

Andover Glen Articles of Incorporation

ARTICLES OF INCORPORATION
OF
ANDOVER GLEN HOMEOWNERS ASSOCIATION, INC.

FILED MAY 30, 1984
STATE OF COLORADO
DEPARTMENT OF STATE

In compliance with the requirements of the Colorado Non-profit Corporation Act, the undersigned person, acting as incorporator of a corporation, signs and acknowledges the following articles of incorporation for such corporation.

ARTICLE I

The name of the corporation is ANDOVER GLEN HOMEOWNERS ASSOCIATION, INC., hereinafter referred to as "the Association".

ARTICLE II

The initial registered office of the Association is located at 4806 S. Dillon Way, Aurora, Colorado 80015.

ARTICLE III

Daniel M. Fowler, whose address is 4806 S. Dillon Way, Aurora, Colorado 80015, is hereby appointed the initial registered agent of this Association.

ARTICLE IV

PURPOSE AND POWERS OF THE ASSOCIATION

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance and preservation of the Common Area within that certain tract of property described as Sundown Subdivision Filing No. 1., County of Arapahoe, State of Colorado, and to promote the health, safety and welfare of the residents within the above described property and any additions thereto as may hereafter be brought within the jurisdiction of this Association, and for this purpose:

- (a) Exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in that certain declaration and agreement establishing protective covenants, hereinafter referred to as the "Declaration," applicable to the property and recorded in the office of the Clerk and Recorder of the County of Arapahoe, State of Colorado, at Book 3058, Page 17, on August 20, 1979, and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth in length;
- (b) Fix, levy, collect, and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes, or governmental charges levied or imposed against the property of the Association;
- (c) Acquire (by gift, purchase, or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the

affairs of the Association;

(d) Borrow money, with the assent of fifty percent of the members of the Association, mortgage, pledge, encumber by deed of trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(e) Dedicate, sell, or transfer all or any part of the common area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument has been signed by two-thirds of the members of the Association agreeing to such dedication, sale, or transfer;

(f) Participate in mergers and consolidations with other non-profit corporations organized for the same purposes or annex additional residential property and common area. Any such merger, consolidation or annexation may occur only with the assent of two-thirds of the members of the Association;

(g) To exchange any part of the common area not in excess of forty thousand square feet for a like amount of property contiguous to such common area, provided that the Board of Directors of the Corporation by unanimous vote of all of the members of the Board of Directors then in office finds that such an exchange will be beneficial to the corporation, and that the value of the property exchanged is at least equal to the value of the common area involved in the exchange;

(h) Have and 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 may now or hereafter have or exercise.

ARTICLE V

MEMBERSHIP

Each person or entity who is a record owner of a fee or undivided fee interest in any lot which is subject by the declaration to assessment by the Association, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and not be separated from ownership from any lot which is subject to assessment by the Association.

The Board of Directors of the Corporation may establish by resolution a classification of associate membership which shall be applicable to persons who are not eligible as members, and to tenants of members of the Corporation. Associate members shall have no voting rights.

ARTICLE VI

VOTING RIGHTS

There shall be one class of voting membership which shall be all owners who shall be entitled to one vote for each lot owned. When more than one person holds an interest in any lot, all such persons shall be members. The vote for such lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any lot.

ARTICLE VII

BOARD OF DIRECTORS

The affairs of this Association shall be managed by a board of nine directors who must be members of the Association. The number of directors and their terms of office may be changed by amendment of the bylaws of the Association. The method of electing directors shall be set forth in the bylaws.

The names of the persons who are to act in the capacity of directors until the first annual meeting of the Association are:

Suzanne Ainsworth 4845 S. Dillon Way, Aurora, CO 80015
 Karen Beville 4835 S. Dillon Way, Aurora, CO 80015
 Dan Fowler 4806 S. Dillon Way, Aurora, CO 80015
 Jesse Hale 4836 S. Dillon Way, Aurora, CO 80015
 Dan Moore 14133 E. Layton Dr., Aurora, CO 80015
 Gregg Moran 14865 S. Dillon Way, Aurora, CO 80015
 Sharon O'Donnell 14205 E. Layton Dr., Aurora, CO 80015
 Jerry Roth 14367 E. Layton Dr., Aurora, CO 80015
 Beverly Thomas 4811 S. Carson St., Aurora, CO 80015

ARTICLE XIII

DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds of the members of the Association. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association 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 IX

DURATION

The Corporation shall exist perpetually.

ARTICLE X

AMENDMENTS

Amendment of these Articles shall require the assent of sixty-six percent (66%) of the entire membership of the Association.

IN WITNESS WHEREOF, for the purpose of forming this Corporation under the laws of the State of Colorado, the undersigned incorporator of this Association, has executed these Articles of Incorporation this 29th day of May, 1984.

(signature of) Daniel M. Fowler
 Incorporator

STATE OF COLORADO)
) ss.
 COUNTY OF ARAPAHOE)

The foregoing instrument was acknowledged before me this 29th day of May, 1984, by Daniel M.. Fowler.

Witness my hand and official seal.

My commission expires: March 3, 1984
(signature of) Judith A. Flock
Notary Public
Address: 1775 Sherman #1600, Denver, CO 80203

(SEAL)

(This ends the document text.

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Business Information - Search business database; choosing search option - Business name, trademark or trade
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