



House + Blanco Box ✓

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STATE OF
NORTH
CAROLINA



Department of The
Secretary of State

To all whom these presents shall come, Greeting:

I, Rufus L. Edmisten, *Secretary of State of the State of North Carolina*, do hereby certify the following and hereto attached (5 sheets) to be a true copy of

ARTICLES OF INCORPORATION

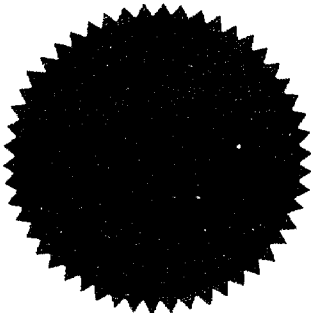
OF

LOCHURST RECREATIONAL AND MAINTENANCE ASSOCIATION INC.

and the probates thereon, the original of which was filed in this office on the 1st day of March 1989, after having been found to conform to law.

In Witness Whereof, I have hereunto set my hand and affixed my official seal.

Done in Office, at Raleigh, this 1st day of March in the year of our Lord 1989.



Rufus L. Edmisten

Secretary of State

**ARTICLE OF INCORPORATION
OF
LOCHURST RECREATIONAL AND MAINTENANCE
ASSOCIATION INC.**

DOCUMENT #449204
DATE RECORDED 11/20/19
FILED
SHELDON L. HARRIS
SECRETARY OF STATE
NORTH CAROLINA

THIS CERTIFIES that the undersigned, does hereby organize a corporation under the Non-Profit Corporation Act of the State of North Carolina, and to that end does hereby set forth:

ARTICLE ONE

Name

The name of the corporation is LOCHURST RECREATIONAL AND MAINTENANCE ASSOCIATION INC. (herein the "Association:").

ARTICLE TWO

Duration

The period of duration of the Association shall be perpetual.

ARTICLE THREE

Purposes

The purposes for which the Association is organized are to provide for the acquisition, construction, management, maintenance, care and preservation of Association property and certain lakes and dams within that certain tract or property located in Forsyth County, North Carolina, known as Lochurst Subdivision, and to promote the health, safety and welfare of the residents within such property and within any additional property as may later be brought within the jurisdiction of the Association. In carrying out these purposes the Association shall have the power:

- (a) To 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 of Covenants, Conditions and Restrictions (the "Declaration") applicable to the property and recorded or to be recorded in the Office of the Register of Deeds of Forsyth County, North Carolina, as amended from time to time, which Declaration is incorporated by reference (all

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defined terms used herein shall be as defined in the Declaration);

- (b) To 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) To 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) To borrow money, and with the assent of sixty-seven (67%) percent of each class of members, mortgage, pledge, deed in trust or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;
- (e) To 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 Board of Directors;
- (f) To participate in mergers and consolidations with other non-profit corporations organized for the same purposes, provided that any such merger or consolidation shall have the assent of sixty-seven (67%) percent of each class of members;
- (g) To annex additional residential property and Common Area pursuant to the provisions of the Declaration; and
- (h) To have and exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Act of the State of North Carolina may now or hereafter have or exercise.

ARTICLE FOUR

Membership

Every person or entity who or which is a record owner of a fee or undivided fee interest in any lot which is subject by covenants of record to assessment by the Association (an "Owner") shall be a Member of the Association. Persons or entities that hold an interest merely as security for the performance of an obligation shall not be members. Further, the Association may have non-owner members.

ARTICLE FIVE

Voting Rights

The Association shall have three (3) classes of voting members:

- (a) Class A. Class A Members shall be all of the Owners of Lots. Class A members shall be entitled to one (1) vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be Members.
- (b) Class B. Class B Members shall be Lake Lake Owners who shall be entitled to one (1) vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be Members.
- (c) Class C. Class C Members shall be individuals who are either Lot Owners or not, who are allowed by the Association to use certain recreational areas which may, in the future, be owned by the Association. Class C Members shall be entitled to one (1) vote for each individual or family which may be designated as a member.

ARTICLE SIX

Board of Directors

The affairs of the Association shall be managed by a Board of not more than five (5) Directors who need not be members of the Association. The number of Directors may be changed by amendment of the By-Laws of the Association. The names and addresses of the persons who are to serve as the initial Board of Directors are:

<u>Name</u>	<u>Address</u>
Grover F. Shugart Jr.	3015 Maplewood Avenue Winston-Salem, North Carolina 27103
Hubert B. Parks	1068 Windwood Drive Kernersville, North Carolina 27284
Samuel M. Booth	3015 Maplewood Avenue Winston-Salem, North Carolina 27103

Subject to the right of the Developer to designate a majority, the initial Board shall be comprised of three (3) directors who shall hold office until the election of their successors. Each of the initial directors shall have one (1) vote. The Board of Directors,

at the first annual meeting of Members, to be held the 1st day of January, 1990, shall select three (3) Directors for a term of two (2) years and two (2) Directors for a term of one (1) year; and at each annual meeting thereafter the Members shall elect Directors for a term of two (2) years. Except as otherwise provided in the Charter, the method of election of Directors shall be as set forth in the By-Laws of the Association.

ARTICLE SEVEN

Registered Office and Agent

The address of the initial registered office of the Association is 215 Executive Park Boulevard, Winston-Salem, Forsyth County, North Carolina 27103, and the name of the initial registered agent of the Association at such address is Ronald A. Matamoros.

ARTICLE EIGHT

No Net Earnings to Individuals

No part of the net earnings of the Association shall inure to the benefit of or be distributable to any Member, Director or officer or to any other private individual, except that the Association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of its purposes as set forth in the Charter.

ARTICLE NINE

Dissolution

The Association may be dissolved with the written consent of sixty-seven (67%) percent of each class of voting Members. Upon dissolution, other than incident to a merger or consolidation, the assets of the Association shall be dedicated and transferred to a public agency as selected by the Board of Directors to be used for purposes similar to those for which this Association was created. In the event that such a public agency cannot be identified that will accept the assets and use them for such purposes, then the assets shall be dedicated and transferred to any nonprofit corporation, association, trust or other organization as selected by the Board of Directors that shall be, to the extent practicable, devoted to similar purposes.

ARTICLE TEN

Amendments

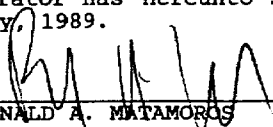
The amendment of these Articles of Incorporation shall require the assent of sixty-seven (67%) percent of the votes for each class of members that may be cast by all of the members of all classes of the Association.

ARTICLE ELEVEN

Incorporator

The name and address of the incorporator are Ronald A. Matamoros, 215 Executive Park Boulevard, Winston-Salem, Forsyth County, North Carolina 27103.

IN WITNESS WHEREOF, the incorporator has hereunto set my hand and seal, this 27th day of February, 1989.



RONALD A. MATAMOROS (SEAL)

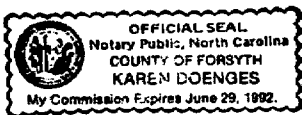
STATE OF NORTH CAROLINA - COUNTY OF FORSYTH :

I, Karen Doenges, a Notary Public of Forsyth County, North Carolina, certify that RONALD A. MATAMOROS personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official stamp this the 27th day of February, 1989.



Notary Public
My Commission Expires: 6/29/92



A: Lochurst/Articles.LLP/kd

PRESENTED FOR
REGISTRATION
AND RECORDED

MAR 8 11 50 AM '89

L.P. SPEAS
REGISTER OF DEEDS
FORSYTH CO., N.C.

\$15.00 pd
KP

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