

**ARTICLES OF INCORPORATION**  
**OF**  
***QUAIL HOLLOW WEST HOMEOWNERS' ASSOCIATION, LTD.***

In compliance with the requirements of Chapter 55A of the North Carolina General Statutes, the undersigned natural person of full age has this day executed these Articles of Incorporation for the purpose of forming a non-profit, non-stock, membership corporation, and hereby certifies:

***ARTICLE 1: NAME***

The name of the corporation is QUAIL HOLLOW WEST HOMEOWNERS' ASSOCIATION, LTD., hereinafter referred to as the "Association".

***ARTICLE II: REGISTERED OFFICE AND INITIAL AGENT***

The registered office of the Association is located in Mecklenburg County, North Carolina, at One Fairview Plaza, 5950 Fairview Road, Charlotte, North Carolina 28210. The name of the initial registered agent at the above address is Ralph F. Howey.

***ARTICLE III: PURPOSE AND POWERS***

The Association does not contemplate a pecuniary gain or profit to the members thereof, and the specific purpose for which it is formed is to provide an entity for the management, operation and administration of the single-family, residential condominium units and common areas and facilities of Quail Hollow West Condominium created or to be created pursuant to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes), herein referred to as the "Unit Ownership Act", located or to be located upon the following tract of land in the City of Charlotte, Mecklenburg County, North Carolina:

Being all of that property conveyed to Quail Hollow Estates Associates by deed recorded in Book 4244 at page 48 in the Mecklenburg Public Registry.

The powers of the Association shall include, without limiting thereto, the following:

- A. The Association shall have all of the powers, rights and privileges which corporation organized under Chapter 55A of the North Carolina General Statutes by law may now or hereafter have.
- B. The Association shall have all of the powers and duties set forth in the Unit Ownership Act and all of the powers and duties reasonably necessary to operate QUAIL HOLLOW WEST pursuant to the provisions of the DECLARATION, RESTRICTIONS AND COVENANTS OF QUAIL HOLLOW WEST and the Bylaws of this

Association, as the same may be amended from time to time, including without limiting thereto, the following:

1. To fix, levy and collect assessments against the members to defray the common expenses of the condominium;
2. To maintain, repair, replace and operate the condominium property;
3. To purchase insurance upon the condominium property and for the protection of the Association and its members; and to collect and disburse the proceeds of any such insurance policy as Insurance Trustee;
4. To reconstruct improvements after fire or other casualty and to further improve the property;
5. To make and amend reasonable rules and regulations respecting the use of the condominium property;
6. To enforce by legal means the covenants, conditions, restrictions and all other provisions of the DECLARATION, RESTRICTIONS AND COVENANTS OF QUAIL HOLLOW WEST, the By-Laws of this Association and the Rules and Regulations for the use of Condominium Property as the same may be duly amended from time to time;
7. To contract for the maintenance of the condominium and to delegate to contractors such powers and duties with respect thereto as permitted by the By-Laws;
8. To employ personnel to perform the services required for proper operation of the condominium; and
9. To make donations to charitable and tax-exempt organizations as defined under Subsection 501(c)(3) of the Internal Revenue code so long as the same are deductible under Section 170(c) of said Code, as the same may be duly amended from time to time.

#### ***ARTICLE IV: FINANCE***

This corporation is a non-profit, non-stock, membership corporation and all membership assessments and other receipts in excess of expenditures and reserves for future capital expenses shall be applied against future assessments. However, the Board of Directors is authorized but not required to rebate excess membership dues, fees or assessments to the members when the Board determines such to be in the best interest of the Association.' Upon dissolution, the remaining assets of the Association shall be expended for the purposes for which this Association was formed and any remaining balance, if any, shall be contributed to a charitable association as defined in paragraph 9 of ARTICLE III hereof.

#### ***ARTICLE V: MEMBERSHIP AND VOTING RIGHTS***

Membership in the Association shall be confined to and consist of the owners of the single-family, residential condominium units of QUAIL HOLLOW WEST now or hereafter located within the property more particularly described in ARTICLE III

hereof. Membership shall be appurtenant to and inseparable from said unit, ownership.

The total number of votes shall be One Hundred (100), and each owner(s) of each unit shall be entitled to cast the number of votes equal to the percentage ownership in the common areas and facilities appurtenant to his unit, which percentage is expressed in EXHIBIT D to the DECLARATION, RESTRICTIONS AND COVENANTS OF QUAIL HOLLOW WEST as the same may be hereafter amended by "Supplemental Declarations" in the manner set forth in said Declaration.

### **ARTICLE VI: BOARD OF DIRECTORS**

The initial Board of Directors shall consist of three (3) members who shall serve until the first annual membership meeting from and after which time the number of directors shall be fixed by the By-Laws but in no event less than three (3). The names and addresses of the members of the initial Board of Directors are:

<b><u>Name</u></b>	<b><u>Address</u></b>
Ralph F. Howie	One Fairview Plaza 5950 Fairview Rd. Charlotte, N.C. 28210
J. M. Culp	One Fairview Plaza 5950 Fairview Rd. Charlotte, N.C. 28210
Lyn Bond	2100 First Union Plaza Charlotte, N.C. 28282

### **ARTICLE VII: DURATION**

The period of existence of this corporation is unlimited.

### **ARTICLE VIII: AMENDMENTS**

Amendment of these Articles shall require the assent of the members entitled to at least three-fourths ( $\frac{3}{4}$ ) of the entire vote of the membership.

### **ARTICLE IX: INCORPORATOR**

The name and address of the incorporator is as follows:

<b><u>Name</u></b>	<b><u>Address</u></b>
Lyn Bond	2100 First Union Plaza Charlotte, N.C. 28282

IN WITNESS WHEREOF, I, the undersigned incorporator, have hereunto set my hand and seal, this \_\_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
Lyn Bond, Jr. (SEAL)