

FILED  
IN THE OFFICE OF THE  
SECRETARY OF STATE OF THE  
STATE OF NEVADA

JAN 30 1978

WM. SWACKHAMER - SECRETARY OF STATE

ARTICLES OF INCORPORATION  
OF

*Wm. Swackhamer*  
NO. 449-78

BITTERBRUSH HOMEOWNER'S ASSOCIATION

We, the undersigned, the majority of us being residents of the State of Nevada, do hereby associate ourselves together for the purpose of forming a nonprofit corporation, pursuant to the provisions of Sections 81.010 and 81.160, inclusive, of the Nevada Revised Statutes, and we do hereby make, subscribe, acknowledge, certify and adopt the following Articles of Incorporation:

ARTICLE I

NAME

The name of the corporation is:

BITTERBRUSH HOMEOWNER'S ASSOCIATION

ARTICLE II

PURPOSES

The purposes for which the corporation is formed are:

- (a) Specifically and primarily to provide for maintenance, preservation and architectural control of the condominium project of the real property located in the County of Washoe, State of Nevada, and all structures and improvements thereon as more particularly described and set forth in Exhibit "A" attached hereto.
- (b) Generally:
- (1) To promote the health, safety and welfare of the residents in the above-described condominium project;
  - (2) To exercise all of the powers and privileges and to perform all of the duties and obligations of the corporation arising from any covenants, conditions and restrictions applicable to the above-named property;

(3) To fix, levy, collect and enforce payment by any lawful means to charges or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incidental 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;

(4) 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 corporation;

(5) To borrow money, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(6) To have and to exercise any and all powers, rights and privileges which a corporation organized under the General Nonprofit Corporation Law of the State of Nevada by law may now or hereafter have or exercise; and

(7) To act in the capacity of principal, agent, joint venturer, partner, or otherwise.

(c) Notwithstanding any of the above statements of purposes and powers, the corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purposes of the corporation.

### ARTICLE III

#### LOCATION

The principal office for the transaction of the business of this corporation is to be located at Unit 15, Bitterbrush Condominiums, Incline Village, County of Washoe, State of Nevada. The mailing address will be Post Office Box 3737, Incline Village, Nevada 89450.

ARTICLE IV

INCORPORATORS

The name and post office address of each of the incorporators is:

LINDANN G. FLEIG  
610 Whitehall Way  
Sacramento, California 95825

JAMES McINTYRE  
Post Office Box 3571  
Incline Village, Nevada 89450

GORDON RICHARDSON  
Post Office Box 5278  
Incline Village, Nevada 89450

ARTICLE V

DIRECTORS

The number of directors of the corporation shall be five (5) which number shall constitute the authorized number of directors until changed by amendment of these Articles or by a Bylaw adopted by the members of this corporation. The names and addresses of the persons who are appointed to act as the first directors of this corporation are as follows:

LINDANN G. FLEIG  
610 Whitehall Way  
Sacramento, California 95825

KATHLEEN JOINER  
6901 Calvin Drive  
Citrus Heights, California 95610

GORDON RICHARDSON  
Post Office Box 5278  
Incline Village, Nevada 89450

LAURIE SINCLAIR  
17312 Laurie Drive  
Tustin, California

JEAN TIEDEMAN  
6020 Palm Drive  
Carmichael, California 95608

ARTICLE VI

PERIOD OF EXISTENCE

The term for which this corporation is to exist will not exceed fifty (50) years.

ARTICLE VII

RIGHTS AND PRIVILEGES OF MEMBERS

The authorized number and qualifications of members of the corporation, the different classes of membership, if any, the property, voting, and other rights and privileges of the members, and their liabilities for dues and assessments and the method of collection thereof, shall be set forth in the By-laws or Declaration.

#### ARTICLE VIII

##### NONPROFIT CORPORATION

This corporation shall have no capital stock and is not formed for profit. It is a corporation which does not contemplate the distribution of accumulations, gains, profits or dividends to the members thereof, and is a corporation, no part of the accumulations, gains or profits of which shall be paid or inure to the benefit of any private person, member or individual, and no part of the activities of this corporation shall consist of the carrying on of propaganda or otherwise to influence legislation.

#### ARTICLE IX

##### DISTRIBUTION OF INCOME AND PROHIBITED ACTIVITIES

Notwithstanding any other provisions in these Articles of Incorporation, the corporation shall be subject to the following limitations and restrictions:

(a) The corporation shall distribute its income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by Section 4942 of the Internal Revenue Code of 1954.

(b) The corporation shall not engage in any act of self-dealing as defined in Section 4941(d) of the Internal Revenue Code of 1954.

(c) The corporation shall not retain any excess business holdings as defined in Section 4943(c) of the Internal Revenue Code of 1954.

(d) The corporation shall not make any investments in such manner as to subject it to tax under Section 4944 of

the Internal Revenue Code of 1954.

(e) The corporation shall not make any taxable expenditures as defined in Section 4945(d) of the Internal Revenue Code of 1954.

#### ARTICLE X

##### AMENDMENTS

Amendment of these Articles shall require the assent of the members representing at least seventy-five percent (75%) of the voting interest then entitled to vote as provided in the By-laws.

#### ARTICLE XI

##### GAINS, PROFITS, DISTRIBUTIONS

The property of this corporation is irrevocably dedicated to charitable purposes and no part of the net income or assets of this organization shall ever inure to the benefit of any director, officer, or member thereof or to the benefit of any private persons. Upon the dissolution or winding up of the corporation, its assets, remaining after payment or provision for payment of all its debts and liabilities, shall be distributed to a non-profit fund, foundation or corporation which is organized and operated exclusively for charitable purposes and which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code.

If this corporation holds any assets in trust, or the corporation is formed for charitable purposes, such assets shall be disposed of in such manner as may be directed by decree of the district court of the county in which the corporation has its principal office, upon petition therefor by the Attorney General or by any person concerned in the liquidation, in a proceeding to which the Attorney General is a party.


IN WITNESS WHEREOF, the above-mentioned incorporators have



WHEN RECORDED, RETURN TO:

LAW OFFICES OF STEVEN E. GRUMER  
Post Office Box 6716  
Incline Village, Nevada 89450

OFFICE OF  
WM. D. SWACKHAMER  
SECRETARY OF STATE

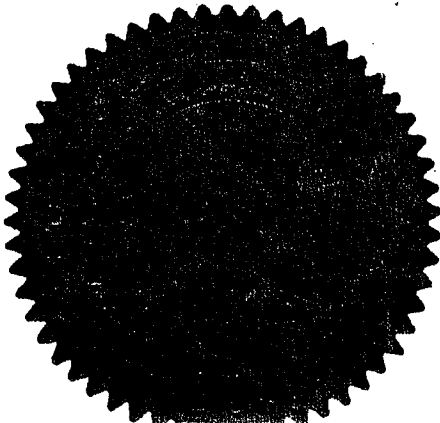
THE STATE OF NEVADA  
  
DEPARTMENT OF STATE

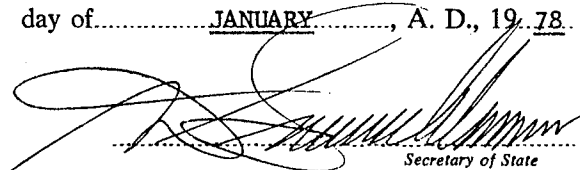
*I, Wm. D. Swackhamer, the duly elected Secretary of State of the State of Nevada, do hereby certify that the annexed is a true, full and correct transcript of the original Articles of Incorporation of*

BITTERBRUSH HOMEOWNER'S ASSOCIATION

*as the same appears on file and of record in this office.*

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office in Carson City, Nevada, this THIRTIETH day of JANUARY, A. D., 19 78.



  
Secretary of State

By.....  
Deputy