

# State of North Carolina



Department  
of the  
Secretary of State

To all to whom these presents shall come, Greeting:

I, Thad Eure, *Secretary of State of the State of North Carolina*, do hereby certify the following and hereto attached ( 6 sheets) to be a true copy of

ARTICLES OF INCORPORATION

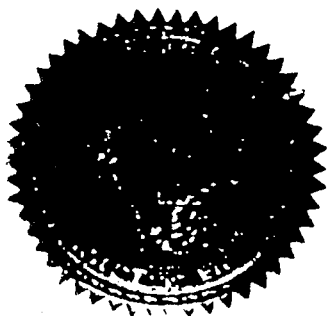
OF

RAVEN RIDGE ASSOCIATION, INC.

and the probates thereon, the original of which was filed in this office on the 9th day of October, 1981, after having been found to conform to law.

In Witness Whereof, I have hereunto set my hand and affixed my official seal.

Done in Office, at Raleigh, this 9th day of October in the year of our Lord 1981.



*Thad Eure*  
Secretary of State

*[Signature]*  
Secretary of State

29723

ARTICLES OF INCORPORATION

OF

RAVEN RIDGE ASSOCIATION, INC.

In compliance with the requirements of North Carolina General Statutes Chapter 55A, the undersigned, all of whom are residents of North Carolina 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 Raven Ridge Association, Inc., hereinafter called the "Association".

ARTICLE II

The principal and registered office of the Association is located on U. S. Highway 19 (P. O. Box 545), Maggie Valley, Haywood County, North Carolina, 28751.

ARTICLE III

Rudolph J. Triana, whose address is U. S. Highway 19 (P. O. Box 545), Maggie Valley, Haywood County, North Carolina, 28751, 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 follows:

In Ivy Hill Township, Haywood County, North Carolina, BEGINNING at a railroad spike in center of pavement of U. S. Highway No. 19 at point of intersection of center of NCSR No. 1208 and center of point of intersection of NCSR No. 1307, and runs with center of NCSR No. 1208, S. 61° 21' E. 155.30 feet to a point; thence S. 27° 31' W. (passing an iron pipe at 24.73 feet and running with fence where said bearing intersects fence approximately 50 feet from aforementioned iron pipe) 647.34 feet to a concrete monument

set in a hickory stump; thence with fence 2 calls as follows: N. 70° 52' 45" W. 302.17 feet to an iron pipe and N. 81° 17' 20" W. 62.23 feet to an iron pipe; thence N. 81° 17' 20" W. 8.77 feet to a point in branch; thence up and with branch 2 calls as follows: N. 27° 32' 36" W. 105.06 feet to an iron pipe and N. 19° 30' W. 89.87 feet to an iron pipe in center of branch; thence N. 84° 00' 30" E. 78.72 feet to an iron pipe; thence N. 22° 23' E. (with fence) 180.47 feet to a 30-inch walnut; thence N. 35° 25' 30" E. (with fence and leaving same and passing an iron pipe at 95.92 feet) 143.90 feet to a nail in center of U. S. Highway No. 19; thence with center of said Highway, N. 79° 25' 45" E. 372.74 feet to the BEGINNING, containing 6.40 acres, as shown on survey and plat dated September 17, 1981, Drawing No. H-62-A, by James R. Davenport & Associates, Inc., R.L.S.

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 the 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 Register of Deeds of Haywood County 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 each class of 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 each class of 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 each class of 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 North Carolina 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 two classes of voting  
memberships

Class A. Class A members shall be all Owners, with the exception of the Declarant, 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.

Class B. The Class B members shall be the Declarant (as defined in the Declaration) and shall be entitled to thirty-four (34) votes, less one (1) vote for each Lot conveyed by the Declarant from the property hereinabove described in Article IV. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

- (a) When the total votes outstanding in the Class A membership equal 75% of the total votes outstanding in the Association; or
- (b) On October 1, 1986.

ARTICLE VII  
BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of five (5) Directors, who need not 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>
C. Ben Ross	Route #2, Box 404 Waynesville, NC 28786
Annie Marie Ross	Route #2, Box 404 Waynesville, NC 28786
Harold W. Ross	Route #2, Box 404 Waynesville, NC 28786
Daryl L. Ross	Route #2, Box 404 Waynesville, NC 28786
Rudolph J. Triana	P. O. Box 543 Maggie, NC 28751

At the first annual meeting the members shall elect two directors for a term of one year, two directors for a term of two years, and one director for a term of three years; and at each annual meeting thereafter the members shall elect directors to fill expired directorships for the terms which are initially set for those directors.

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 each class of 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 to these Articles shall require the assent of seventy-five percent (75%) of the entire membership.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of North Carolina, the undersigned, constituting the incorporator of this Association, has executed these Articles of Incorporation, this 30th day of September, 1981.

s/ C. Ben Ross (SEAL)  
C. Ben Ross

NORTH CAROLINA - Haywood County

I, a Notary Public, do hereby certify that C. Ben Ross personally appeared before me this day and acknowledged the due execution of the foregoing Articles of Incorporation.

WITNESS my hand and notarial seal, this 2nd day of October \_\_\_\_\_, 1981.

s/ Retta R. Ray  
Notary Public

My Commission Expires:

6-10-86

(NOTARIAL SEAL)

Filed for registration 13  
day of October 1981  
2:45 o'clock P M and registered

In office of the Register of Deeds for  
Haywood County, North Carolina.

This 13 day of October 1981

In Book No. 10 on page 793

Charles Howell  
Register of Deeds

of Haywood County

By Jewel M. Justice  
Notary