

COUNTY OF LARIMER

STATE OF COLORADO

EXHIBIT C-1

FILED  
COLO. DEPT. OF STATE

ARTICLES OF INCORPORATION FOR 52184 2302

OF

PARKWOOD EAST FIRST CONDOMINIUM ASSOCIATION

In compliance with the requirements of the Colorado Non-Profit Corporation Act, the undersigned person, acting as incorporator of a corporation, signs and acknowledges the following Articles of Incorporation for such corporation.

ARTICLE I. The name of the corporation is Parkwood East First Condominium Association, hereinafter called the "Association".

ARTICLE II. The initial registered office of the Association is 3000 South College Avenue, Fort Collins, Colorado 80522.

ARTICLE III. Gerald R. Haxton, whose address is 3000 South College Avenue, Fort Collins, Colorado 80522 is hereby appointed the initial registered agent of this Association.

ARTICLE IV: PURPOSES AND POWERS OF THE ASSOCIATION. This Association does not contemplate pecuniary gain or profit to the members thereof, and no part of the Association's net earnings (other than by acquiring, constructing, or providing management, maintenance, and care of Association's property, and other than by rebate of excess membership dues, fees or assessments) shall inure to the benefit of any member or private individual. The specific purposes for which it is formed are to provide for maintenance and preservation of the Common Elements within the certain tract of property described as that part of Tract "A", Parkwood East First Filing No. 20 20 Buildings T and U, in the City of Fort Collins, Larimer County, Colorado, 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, and for the 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 Restrictions, hereinafter called the "Declaration", applicable to the property and recorded or to be recorded in the Office of the Clerk and Recorder of Larimer County, Colorado, 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 licensed, trade 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

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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 fifty (50%) percent or more of the members, mortgage, pledge, encumber by deed of 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 Elements 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 seventy-five (75) of the members, agreeing to such dedication, sale or transfer.

(f) 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 Colorado 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 unit which is subject by covenants of record to assessments 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 unit which is subject to assessment by the Association.

The Board of Directors of the corporation may establish by resolution a classification of associate membership which shall be applicable to tenants of members of the corporation. Associate members shall have no voting rights.

#### ARTICLE VI: VOTING RIGHTS.

The Association shall have one class of voting membership, who shall be owners of Condominium Units in Parkwood East First Condominium, and shall be entitled to one vote for each such Unit owned. When more than one person holds an interest in any such Unit, all such persons shall be members. The vote for each Unit shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any Unit.

#### ARTICLE VII:

So long as the Secretary of Housing and Urban Development has any interest in the Units or the Property the Board of Directors shall obtain the prior written approval of the Secretary before taking any of the following actions:

(1) failing to allocate a minimum amount equal to five (5%) percent of the total annual assessments to the reserve fund for replacements (amount to be approved from time to time by HUD),

(2) making disbursements from the reserve fund for replacements,

(3) annex additional properties, merge or consolidate,

- (4) lease, mortgage, or sell any real or personal property of the corporation,
- (5) execute any management contract,
- (6) dedicate any of its property,
- (7) dissolve the corporation,
- (8) amend the articles and by-laws of the corporation, and
- (9) make any special assessment without having the amount thereof approved by the Secretary of Housing and Urban Development.

**ARTICLE VIII: BOARD OF DIRECTORS**

The affairs of this Association shall be managed by a board of not less than three (3) nor more than five (5) Directors. The number of directors and their terms of office may be changed by amendment of the Bylaws of the Association. The method of electing directors shall be set forth in the Bylaws.

The names and addresses of the persons who are to act in the capacity of Directors until the selection of their successors are:

Earl T. Stafford	3000 South College Avenue Ft. Collins, Colorado
Gerald R. Haxton	3000 South College Avenue Fort Collins, Colorado
R. Robinson	3000 South College Avenue Fort Collins, Colorado

**ARTICLE VIII: DISSOLUTION.**

The Association may be dissolved with the assent given in writing and signed by not less than seventy-five (75%) percent of all the votes of the members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be distributed in equal shares to the record owners of the Condominium Units which are subject by covenants of record to assessment by the Association, on the basis of one share per Unit.

**ARTICLE IX: DURATION.**

The corporation shall exist perpetually.

**ARTICLE X: AMENDMENTS.**

Amendment of these Articles shall require the assent of not less than seventy-five (75%) percent of the entire membership.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws



of the State of Colorado, the undersigned incorporator of this Association has executed these Articles of Incorporation this 20<sup>th</sup> day of August, 1981.

*Gerald R. Horton*  
Gerald R. Horton

STATE OF COLORADO:

COUNTY OF LARIMER:

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of August, 1981, by Gerald R. Horton.

Witness my hand and official seal.

My commission expires 8-21-84

*Clelia A. Hays*  
Notary Public  
3000 S. College Avenue  
Ft. Collins, CO 80502

