

ARTICLES OF INCORPORATION

OF

WEATHERLY HOMEOWNERS ASSOCIATION, INC.

AN ALABAMA NON-PROFIT CORPORATION

ARTICLE ONE

NAME

The name of the Corporation is Weatherly Homeowners Association, Inc..

Inst # 1992-28249

11/25/1992-28249  
02:22 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
006 MCD 48.00

ARTICLE TWO

DURATION

The term of existence of the Corporation is perpetual.

ARTICLE THREE

PURPOSE AND POWERS OF THE CORPORATION

This Association does not contemplate pecuniary gain or profit to the members, 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:

Weatherly Windsor Sector 5, Lots 118-124, 126, 127, 136-140, as Recorded in Map Book 14, Page 104, Office of the Probate Judge 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 the "Declaration," applicable to the property and recorded or to be recorded in the Office of the Probate Court of 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 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 board of directors;

(g) Have and exercise any and all powers, rights, and privileges that a corporation organized under the Alabama Non-Profit Corporation Act by law may now or hereafter have or exercise.

#### ARTICLE FOUR

##### DIRECTORS

There shall be three members of the initial Board of Directors of the Corporation. The names and addresses of the persons who are to serve as Directors until the first election thereof are as follows:

Name	Address
<u>Steven E. Chambers</u>	<u>1100 Lakeridge Dr.</u> <u>Birmingham, AL 35244</u>
<u>Rose Mary Chambers</u>	<u>448 Sunset Dr.</u> <u>Vestavia Hills, AL 35244</u>
<u>Anita Latham</u>	<u>1845 Chanbury Dr.</u> <u>Pelham, AL 35124</u>

## ARTICLE FIVE

### MEMBERS

The Corporation shall have members. Members of the Corporation will be required to meet the following qualifications: each member shall be the owner of at least one residential lot in Weatherly, Sector 5, as described above, or shall be a member of any subdivision homeowners association which shall merge with Weatherly Homeowners Association, Inc..

## ARTICLE SIX

### ELECTION OF DIRECTORS

The Directors are not to be elected by members of the Corporation. Directors shall be appointed by the then acting directors at the annual meeting of the corporation in accordance with the by-laws of the corporation.

## ARTICLE SEVEN

### CHANGE IN NUMBER OF DIRECTORS

A change in the number of Directors of the Corporation shall be made only be amendment to these Articles of Incorporation.

## ARTICLE EIGHT

### REGISTERED OFFICE AND AGENT

The address of the initial registered office of the Corporation is 1100 Lakeridge Dr., Birmingham, AL 35244. The name of the initial registered agent of the Corporation at such address is Steven E. Chambers.

## ARTICLE NINE

### INCORPORATORS

The name and address of each incorporator of the Corporation is:

Steven E. Chambers

1100 Lakeridge Dr.  
Birmingham, AL 35244

Rose Mary Chambers

448 Sunset Dr.  
Vestavia Hills, AL 35244

Anita Latham

1845 Chanbury Dr.  
Pelham, AL 35124




IN WITNESS WHEREOF, I have subscribed my name this 8 day  
of October, 1992.



Steven E. Chambers, Incorporator

State of Alabama  
Shelby County

On Oct. 8, 1992, before me, a Notary Public in the  
aforesaid State and County, personally appeared the above  
signed, who is known to me to be the person named in and who  
executed the foregoing instrument and who severally acknowledged  
that he executed the same freely.

  
Notary

My commission expires:

MY COMMISSION EXPIRES MAY 18, 1994

  
Rose Mary Chambers, Incorporator

State of Alabama  
Shelby County

On Oct. 8, 1992, before me, a Notary Public in the  
aforesaid State and County, personally appeared the above  
signed, who is known to me to be the person named in and who  
executed the foregoing instrument and who severally acknowledged  
that she executed the same freely.

  
Notary


My commission expires:

MY COMMISSION EXPIRES MAY 18, 1994

  
Anita Latham, Incorporator

State of Alabama  
Shelby County

On Oct. 8, 1992, before me, a Notary Public in the  
aforesaid State and County, personally appeared the above  
signed, who is known to me to be the person named in and who  
executed the foregoing instrument and who severally acknowledged  
that she executed the same freely.

  
Notary

My commission expires:

MY COMMISSION EXPIRES MAY 18, 1994

This instrument was prepared by:  
J. Michael Cooper  
14 Office Park Circle, Suite 105  
Birmingham, Alabama 35223

# State of Alabama

SHELBY

## County

CERTIFICATE OF INCORPORATION

OF

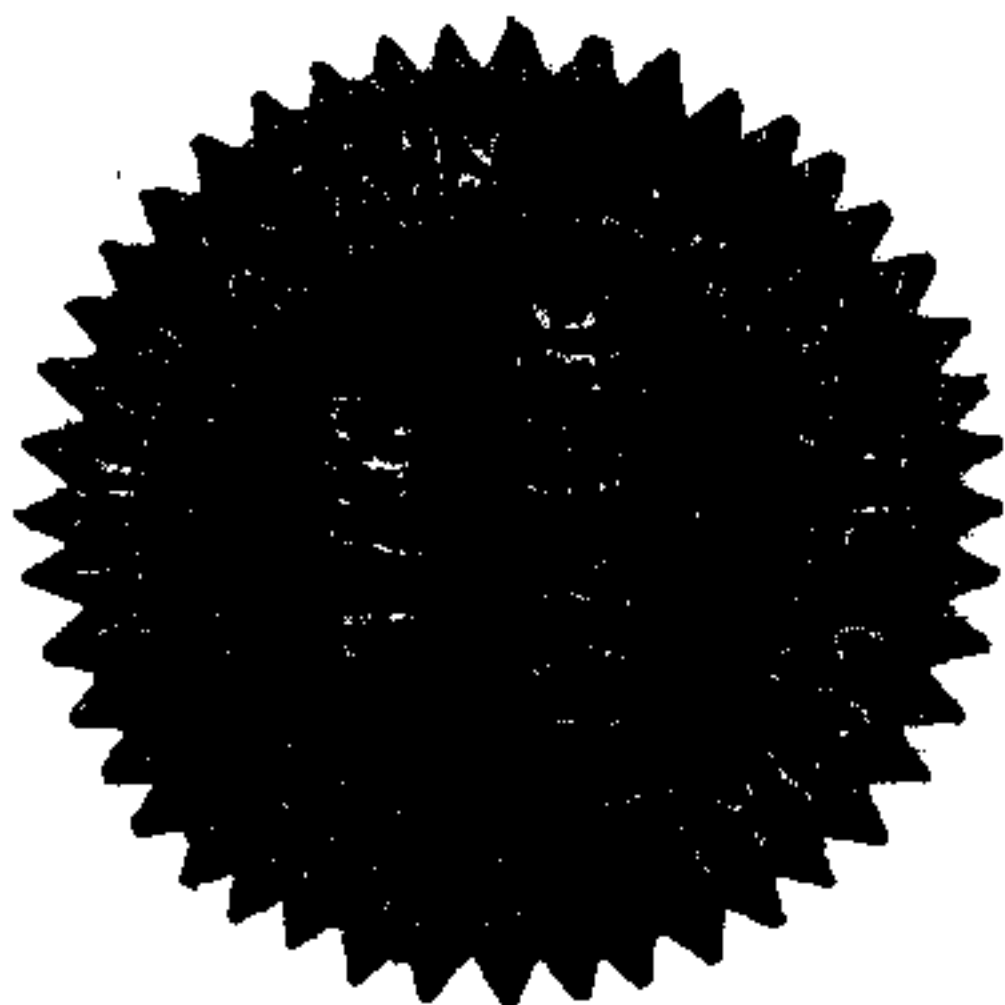
WEATHERLY HOMEOWNERS ASSOCIATION, INC.

The undersigned, as Judge of Probate of SHELBY County, State of Alabama, hereby certifies that duplicate originals of Articles of INCORPORATION of WEATHERLY HOMEOWNERS ASSOCIATION, INC., duly signed and verified pursuant to the provisions of Section NON-PROFIT 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 WEATHERLY HOMEOWNERS ASSOCIATION, INC., and attaches hereto a duplicate original of the Articles of INCORPORATION.

GIVEN Under My Hand and Official Seal on this the 25th day of

NOVEMBER, 19 92.



*Thomas A. Snowden, Jr.*

Judge of Probate

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