



**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

**EVANGELINE COVE TOWNHOMES HOMEOWNER'S ASSOCIATION, INC.**

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

35660797N ORIGF 3/8/2004 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,

August 29, 2022

*Secretary of State*

WEB 35660797N



Certificate ID: 11619491#6QK73

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](http://www.sos.la.gov)

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

ARTICLES OF INCORPORATION

OF

EVANGELINE COVE TOWNHOMES HOMEOWNER'S ASSOCIATION, INC.

BE IT KNOWN, that on the dates set forth below, before me, the undersigned Notary Public, personally came and appeared **James B. Smith**, who declared that availing himself of Louisiana law relative to non-profit corporations (La. R.A. 12:201 et seq.), he does hereby organize a non-profit corporation as defined in La. R.S. 12:201(7) in accordance with the following Articles of Incorporation.

ARTICLE I

NAME

The name of the Corporation shall be Evangeline Cove Townhomes Homeowner's Association, Inc.

ARTICLE II

DEFINITIONS

As used in these Articles of Incorporation (hereinafter referred to as the "Articles") unless the context otherwise requires, the following capitalized terms shall mean:

- A. **Association** means the non-profit corporation created by these Articles.
- B. **Declaration** means that instrument executed for the purpose of establishing a Townhome form of ownership upon the Subdivision Property entitled "Declaration of Protective Covenants, Conditions and Restrictions of Evangeline Cove Townhomes," the original of which was recorded with the Clerk and Recorder of Mortgage for East Baton Rouge Parish, Louisiana as such Declaration may be amended and restated from time to time.
- C. **Lot or Townhome** means that part of the Subdivision Property subject to individual ownership as established in and governed by the Declaration, and includes such accessory rights and obligations as stipulated in the Declaration.

**D. Member(s)** means the Owner(s) of Submitted Property in Evangeline Cove Townhomes Subdivision who, by virtue of such ownership, are Members of the Association.

**E. Subdivision** means the Townhome property regime established by the Declaration under which portions of the Submitted Property and the Common Areas are subject to individual ownership and the remainder is owned by the Association, and to be known as “Belle Rose Townhomes Subdivision.”

All other words or phrases shall have the meanings ascribed to them in the Declaration.

As used herein, the masculine shall include the feminine, and the singular shall include the plural, and vice versa.

### **ARTICLE III**

#### **DURATION**

The Association shall enjoy perpetual existence. The Association may not be dissolved until the Subdivision is terminated in accordance with the Declaration.

### **ARTICLE IV**

#### **PURPOSE**

The Association is organized pursuant to the laws of the State of Louisiana, for the purpose of operating and managing the Subdivision, the Common Areas and the Submitted Property for the use and benefit of the Owners. The Association is organized as a non-profit corporation and shall make no distribution of income to its Members, directors or officers.

### **ARTICLE V**

#### **POWERS**

The powers of the Association shall include the following:

**A.** The Association shall have all the powers of a non-profit corporation organized under the provisions of La. R.S. 12:201, et. seq., which are not in conflict with the terms of Louisiana law or these Articles.

**B.** Subject to the rights of the Declarant, the Association shall have all of the powers and duties allowed under applicable Federal and Louisiana law, except as limited by these Articles and the Declaration, and all of the powers and duties reasonable and

necessary to operate the Subdivision, the Common Areas and the Submitted Property as set forth in the Declaration, as it may be amended from time to time.

**ARTICLE VI**  
**MEMBERSHIP**

The qualification of Members, manner of admission, and voting rights shall be as follows:

- A. The Association is organized on a non-stock basis.
- B. Members shall consist exclusively of all Lot Owners, and no other person or other entity shall be entitled to membership. There shall be one class of Members.
- C. A change in membership of the Association shall be established by recording in the public records of East Baton Rouge Parish, Louisiana, a deed or other instrument establishing record title to a Lot or Townhome and the delivery to the Association of a certified copy of such instrument. The Owner designated by such instrument thereby becomes a Member and the membership of the prior Owner shall thereby be terminated.
- D. The interest of any Member in the Association and in the funds and assets of the Association and membership voting rights cannot be assigned, alienated, sold, transferred, mortgaged, pledged, pawned, hypothecated, encumbered or conveyed in any manner except as an appurtenance to his Lot or Townhome.
- E. The voting rights of the Members shall be determined by the Declaration or by the By-Laws.

**ARTICLE VII**  
**BOARD OF DIRECTORS**

Subject to the rights of the Declarant to appoint Board members provided in the By-Laws, the affairs of the Association shall be governed by a Board of Directors, whose number, qualification, powers, duties and term of office shall be set forth in the By-Laws. All of the powers and duties of the Association existing under the Louisiana law, the Declaration, the Articles and the By-Laws shall be exercised exclusively by the Board of Directors.

The names and addresses of the members of the Board of Directors who shall hold office

until their successors are elected and qualified, or until removed are as follows:

James B. Smith  
17887 Greenwell Springs Road  
Greenwell Springs, Louisiana 70739

Any director absent from a meeting of the Board of Directors may be represented by any other director or member, who may cast the vote of the absent director according to the general or special written instructions of the absent director.

**ARTICLE VIII**

**OFFICERS**

The affairs of the Association shall be administered by officers elected by the Board of Directors at its first meeting, which officers shall serve at the pleasure of the Board of Directors and whose number, qualification, powers, duties and term of office shall be set for in the By-Laws. The names and addresses of the officers who shall serve until their successors are designated by the Board of Directors are as follows:

<b><u>Name and Address</u></b>	<b><u>Title</u></b>
Mr. James B. Smith 17887 Greenwell Springs Rd. Greenwell Springs, LA 70739	President

**ARTICLE IX**

**BY-LAWS**

The Association shall be governed by the By-Laws which are adopted and approved by the Association.

**ARTICLE X**

**REGISTERED OFFICE AND REGISTERED AGENT**

The registered office of the Association shall be located at 17887 Greenwell Springs Road, Greenwell Springs, Louisiana 70739. The full name and address of the Association's registered agent is:

Mr. James B. Smith  
17887 Greenwell Springs Road  
Greenwell Springs, Louisiana 70739

**ARTICLE XI**

**INCORPORATOR**

The name and address of the initial incorporator of the corporation as set forth in the original Articles of Incorporation is:

Mr. James B. Smith  
17887 Greenwell Springs Road  
Greenwell Springs, Louisiana 70739

**ARTICLE XII**

**AMENDMENTS TO ARTICLES OF INCORPORATION**

The Articles may be amended by the Declarant (as that term is defined in the Declaration of Protective Covenants, Conditions and Restrictions of the Belle Rose Townhomes) for as long as the Declarant owns a Lot or Townhome, (but not beyond five (5) years from recordation of the Declaration) and thereafter by favorable vote of Members holding two-thirds (2/3) of the total voting power in the Association at the annual meeting or any special meeting called for that purpose.


**ARTICLE XIII**  
**WAIVER OF LIABILITY**

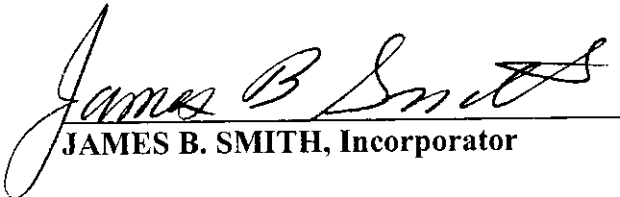
No director or officer of the corporation shall have any personal liability to the corporation or its Members for monetary damages for breach of fiduciary duty as director or officer; provided, however, that this provision shall not limit liability of a director or officer:


1. For any breach of the director or officer's duty of loyalty to the corporation or its Members;
2. For acts or omissions not in good faith or which involve intentional misconduct or known violation of law;
3. For liability under La. R.S. 12:92(D); or
4. Any transaction from which a director or officer derived an improper benefit.

THUS DONE, READ AND SIGNED at Baton Rouge, Louisiana, on the 8<sup>th</sup> day of March, 2004, in the presence of the undersigned competent witnesses and Notary after due reading of the whole.

**WITNESSES:**

  
T. D. P.

  
**JAMES B. SMITH, Incorporator**

  
**NOTARY PUBLIC**

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

**AFFIDAVIT OF ACCEPTANCE OF APPOINTMENT BY REGISTERED AGENT**

BE IT KNOWN, that on this 8<sup>th</sup> day of March, 2004, before me, the undersigned Notary Public in and for the Parish of East Baton Rouge, duly commissioned and qualified, and in the presence of the undersigned witnesses, personally came and appeared:

JAMES B. SMITH, a person of the full age of majority and a resident of the Parish of East Baton Rouge, State of Louisiana, whose mailing address is 17887 Greenwell Springs Road, Greenwell Springs, Louisiana 70739;

who, after having been duly sworn, stated under oath that he does accept appointment as the Registered Agent of EVANGELINE COVE TOWNHOMES HOMEOWNER'S ASSOCIATION, INC., which is a non-profit corporation authorized to transact business in the State of Louisiana pursuant to La. R.S. 12:201 et seq.)

THUS DONE AND SIGNED on the date above written in the Parish of East Baton Rouge, State of Louisiana, in the presence of the undersigned witnesses and me, Notary, after reading of the whole.

**WITNESSES:**





  
JAMES B. SMITH

  
NOTARY PUBLIC