

**NOT FOR PROFIT**

COMPUTER UPDATE

FILED  
COLORADO DEPT. OF STATE

00127 A9:54

415600 8278

**ARTICLES OF INCORPORATION**

**OF**

**PARADISE HILLS FILING NO. 6**

**HOMEOWNER'S ASSOCIATION**

In compliance with the requirements of the Colorado Nonprofit Corporation Act, 1973 CRS 7-20-100 through 7-29-106, the undersigned, who is a resident of the State of Colorado and of full age, hereby establishes a corporation not for profit and adopts the following Articles of Incorporation:

**ARTICLE I**

The name of the corporation is Paradise Hills Filing No. 6 Homeowner's Association, hereafter called the "Association."

**ARTICLE II**

The registered office of the Association is located at 1015 North Seventh Street, Grand Junction, Colorado 81501.

**ARTICLE III**

R. D. Emrich, whose address is 1015 North Seventh Street, Grand Junction, Colorado 81501, 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, preservation

**COMPUTER UPDATE COMPLETE**

and architectural control of the residence Lots and Common Property within that certain tract of property described as: all property within the external boundary lines of the subdivision named Paradise Hills Filing No. Six in Mesa County, 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 for this purpose to:

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 of Covenants, Conditions and Restrictions, hereinafter called the "Declaration," applicable to the property and recorded or to be recorded in the office of the Clerk and Recorder of Mesa County, Colorado, and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth at 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, and with the assent of two-thirds 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. dedicate, sell or transfer all or any part of the Common Property 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 each class of members, agreeing to such dedication, sale or transfer;

F. participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and Common Property, provided that any such merger, consolidation or annexation shall have the assent of two-thirds of each class of members;

G. have and to exercise any and all powers, rights and privileges which a corporation organized under the Colorado Nonprofit Corporation Act by law may now or hereafter have or exercise.

## ARTICLE V

### Membership

Every person or entity who 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, 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 may not be separated from ownership of any lot which is subject to assessment by the Association.

## ARTICLE VI

### Voting Rights

The Association shall have two classes of voting membership:

Class A. Class A members shall be all Owners with the exception of the declarant and 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.

Class B. The Class B member(s) shall be the Declarant (as defined in the Declaration), and shall be entitled to three votes for each Lot owned. The Class B membership shall cease

and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

A. when the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership; or

B. on July 1, 1988.

#### ARTICLE VII

##### Board of Directors

The affairs of this Association shall be managed by a Board of three 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 act in the capacity of directors until the selection of their successors are:

R. D. Emrich  
2262 Broadway  
Grand Junction, CO 81501

Glenn Brock  
2229 Stagecoach Road  
Grand Junction, CO 81501

W. R. Bray  
2660 G Road  
Grand Junction, CO 81501

At the first annual meeting the members shall elect one director for a term of one year, one director for a term of two years and one director for a term of three years; and at each annual meeting thereafter the members shall elect one director for a term of three years.

## ARTICLE VIII

### Dissolution

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds of each class of members. 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 nonprofit 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 seventy-five percent of the entire membership.

## ARTICLE XI

### FHA/VA Approval

As long as there is a Class B membership, the following actions will require the prior approval of the Federal Housing Administration or the Veterans Administration: annexation of additional properties, mergers and consolidations,

mortgaging of Common Property, dedication of Common Property,  
dissolution and amendment of these Articles.

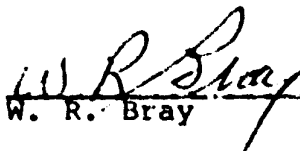
ARTICLE XII

Incorporator

The incorporator of this corporation and his address  
is as follows:

W. R. Bray  
2660 G Road  
Grand Junction, CO 81501

Dated: October 21, 1980

  
W. R. Bray

VERIFICATION

STATE OF COLORADO     )  
                                  )   ss.  
COUNTY OF MESA        )

I, Rowena La Duke, a notary public hereby  
certify that on the 21st day of October, 1980, personally  
appeared before me W. R. Bray, who being by me first duly sworn,  
declared that he was the person who signed the foregoing docu-  
ment as incorporator and that the statements therein contained  
are true. The above incorporator also acknowledged before me  
that he executed the foregoing Articles of Incorporation.

My commission expires: January 15, 1983

  
Notary Public

**STATE OF COLORADO  
STATEMENT OF CHANGE OF REGISTERED OFFICE AND/OR REGISTERED AGENT**

REGISTERED OFFICE  
 AGENT  
 PARADISE HILLS FILING NO. 6  
 HOMEOWNER'S ASSOCIATION  
 1015 NORTH SEVENTH ST.

GRAND JUNCTION, CO 81501

The corporation hereby certifies that the following statement:

The state of incorporation is COLORADO

<input type="checkbox"/> The complete street address of the Corporation's REGISTERED OFFICE is:
<input type="checkbox"/> The name of the Corporation's REGISTERED AGENT is:
JOHN L. BALLACH

The address of the Corporation's Registered office and the address of the Corporation's Registered Agent are changed, will be identical.

The complete street address of the Corporation's principal place of business is: 1015 NORTH SEVENTH STREET, GRAND JUNCTION, CO 81501

STATE OF COLORADO  
 COUNTY OF MESA

W. R. BRAY

Pursuant to the provisions of Title 7, C.R.S. 1973, I

PRESIDENT, PARADISE HILLS FILING NO. 6 HOMEOWNER'S ASSOCIATION, COLORADO  
(Title) (Corporate Name) (State or Country of Incorporation)

corporation, being duly sworn or affirmed, deposes and declares that this statement has been examined by me and to the best of my knowledge and belief true, correct and complete.

Corporate Name PARADISE HILLS FILING NO. 6 HOMEOWNER'S ASSOCIATION  
 By W.R. Bray (Authorized Signature)  
 President  Vice President

described and sworn to before me this 26th day of April, 1982  
 My commission expires December 14, 1982

**COMPUTER UPDATE COMPLETE**

1015 N. 7th Street, Grand Junction, CO 81501  
Notary Public Address

Form DF-1  
 Rev. 1982

**SAGE** SUBMIT THIS STATEMENT WITH PAYMENT TO:  
 CORPORATE REPORT SECTION  
 DEPARTMENT OF STATE  
 P.O. BOX 5861

Filing Fee \$5.00



04042307  
MAIL TO:

Colorado Secretary of State  
Corporations Office  
1575 Sherman St., 2nd Fl.  
Denver, Co. 80203  
(303) 866-2361

for office use only

551875 5-3 84

SUBMIT ONE  
Filing fee \$5.00

**A STATEMENT OF CHANGE OF REGISTERED OFFICE  
OR REGISTERED AGENT, OR BOTH,**

This document must be typewritten.

To the Secretary of State  
of the State of Colorado

Pursuant to the provisions of the Colorado Corporation Act and the Limited Partnership Act of 1981, the undersigned corporation or Limited Partnership organized under the laws of the State of Colorado submits the following statement for the purpose of changing its registered office or its registered agent, or both, in the State of Colorado:

First: The name of the corporation or Limited Partnership is:  
PARADISE HILLS FILING NO 6 HOMEOWNERS ASSOCIATION *GS*

Second: the address of its REGISTERED OFFICE is \_\_\_\_\_  
2693 MAZATLAN DRIVE, GRAND JUNCTION, CO 81501

Third: The name of its REGISTERED AGENT is \_\_\_\_\_  
Judy L. Nevins

Fourth: The address of its registered office and the address of the business office of its registered agent, as changed, will be identical.

Fifth: The address of its place of business in Colorado is 2693 Mazatlan Drive, Grand Junction, CO  
Paradise Hills Filing No. 6 Homeowner's Association (Note 1)

By *Walter R. Jeffers* (Note 2)  
Its *X* President  
Its \_\_\_\_\_ Registered Agent (Note 3)  
Its \_\_\_\_\_ General Partner

Subscribed and sworn to before me this 5th day of December, 1983  
My commission expires January 28, 1984

*John L. Ballagh*  
Notary Public (Note 4)  
1016 N 7th. St., Grand Junction, CO 81501  
Address

- Notes: 1. Exact name of corporation or Limited Partnership making the statement.
- 2. Signature and title of officer signing (for the corporation, must be President or Vice-President; for a Limited Partnership, must be a General Partner).
- 3. Regarding profit corporations: This statement may be executed by the registered agent when it involves only a registered address change. A copy of this statement has been forwarded to the corporation by the registered agent.
- 4. Signatures of Notary Public must be exactly as shown on Notarial Seal, and must agree with notarial commission.

COMPUTER UPDATE COMPANY

1313 1/03/84 5.0104