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APPR. W. Blackwell  
DATE APR 16 1980  
TERM \_\_\_\_\_  
DATE \_\_\_\_\_ TIME \_\_\_\_\_

ARTICLES OF INCORPORATION

of

MONTE DEL ORO HOME OWNERS ASSOCIATION

504201

*W. Blackwell*

KNOW ALL MEN BY THESE PRESENTS:

That I, the undersigned, being a resident of the State of Arizona, and citizen of the United States, having the purpose of forming a non-profit corporation under and pursuant to the laws of the State of Arizona, do hereby adopt these Articles of Incorporation.

ARTICLE I

The name of the corporation shall be MONTE DEL ORO HOME OWNERS ASSOCIATION and its principal place of business shall be in Tucson, Arizona.

ARTICLE II

The purpose for which this corporation is formed and the general nature of the business to be transacted shall be to maintain common property, if any, and to do all things necessary for the general benefit and welfare of the property owners of Lots 14 through 61 and 67 through 156 in that certain subdivision identified as MONTE DEL ORO, a Subdivision of Pima County, Arizona, as per the Map or Plat

*Superseded by  
Amended Bylaws  
in March 1996*

thereof recorded in the office of the Pima County Recorder, in Book 27 of Maps and Plats at page 99 thereof; to maintain, the standards set forth for deed restrictions, and to enforce the same, if necessary, subject to the provisions therein contained; to create an organization of property owners of said subdivision who may thereby join together for the promotion and protection of their common property interests and the betterment of their living conditions, and to provide necessary funds for the aforesaid objects by means of an annual, monthly or special assessment, or combination thereof, levied against each lot in said subdivision; to borrow money to secure the payment of the same for the foregoing objects and purposes; to expel or suspend members for non-payment of annual assessments and to restore membership to such persons expelled or suspended, and to do all things necessarily incident to the foregoing objects and purposes and to establish and adopt By-Laws and rules and regulations deemed necessary and expedient to carry into effect the objects and purposes heretofore recited in accordance with the laws of the State of Arizona relating to non-profit corporations.

ARTICLE III

The affairs of the corporation shall be conducted by a Board of Directors consisting of not less than three Directors, which said Board shall be annually elected from among the members of the corporation and said Board shall annually elect

1ST AMENDMENT  
INCREASED THIS  
NO. TO SEVEN.

number only!

from its membership a President, Vice-President and Secretary-Treasurer. The Organizational Meeting of the corporation was held on the 8th day of March, 1980, at the hour of 10:00 o'clock A.M., at Tucson, Pima County, State of Arizona, and the following Directors were elected to serve until new Directors are duly elected and qualified:

WENDELL T. DECKER  
5915 North Via Serena  
Tucson, Arizona 85715

JAMES L. JARVISE  
6740 North Leonardo da Vinci Way  
Tucson, Arizona 85704

RANDY K. DECKER  
1307 North Winstel  
Tucson, Arizona 85716

and thereafter, on the 8th day of March, 1980, said Directors met and elected WENDELL T. DECKER as President, RANDY K. DECKER as Vice-President and JAMES L. JARVISE as Secretary-Treasurer. The Directors shall have the power to adopt, amend and rescind the By-Laws, to appoint from their own number an Executive Committee and to vest said Committee with all powers granted the Directors of these Articles. At such time as the corporation is turned over to the control of the homeowners entitled to membership in the corporation, the Board of Directors shall be elected from the membership of the corporation at the annual meeting, to be held on the second Monday in September of each year. Any vacancy occurring on the Board of Directors by reason of death, resignation or disqualification of any such Director shall be

filled by the remaining Directors, such replacement Director to serve until the next annual meeting of the corporation.

ARTICLE IV

The Incorporator of this Corporation shall be:

JAMES L. JARVISE  
6740 North Leonardo da Vinci Way  
Tucson, Arizona 85704

ARTICLE V

The private property of the members, Directors and officers of this corporation shall be forever exempt from its debts and obligations, except as hereinafter set forth.

ARTICLE VI

Ownership of one of the lots among Lots 14 through 61 and 67 through 156 in MONTE DEL ORO shall entitle the owner to membership in the corporation. Membership shall be limited, however, to one owner for each lot. In the event that more than one lot is owned by the same individual, firm, partnership or corporation, that individual, firm, partnership or corporation shall be entitled to as many votes as the number of lots owned. In accordance with the Deed Restrictions of MONTE DEL ORO, all lot owners of the aforesaid lots in said subdivision shall be members of this corporation and said membership shall cease and terminate immediately upon said member conveying away his or her beneficial interest in the lot owned therein.

ARTICLE VII

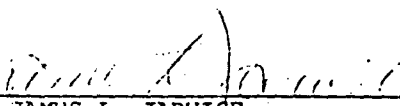
For the purpose of providing the necessary funds for the carrying out of the purposes of this corporation as aforesaid

in Article II, and the necessary operating expenses of this corporation, there shall be levied annually, monthly, or at any other time, an assessment against each lot in said subdivision, the amount of such assessment to be determined by a majority vote of the Board of Directors at its annual or any special meeting. It is further provided that any and all assessments remaining due and unpaid for the calendar year shall become a lien upon the lot against which such assessment was levied, and the Board of Directors is authorized to direct the Secretary of the corporation to compile a list of such lots and the amount of the unpaid assessment levied against each; and to direct any President and Secretary of the corporation to certify such unpaid assessments to the County Recorder of Pima County, State of Arizona, in the month of January following the year in which such assessments were levied and unpaid, and to cause the same to be entered as a lien upon the lot against which the assessment was made, subject to state and county taxes and mortgages of record without further authorization or direction by the Board of Directors. The President and Secretary are authorized to release any such lien upon payment of such delinquent assessment by or on behalf of the owner of the lot or lots against which said assessment was made, and any and all costs or fees payable to the Pima County Recorder shall be paid out of the general fund of the corporation.

ARTICLE VIII

JAMES L. JARVISE, 6740 North Leonardo da Vinci Way, Tucson, Arizona 85704, having been a bona fide resident of Pima County, Arizona, for the last three (3) years, is hereby appointed and made the lawful agent for and on behalf of this corporation, in and for the State of Arizona, to accept and acknowledge service of and upon whom may be served all necessary process in any action, suit or proceeding, which may be had or brought against said corporation in any court in the State of Arizona, such service of process or notice or the acceptance thereof by him thereon endorsed to have the same force and effect as if served upon the President and Secretary of the corporation. This appointment may be revoked at any time by the filing of the appointment of another agent.

IN WITNESS WHEREOF, for the purpose of forming this non-profit corporation as aforesaid, the undersigned Incorporator, JAMES L. JARVISE, of MONTE DEL ORO HOME OWNERS ASSOCIATION, has executed these Articles of Incorporation this 8th day of March, 1980.

  
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JAMES L. JARVISE  
6740 North Leonardo da Vinci Way  
Tucson, Arizona 85704

STATE OF ARIZONA :

ss.

COUNTY OF PIMA :

On this the 5<sup>th</sup> day of March, 1980, before me, the undersigned officer, personally appeared JAMES L. JARVISE, known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Flurence August  
Notary Public

My Commission expires:

May 22, 1981