

ARTICLES OF INCORPORATION

OF

CHASE PLANTATION FIFTH SECTOR HOMEOWNERS ASSOCIATION

In compliance with the requirements of Chapter 3, Section 10, Code of Alabama 1975, the undersigned, all of whom are residents of Shelby County, Alabama and all of whom are of full age, have this day voluntarily associated themselves together for the purpose of forming a corporation not for profit and do hereby certify:

ARTICLE I

The name of the corporation is Chase Plantation Fifth Sector Homeowners Association, hereafter called the "Association".

ARTICLE II

The principal office of the Association is located at 501 Chase Plantation Parkway, Birmingham, Alabama 35244.

ARTICLE III

Lee J. Saia, whose address is 501 Chase Plantation Parkway, Birmingham, Alabama 35244, 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 and architectural control of the residence Lots and Common Area within that certain tract of property described as:

Lots 1 thru 4, according to the Survey of Chase Plantation, 5th Sector, as recorded in Map Book 11, Page 22 in the Probate Office of Shelby County, Alabama.

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

Lee J. Saia
501 - Chase Plantation Pkwy
Bham. AL 35244

the "Declaration", applicable to the property and recorded or to be recorded in the Office of the Judge of Probate, Shelby County, Alabama 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 (2/3) of the 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 Area 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 (2/3) of the 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 Area, provided that any such merger, consolidation or annexation shall have the assent of two-thirds (2/3) of the members;

(g) have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Alabama 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 one class of voting membership:

Class A. Class A members shall be all Owners, 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 determine, but in no event shall more than one vote be cast with respect to any Lot.

ARTICLE VII

BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of Four (4) Directors, who must 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:

<u>NAME</u>	<u>ADDRESS</u>
Lee J. Saia	501 Chase Plantation Parkway Birmingham, Alabama 35244
Mildred Gorman	504 Chase Plantation Parkway Birmingham, Alabama 35244
Juana York	503 Chase Plantation Parkway Birmingham, Alabama 35244
Magnolia Seagrave	502 Chase Plantation Parkway Birmingham, Alabama 35244

At the first annual meeting the members shall elect two directors for a term of one year, and two directors for a term of two years; and at each annual meeting thereafter the members shall elect directors for a term of three years to replace the directors whose term has expired.

ARTICLE VIII

DISSOLUTION

The Association 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 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 75 percent (75%) of the entire membership.

ARTICLE XI

INCORPORATORS

The name and address of each of the incorporators are as follows:

<u>NAME</u>	<u>ADDRESS</u>
Lee J. Saia	501 Chase Plantation Parkway Birmingham, Alabama 35244
Mildred Gorman	504 Chase Plantation Parkway Birmingham, Alabama 35244
Juana York	503 Chase Plantation Parkway Birmingham, Alabama 35244
Magnolia Seagrave	502 Chase Plantation Parkway Birmingham, Alabama 35244

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Alabama, we, the undersigned, constituting the incorporators of this Association, have executed these Articles of Incorporation this 31st day of March, 1988.

Lee J. Saia
Lee J. Saia

Mildred Gorman
Mildred Gorman

Juana York
Juana York

Magnolia Seagrave
Magnolia Seagrave

STATE OF ALABAMA

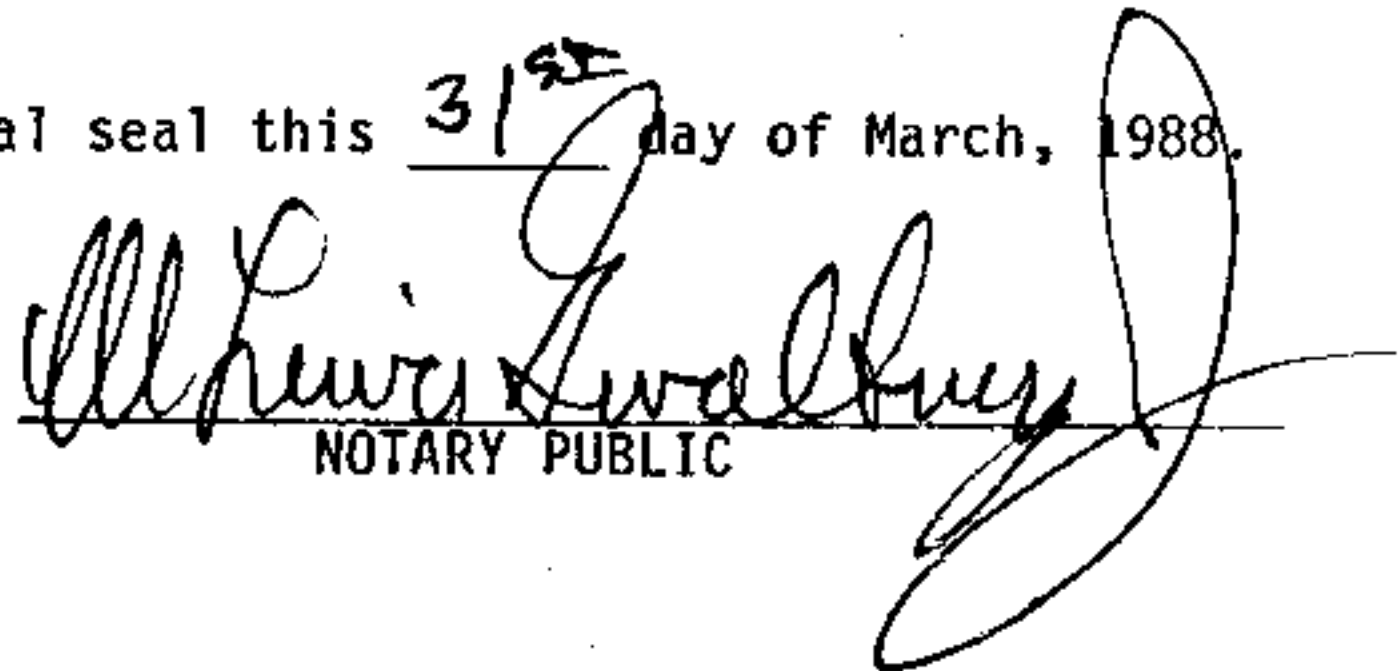
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Lee J. Saia, Mildred Gorman, Juana York, and Magnolia Seagrave, whose names are signed to the foregoing documents, and who are known to me, acknowledged before me on this day, that, being informed of the contents

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of the document they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 31st day of March, 1988.


NOTARY PUBLIC

State of Alabama

SHELBY

County

CERTIFICATE OF INCORPORATION

OF

CHASE PLANTATION FIFTH SECTOR HOMEOWNERS ASSOCIATION

The undersigned, as Judge of Probate of SHELBY County, State of Alabama, hereby certifies that duplicate originals of Articles of INCORPORATION of CHASE PLANTATION FIFTH SECTOR HOMEOWNERS ASSOCIATION, duly signed and verified pursuant to the provisions of Section _____ of the Alabama Business Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY the undersigned, as such Judge of Probate, and by virtue of the authority vested in him by law, hereby issues this Certificate of INCORPORATION of CHASE PLANTATION FIFTH SECTOR HOMEOWNERS ASSOCIATION, and attaches hereto a duplicate original of the Articles of INCORPORATION.

GIVEN Under My Hand and Official Seal on this the 2nd day of

MAY, 19 88.

STATE OF ALA. SHELBY CO.
I CERTIFY THAT
INSTRUMENT WAS FILED

88 MAY -2 AM 10:32

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

Thomas A. Snowden, Jr.
Judge of Probate

Rec 25.00
Jud 1.00
26.00

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