

**NONPROFIT**

ARTICLES OF INCORPORATION,  
OF  
FRANKLIN PARK WEST HOMEOWNERS ASSOCIATION, INC.

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SOS 06-15-92 08:30

The undersigned, a citizen of the United States, desiring to form a non-profit corporation under the Colorado Non-Profit corporation Act, does hereby certify:

ARTICLE I

The name of the corporation is: FRANKLIN PARK WEST HOMEOWNERS ASSOCIATION, INC., a Colorado Non-Profit corporation, hereinafter called the "Corporation."

ARTICLE II

The registered office of the Corporation is located at: 125 Franklin Avenue Unit 701, Grand Junction, Colorado 81505.

ARTICLE III

KAY BARNES, whose address is 125 Franklin Ave Unit 501, Grand Junction, Colorado 81505, is hereby appointed the initial registered agent of this Corporation.

ARTICLE IV

PURPOSE AND POWERS OF THE CORPORATION

This corporation does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are for maintenance and preservation of the property known as FRANKLIN PARK WEST in the city of Grand Junction, Mesa County, Colorado, and to promote the health, safety and welfare of the residents within said property and any additions thereto as may hereinafter be brought within the jurisdiction of this Corporation for this purpose to :

(a) Exercise all of the powers and privileges and to perform all of the duties and obligations of the Corporation as set forth in that certain Condominium Declaration, hereinafter called the "Declaration," applicable to the property and recorded in the office of the County Clerk and Recorder of Mesa county, Colorado, and as the same may be amended from time to time as herein provided; said Declaration being incorporated herein as if set forth at length;

COMP. CH'D. MRA

COMPUTER UPDATE COMPLETE  
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(b) Fix, levy, collect and enforce payment by any lawful means, lawful means, all charges or assessments pursuant to the terms

of the Declaration; to pay all expenses in connection herewith and all office and other expenses incident to the conduct of the business of the Corporation, including all licenses, taxes or governmental charges levied or imposed against the property of the Corporation;

(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 Corporation.

(d) Borrow money, and with the assent of two-thirds (2/3) of the members to mortgage, pledge, deed in trust, or hypoyhecate any or all of its real 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 purpose and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument signed by two thirds (2/3) of the members, agreeing to such dedication, sale or transfer;

(f) Participate in mergers and consolidations with other non-profit corporations organized for the same purpose or annex additional residential property and Common Area, provided that any such merger, consolidation or annexation shall have the assent of two-thirds(2/3) of the members;

(g) To have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation laws of the State of Colorado by law may now or hereafter have or exercise.

## ARTICLE V

### MEMBERSHIP

Every person or entity who is a record holder of a fee or undivided fee interest in any condominium unit which is subject by covenants or record to assessment by this Corporation, including contract sellers, shall be a member of the Corporation. 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 condominium unit which is subject to assessment by the Corporation.

**ARTICLE VI**

**VOTING RIGHTS**

The Corporation shall have one class of voting membership, and shall be entitled to one (1) vote for each condominium unit owned. When more than one person holds an interest in any unit, all such persons shall be members. The vote for such a unit shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any condominium unit.

**ARTICLE VII**

**BOARD OF DIRECTORS**

The affairs of the Corporation shall be managed by a board of five directors, who need not be members of the Corporation. The number of directors may be changed by amendment of the By-Laws of the Corporation. The names and addresses of the persons who are to act in the capacity of directors until the selection of their successors are:

Kay Barnes	125 Franklin Ave Unit 501 Grand Junction, CO 81505
Micheal Gazdak	2312 North Seville Circle Grand Junction, CO 81501
Michele Thornton	125 Franklin Ave Unit 311 Grand Junction, CO 81505
Glenn Pehl	125 Franklin Ave Unit 507 Grand Junction, CO 81505
Dorothy Wuggazer	125 Franklin Ave Unit 309 Grand Junction, CO 81505

At the first annual meeting, the members shall elect two directors for a term of one year, two directors 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 successors as the above directors' terms expire

**ARTICLE VIII**

**DISSOLUTION**

The Corporation may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of the members. Upon dissolution of the Corporation, other than incident to a merger or consolidation, the assets of the Corporation shall be dedicated to an appropriate public agency to be used for purposes similar to those for which the Corporation 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 seventy-five (75) percent of the entire membership.

IN WITNESS THEREOF, for the purpose of forming this Corporation under the laws of the State of Colorado, I, the undersigned constituting the incorporator of this Corporation have executed the Articles of Incorporation this 4 day of JUNE 1992.

Kay Barnes  
125 Franklin # 501  
Grand Jct, Co 81505  
STATE OF COLORADO

VERIFICATION

) ss.  
COUNTY OF MESA )

I, Betty Stringer, a notary public, hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 1992, personally appeared before me Kay Barnes who being by me first duly sworn, declare that she signed the foregoing document as an incorporator, and that the statements contained therein are true.

Betty Stringer  
Notary Public

My commission expires: May 8, 1993



921059983

SS: Form D1 NP (Rev. 4/92)  
SUBMIT IN DUPLICATE  
Fee: \$50.00

MAIL TO:  
COLORADO SECRETARY OF STATE  
CORPORATIONS OFFICE  
1560 Broadway, Suite 200  
Denver, Colorado 80202  
(303) 894-2251

#6600

THIS DOCUMENT MUST  
BE TYPEWRITTEN

ARTICLES OF INCORPORATION  
OF A COLORADO NONPROFIT CORPORATION

The undersigned person(s) acting as incorporator(s) of a corporation under the Colorado Nonprofit Corporation Act, execute the following Articles of Incorporation for such corporation.

FIRST: The name of the nonprofit corporation is: Franklin Park West Homeowners Association, Inc.

SECOND: The address of the initial registered office of the corporation in Colorado is 125 Franklin Avenue #701,  
Grand Junction, Colorado 81505

(Address must include Building number and suite number, Street [or rural route number], Town or City and Zip code.) and the name of its initial registered agent at such address is Kay Barnes

THIRD: The corporation (will/will not) will have members.

FOURTH: Provisions regarding the distribution of assets on dissolution are:

See attached articles.

FIFTH: The corporation shall have 5 directors who shall serve as the initial board of directors and the name and address of each director is:

NAME OF DIRECTOR	ADDRESS (include zip code)
Kay Barnes	125 Franklin Ave #501, Grand Junction, CO 81505
Michael Gazdak	2312 North Seville Circle, Grand Junction, CO 81501
Michele Thornton	125 Franklin Ave #311, Grand Junction, CO 81505
Glenn Pehl	125 Franklin Ave #507, Grand Junction, CO 81505
Dorothy Wuggazer	125 Franklin Ave #309, Grand Junction, CO 81505

SIXTH: The name and address of each incorporator is:

Kay Barnes 125 Franklin #501, Grand Junction, CO 81505

The signature(s) of each incorporator:

Kay Barnes