shall include, but is not limited to, the following:

1. To make and collect assessments against members in order to pay the costs necessary for the orderly maintenance of Montgomery Terrace Subdivision.

2. To use the proceeds of assessments in the exercise of its powers and duties as provided for in the Restriction Covenants, Articles and By- Laws.

3. To maintain and improve easements, improvements, streets, alleys, roads, green spaces, common areas, detention ponds, entrance gates features, and other properties of every kind and character, both movable and immovable, in Montgomery Terrace Subdivision, and to further maintain and improve property owned by the Association.

4. To enact, amend and enforce reasonable rules and regulations for the use of the property within Montgomery Terrace Subdivision.

5. To enforce, by all legal means available to the Association, the provisions of the Laws of the State of Louisiana, the Articles, By-Laws, Restrictive Covenants, and Regulations of the Association.

6. To enter into contracts and agreements for the management, maintenance and improvement of the property in Montgomery Terrace Subdivision.

7. To borrow monies and open bank accounts in the name of and on behalf of the Association.

C. The ownership of all properties and funds acquired by the Association and the proceeds thereof shall be held and administered in trust by the Officers of the Association, for the benefit of the Association members and the Association property, green spaces and common areas located within Montgomery Terrace Subdivision in accordance with the provisions of the Restriction Covenants, Articles, By-Laws and the Laws of the State of Louisiana relative to Non-Profit Corporations.

ARTICLE V MEMBERS

This corporation is to be organized on a non-stock basis. The Association shall have two classes of voting membership:

A. Every person, group of persons, corporation, partnership, trust or other legal entity, or any combination thereof, who became a record owner of a fee interest in any lot in Montgomery Terrace Subdivision by transfer from the Developer of Montgomery Terrace Subdivision, or otherwise, shall be a Class A member of the Association. Each Class A member of the Association shall be entitled to one (1) vote for each lot owned by any such firm, person, corporation, trust or other legal entity. However, there shall be only one (1) vote for each lot to which class A membership is appurtenant, and the vote shall be cast in accordance with the By-Laws of the Association.

B. There shall be two hundred (200) Class B memberships, all of which shall be issued to the Developer or its nominee or nominees. The Class B members shall be entitled to one (1) vote for each Class B membership so held, however, each Class B membership shall lapse and become a nullity upon the occurrence of any one of the following events:

- i) January 1, 2018, or
- ii) Upon surrender of said class B memberships by the then holders thereof for cancellation on the books of the Association.

Upon the lapse and/or surrender of all the Class B memberships, as provided for in this Article, the Developer shall continue to be a Class A member of the Association as to each and every lot in which the Developer holds the interest otherwise required for such Class A membership.

ARTICLE VI DIRECTORS

The affairs of the Association shall be managed by a Board of Directors consisting of such number of Directors as shall be determined by the By-Laws, but having not less than two (2) Directors and not more than five (5) Directors. Directors shall be elected at the annual members meeting in the manner provided by the By-Laws. The Directors may be removed and vacancies on the Board filled as provided by the By-Laws. The Directors named herein shall serve until the first election of Directors. The names and addresses of the members of the first Board of Directors are as follows:

Jason L. Yancey
13405 Seymour Myers Boulevard, Suite 18
Covington, Louisiana 70433

Teresa Rupp
13405 Seymour Myers Boulevard, Suite 18
Covington, Louisiana 70433

The above named Directors shall hold office until their successors are elected and have qualified or until removed from office.

ARTICLE VII OFFICERS

The Association's affairs shall be administered by the Officers of the Board of Directors of the association. Such Officers shall serve at the pleasure of the Board of Directors. The initial Officers' names and addresses are:

Jason L. Yancey
13405 Seymour Myers Boulevard, Suite 18
Covington, Louisiana 70433

Teresa Rupp
13405 Seymour Myers Boulevard, Suite 18
Covington, Louisiana 70433

The above named Officers shall hold office and serve until their successors are designated by the Board of Directors and have qualified or until removed from office.

ARTICLE VIII INDEMNIFICATION

Each Director and each Officer of the Association shall be indemnified by the Association against all liabilities and expenses, including attorney's fees reasonably incurred or imposed on him in connection with any proceeding in which he may be a party, or in which he may become involved, by reason of his being or having been an Officer or Director of the

Association, or any settlement thereof, regardless of whether he is an Officer or Director at the time such liabilities and expenses are incurred, unless the Officer or Director is adjudged guilty of willful malfeasance or malfeasance in the performance of his duties. In case of a settlement, the indemnification provided for herein shall apply only when the Board of Directors approves such settlement and reimbursement as being in the Association's best interest. The above described right of indemnification shall not be exclusive of all other rights to which such Director or Officer may be entitled but shall be in addition to such other rights.

**ARTICLE IX
BY-LAWS**

The Board of Directors shall adopt the first By-Laws of the Association. The said By-Laws may be amended, changed or repealed in the manner provided by said By-Laws.

**ARTICLE X
AMENDMENTS TO ARTICLES OF INCORPORATION**

The Articles of Incorporation may be amended in the following manner:

The notice of any meeting at which a proposed amendment is considered shall include notice of the subject matter of the proposed amendment. Either the Board of Directors or any member of the Association may propose a resolution approving a proposed amendment. An amendment must be approved by a vote or written consent of the members representing fifty one (51%) percent of the total voting power of the Association or may be amended by the Developer, or his assigns, alone without a vote for as long as the Class B memberships are in existence and held by the Developer. No amendments shall make any changes in the qualifications for membership nor in the voting rights of the members, without the unanimous approval in writing by all the members. A copy of each amendment shall be certified by the secretary and recorded in the public records of St. Tammany Parish, Louisiana.

**ARTICLE XI
TERM OF ASSOCIATION**

The Association shall continue to exist as long as the Restrictive Covenants are imposed (as they may be amended) upon the property known as Montgomery Terrace Subdivision, in St. Tammany Parish, Louisiana, unless the members elect to terminate the Association sooner by two-thirds (2/3) vote of approval of the total voting power of the Association.

**ARTICLE XII
REGISTERED AGENT**

The full name and post office address of the corporation's registered agent is:

Paul J. Mayronne
1001 Service Rd. E. Hwy 190, Suite 103
Covington, Louisiana 70433

**ARTICLE XIII
INCORPORATOR**

Jakob Homes, L.L.C.
13405 Seymour Myers Boulevard, Suite 18
Covington, Louisiana 70433

THUS DONE AND PASSED in Covington, Louisiana, on the day, month and year herein above first written, in the presence of the undersigned competent witnesses.

WITNESSES:

JAKOB HOMES, L.L.C.

Rachel L. Miller
Rachel L. Miller
J. M. Andrews
Jessa M. Andrews

By: Jason L. Vancey
JASON L. VANCEY,
SOLE MEMBER/MANAGER

Paul J. Mayronne
PAUL J. MAYRONNE, NOTARY PUBLIC
LOUISIANA BAR NO. 25788

**AFFIDAVIT OF ACCEPTANCE OF APPOINTMENT
BY DESIGNATED REGISTERED AGENT
ACT 769 OF 1987**

TO: State Corporation Department
State of Louisiana

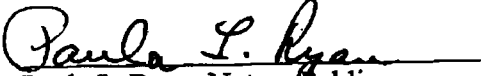
STATE OF LOUISIANA

PARISH OF ST. TAMMANY

On this 4th day of January, 2012, before me, Notary Public in and for the state and parish aforesaid, personally came and appeared Paul J. Mayronne, who is to me known to be the person, and who, being duly sworn, acknowledged to me that he does hereby accept appointment as the Registered Agent of MONTGOMERY TERRACE HOMEOWNERS ASSOCIATION, INC., which is a corporation authorized to transact business in the State of Louisiana pursuant to the provisions of the Title 12, Chapter 1, 2 and 3.


Paul J. Mayronne, Registered Agent

Sworn to and subscribed before me,
this 4th day of January, 2012.


Paula L. Ryan, Notary Public
Notary No. 68884