

NOT FOR PROFIT

ARTICLES OF INCORPORATION  
OF  
SPREAD EAGLE HOME OWNERS ASSOCIATION, INC.

FILED

15 OCT '82

*Mary Ketting*  
-order  
-cert. paid  
by *Legal Secretary* Deputy

The undersigned, a natural person of the age of 21 years or more, acting as an incorporator of a nonprofit corporation under the provisions of Articles 20 to 29 of Title 7, Colorado Revised Statutes, 1973, adopts the following Articles of Incorporation for such corporation:

FIRST: The name of the corporation is SPREAD EAGLE HOME OWNERS ASSOCIATION, INC.

SECOND: The period of its duration is perpetual.

THIRD: The purpose or purposes for which the corporation is organized are to:

1) promote the health, safety and welfare of the residents and property owners of lots or land parcels located in the plats of Spread Eagle Springs and Spread Eagle Pines Filing No. 1, situate in Custer County, State of Colorado and any plats of land filed of record by either the developer of either of the two said plats, the restrictive covenants of which make the owners of lots or land parcels therein members of this corporation [said two plats and any such additional plats are hereinafter referred to as "subdivisions"];

2) maintain roads within the subdivisions which are not part of a county or municipal road system until such time as such roads are accepted by any political subdivision of the State.

3) maintain a domestic water system and acquire supplies of raw water for that purpose for the owners and residents of the subdivisions.

FOURTH: Provisions for the regulation of the internal affairs of the corporation are:

1) Every person who is an owner of a lot or unit in the subdivision shall be a member of the corporation which ownership shall be the sole qualification for membership. When more than one person is the owner of a lot or unit, all such owners shall be members of the corporation. A vendee of any contract covering a lot or unit located in the subdivisions which contract may be specifically enforced is an owner and the vendor of such contract is not an owner. Memberships shall be appurtenant to and may not be separated from ownership of any lot or unit.

2) All members are entitled to one vote for each lot or unit owned by such member, except that members owning a lot or unit in joint ownership with other members shall collectively be entitled to one vote for each lot or unit so owned. The vote or votes of members owning a lot or unit in joint ownership shall be exercised by such owners as they may determine among themselves.

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3) The Board of Directors shall be composed of an uneven number of persons, consisting of not less than 3 nor more than 9 persons, who need not be members of the corporation. The Board of Directors shall be elected annually by the members. Cumulative voting for directors shall be permitted.

4) No part of the revenues or net earnings of the corporation shall insure to the benefit of any member of the corporation.

5) The assets of the corporation upon liquidation following its dissolution shall be distributed and paid to the municipality in which the subdivisions are then located and if there be no municipality then to the said County of Custer.

6) Each lot or unit in the subdivisions shall be subject to an annual assessment in order to obtain funds necessary to carry out the purposes of the corporation.

7) The Board of Directors shall have the sole and exclusive authority to adopt, alter and amend the By-Laws of the corporation. The By-Laws may contain any provision for the regulation and management of the affairs of the corporation not inconsistent with law or these Articles of Incorporation.

8) A majority of the members represented in person or proxy shall constitute a quorum for any properly called membership meeting.

FIFTH: The address of the initial registered office of the corporation is 1010 Chalice Drive, Colorado 81252, and the name of the initial registered agent at such address is Robert C. Nelson.

SIXTH: The number of directors constituting the initial board of directors is three and the names and addresses of the persons who are to serve as the initial directors are:

Robert C. Nelson	1010 Chalice Drive Westcliffe, Colorado 81252
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Ronald L. Albritton	506 Custer County Road 150 Westcliffe, Colorado 81252
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Glenda B. Albritton	506 Custer County Road 150 Westcliffe, Colorado 81252
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SEVENTH: The name and address of the incorporator is:

Robert C. Nelson	1010 Chalice Drive Westcliffe, Colorado 81252
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Robert C. Nelson

STATE OF COLORADO )  
                          ) SS.  
COUNTY OF FREMONT )

I, Roger M. Breyfogle, a notary public, hereby certify that on the 13<sup>th</sup> day of October, 1982, personally appeared before me Robert C. Nelson, who being by me first duly sworn, declared that he is the person who signed the foregoing document as incorporator, and that the statements contained therein are true.

13<sup>th</sup> IN WITNESS WHEREOF, I have hereunto set my hand and seal this day of October, 1982.

My commission expires June 1, 1984.  
Address: 303 North 7th Street  
Canon City, Colorado 81212

Roger M Breyfogle  
Notary Public