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Feb 21 2024
REFERENCE ID: 1549104


Mark Hammond
SECRETARY OF STATE OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA
SECRETARY OF STATE
NONPROFIT CORPORATION
ARTICLES OF INCORPORATION

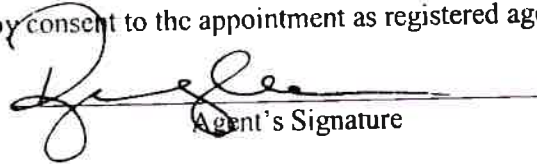


TYPE OR PRINT CLEARLY IN BLACK INK

1. The name of the nonprofit corporation is **McKenna Condominium Association, Inc.**
2. The initial registered office of the nonprofit corporation is **285 Fairforest Way, Greenville, SC 29607 (Greenville County)**

The name of the registered agent of the nonprofit corporation at that office is **Ron Vergnolle**

I hereby consent to the appointment as registered agent of the corporation.


Agent's Signature

3. Check (a), (b), or (c) whichever is applicable. Check only one box:
 - a. ☐ The nonprofit corporation is a public benefit corporation.
 - b. ☐ The nonprofit corporation is a religious corporation.
 - c. ☒ The nonprofit corporation is a mutual benefit corporation.
4. Check (a) or (b), whichever is applicable:
 - a. ☒ This corporation will have members.
 - b. ☐ This corporation will not have members.
5. The address of the principal office of the nonprofit corporation is **285 Fairforest Way, Greenville, SC 29607 (Greenville County)**
6. If this nonprofit corporations is either a public benefit or religious corporation (box "a" or "b" of paragraph 3 is checked), complete either "a" or "b", whichever is applicable, to describe how the remaining assets of the corporation will be distributed upon dissolution of the corporation.
 - a. ☐ Upon dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future Federal tax code, or shall be distributed to the Federal government, or to a state or local government, for a public purpose. Any such asset not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for

such purposes or to such organization or organizations, as said court shall determine, Feb 21 2024 which are organized and operated exclusively for such purposes.

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lissolution of the corporation, consistent with law, the remaining assets of the on shall be distributed to:

7 If the corporation is a mutual benefit corporation (box "c" of paragraph 3 is checked), complete either "a" or "b", whichever is applicable, to describe how the (remaining) assets of the corporation will be distributed upon dissolution of the corporation.

a. ☐ Upon dissolution of the mutual benefit corporation, the (remaining) assets shall be distributed to its members, or if it has no members, to those persons to whom the corporation holds itself out as benefiting or serving.

b. ☒ Upon dissolution of the mutual benefit corporation, the (remaining) assets, consistent with law, shall first be offered to Greenville County, and if accepted, deeded to Greenville County in fee simple. If Greenville County refuses such property, then it shall be offered to another nonprofit organization that shall agree to maintain it.

8 The optional provisions which the nonprofit corporation elects to include in the articles of incorporation are as follows (Sec 33-31-202(c) of the 1976 South Carolina Code of Laws, as amended, the applicable comments thereto, and the instructions to this form):

A. The purpose of the Association is to operate and maintain the common areas and amenities of The Condominiums at McKenna Commons (the "Condominium") for the benefit of the condominium owners.

B. Every owner of a condominium which is subject to assessment shall be a member of the Association (each a "Member"). Membership shall be appurtenant to and may not be separated from ownership of any unit which is subject to an assessment.

C. The Association shall have two (2) classes of voting memberships:

Class I. The Class I Members shall be all owners of units within the Condominium, other than the Declarant as long as Class II membership exists. Any Class I Member in the Condominium shall be entitled to one (1) vote for each unit which it owns. In the case of multiple ownership of any unit, however, those multiple owners shall be treated collectively as one owner.

Class II. The Class II Member shall be the Declarant, who shall be entitled to two (2) votes for each unit owned by it within the Condominium. The Class II membership shall cease and be converted to Class I membership on the happening of the first to occur of the following events:

i. One hundred twenty (120) days after Declarant has sold and closed the sale of 75% of all units within the Condominium, or

Feb 21 2024 **ii.** **January 1, 2009.**
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Class II membership has been terminated or has expired and subsequently properties owned by the Declarant become subject to the Declaration prior to the date stated in subsection (ii) above, the Class II membership shall immediately be reinstated as of the date such additional properties become subject to this Declaration and shall not terminate except in accordance with subsection (i) and (ii) above. Following the termination of Class II membership, the Declaration shall become a Class I Member.

D. An amendment to the Articles of Incorporation shall require the approval of at least 2/3 of the Members. Each unit is entitled to one vote regardless of whether more than one person or entity owns interest in said unit.

E. Upon the unanimous consent of all of the Members, the Members may elect to dissolve the Association. Each unit is entitled to one vote regardless of whether more than one person or entity owns interest in said unit.

F. Annexation of additional properties (other than the Phase Additions already designated in the Master Deed), mergers and consolidations, mortgaging of Common Area, and dissolution and amendment of the Articles of Incorporation requires HUD/VA prior approval as long as there is Class II membership and there are units financed by HUD, FHA or VA insured loans.

9. The name and address (with zip code) of each incorporator is as follows (only one is required)

Ron Vergnolle, 285 Fairforest Way, Greenville, SC 29607 (Greenville County)

10. Each original director of the nonprofit corporation must sign the articles but only if the directors are named in these articles:

No directors have been named in the Articles.

11. Each incorporator must sign the articles.


Ron Vergnolle