

# State of Alaska

Department of Commerce and Economic Development

## Certificate

NONPROFIT CORPORATION

The undersigned, as Commissioner of Commerce and Economic Development of the State of Alaska, hereby certifies that duplicate originals of the Articles of Incorporation of

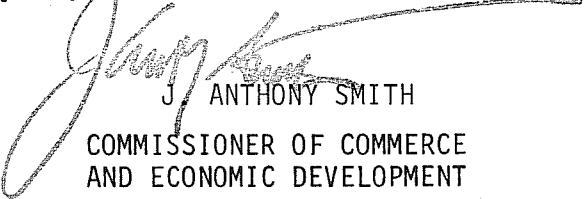
DEEPWOOD III HOMEOWNERS ASSOCIATION, INC.

have been received in this office and are found to conform to law.

ACCORDINGLY, the undersigned, as such Commissioner of Commerce and Economic Development, and by virtue of the authority vested in him by law, hereby issues the Certificate of Incorporation and attaches hereto a duplicate original of the Articles of Incorporation.



IN TESTIMONY WHEREOF, I execute this certificate and affix the Great Seal of the State of Alaska on  
February 26, 1988

  
J ANTHONY SMITH  
COMMISSIONER OF COMMERCE  
AND ECONOMIC DEVELOPMENT

FEB 26 1988

ARTICLES OF INCORPORATION

OF

Department of Commerce and  
Economic Development

DEEPWOOD III HOMEOWNERS  
ASSOCIATION, INC.

We, the undersigned, being natural persons over the age of nineteen (19) years, desiring to form a nonprofit corporation pursuant to Alaska Statute 10.20.005 et seq., do hereby certify as follows:

ARTICLE I

The name of this corporation ("Association" herein) is Deepwood III Homeowners Association, Inc.

ARTICLE II

The purposes for which the corporation is formed are as follows:

1. The specific and primary purpose is to provide an entity for the furtherance of the interest of the owners of the condominium units of Deepwood III Condominium.

2. The general purposes and powers are:

(a) To promote the health, safety and welfare of the residents within said real property.

(b) To exercise all of the powers and privileges and to perform all of the duties and obligations of the Association arising from the Declaration of Covenants applicable to the property described above and the Bylaws of the Deepwood III Homeowners Association, as both may be from time to time amended.

(c) To fix, levy, collect and enforce payment by lawful means, all charges, fines, fees, or assessments pursuant to the terms of the Declaration and Bylaws; to pay all 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.

(d) To have and to exercise any and all powers, rights and privileges which a corporation organized under the nonprofit corporation law of the State of Alaska by law may now

ARTICLES OF INCORPORATION

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or hereafter have or exercise.

(e) To act as agent, trustee, or other representative of other corporations, partners, or individuals and as such to advance the business of ownership interests of such corporations, partnerships, or individuals.

(f) 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;

(g) borrow money, and with the assent of seventy percent (70%) of its members, mortgage, pledge, deed in trust, or hypothecate all or any of its real or personal property as security for money borrowed or debts incurred;

(h) dedicate, sell transfer all or any part of the Common Areas 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 dedicatin or transfer shall be effective unless an instrument has been signed by seventy percent (70%) of the members of the Association, agreeing to such dedication, sale or transfer;

(i) 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 seventy percent (70%) of its members;

The foregoing statements of purposes shall be construed as a statement both of purposes and of powers, and purposes and powers in each clause shall not be limited or restricted by reference to or inference from the terms or provisions of any other clause, but shall be broadly construed as independent purposes and powers, the Association shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purpose of the Association.

### ARTICLE III

The duration of the Association shall be perpetual.

### ARTICLE IV

The Association shall be a nonprofit corporation, without shares of stock. Upon the dissolution or final liquidation of the corporation, the corporation may make distribution to its members as permitted by AS 10.20.010 et. seq., may dedicate the assets to a public body or convey the assets to a nonprofit organization with similar purposes; and no such payment, benefit or distribution may be considered to be a dividend or a distribution of income or profit.

ARTICLE V

The authorized number and qualifications of members of the Association, the property, voting and other rights and privileges of members, and their liability to dues and assessments and the method of collection thereof, shall be as set forth in the Bylaws and Declaration.

ARTICLE VI

The initial registered office of the corporation shall be located at 7006 Gemini Drive, Anchorage, Alaska, 99504.

ARTICLE VII

The initial registered agent of the corporation shall be Russel S. Hathaway, Jr., whose business address is 7006 Gemini Drive, Anchorage, Alaska, 99504.

ARTICLE VIII

The initial Board of Directors shall consist of three persons, and said number may be changed by a duly adopted amendment to the Bylaws, except that in no event may the number of Directors be less than three. The names and addresses of the persons who shall serve as Directors until their successors shall be elected and qualified are as follows:

Stewart Nibeck	Russel S. Hathaway, Jr.	Timothy Frye
6920 Gemini Dr.	7006 Gemini Dr.	6910 Gemini Dr.
Anchorage, AK 99504	Anchorage, AK 99504	Anchorage, AK 99504

ARTICLE IX

The names and addresses of the incorporators are as follows:

Russel S. Hathaway	Debra Jean Boyer	Connie Johnson
7006 Gemini Drive	6908 Gemini Dr.	6918 Gemini Dr.

ARTICLES OF INCORPORATION

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Anchorage, AK 99504 Anchorage, AK 99504 Anchorage, AK 99504

ARTICLE X

There are no nonresident aliens or corporations whose place of incorporation is outside the United States, affiliated herewith.

ARTICLE XI

Amendment of these Articles shall require the assent of at least 70% of all Unit Owners of all Units in Deepwood III condominium as shown in the Declaration.

IN WITNESS WHEREOF, the undersigned incorporators have hereunto set their hands and seals this 23 day of February, 1988.

*[Handwritten signatures: Russel S. Hathaway, Jr., Norma Jean Boyer, Bonnie J. ...]*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF ALASKA )  
                          ) ss.  
THIRD JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on this 23rd day of February, 1988, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Russel S. Hathaway, Jr. known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed it as his free and voluntary act and deed for the uses and purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last hereinabove written.

*[Signature]*  
\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires: 10-14-88  
*[Notary Seal: PUBLIC NOTARY STATE OF ALASKA]*

STATE OF ALASKA )  
                          ) ss.  
THIRD JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on this 22<sup>nd</sup> day of February, 1988, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Debra Jean Boyer, known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that she executed it as her free and voluntary act and deed for the uses and purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last hereinabove written.

Mary M. Pukata  
Notary Public in and for Alaska  
My Commission Expires: 8/3/90

STATE OF ALASKA                    )  
  ) ss.  
THIRD JUDICIAL DISTRICT        )

THIS IS TO CERTIFY that on this 23<sup>rd</sup> day of February, 1988, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Connie Johnson, known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that she executed it as her free and voluntary act and deed for the uses and purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last hereinabove written.

Mary M. Pukata  
Notary Public in and for Alaska  
My Commission Expires: 8/3/90

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# State of Alaska



Department of Commerce and Economic Development

## Certificate

The undersigned, as Commissioner of Commerce and Economic Development, of the State of Alaska, hereby certifies that duplicate originals of the Articles of Incorporation of DEEPWOOD III HOMEOWNERS ASSOCIATION, INC.

duly signed and verified pursuant to the provisions of the Alaska Nonprofit Corporation Act, have been received in this office and are found to conform to law.

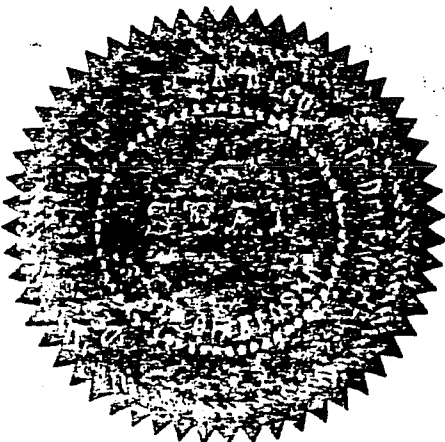
ACCORDINGLY the undersigned, as such Commissioner of Commerce and Economic Development, and by virtue of the authority vested in him by law hereby issues this Certificate of Incorporation of

DEEPWOOD III HOMEOWNERS ASSOCIATION, INC.

and attaches hereto a duplicate original of the Articles of Incorporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at Juneau, the Capital, this

12th day of May A.D. 1977



Handwritten signature of H. Phillip Hubbard.

H. PHILLIP HUBBARD  
COMMISSIONER OF COMMERCE  
AND ECONOMIC DEVELOPMENT

FILED FOR RECORD  
STATE OF ALASKA

MAY 12 1977

DEPARTMENT OF COMMERCE  
& ECONOMIC DEVELOPMENT

ARTICLES OF INCORPORATION

OF

DEEPWOOD III HOMEOWNERS ASSOCIATION



ARTICLES OF INCORPORATION

OF

DEEPWOOD III HOMEOWNERS ASSOCIATION

In compliance with the requirements of Alaska Statutes, Chapter 10.20, the undersigned, all of whom are residents of the State of Alaska 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 DEEPWOOD III HOMEOWNERS ASSOCIATION, INC. hereafter called the "Association".

ARTICLE II

The Association is located at Gemini Drive, Anchorage, Alaska.

ARTICLE III

The initial registered agent and registered office of this Association are:

C/T Management Services Corporation  
2906 Iris Drive  
Anchorage, Alaska 99502

mailing address:

P. O. Box 4-747  
Anchorage, Alaska 99509

FILED FOR RECORD  
STATE OF ALASKA

MAY 12 1977

DEPARTMENT OF COMMERCE  
& ECONOMIC DEVELOPMENT

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 units and Common Area within that certain tract of property described as:

Tract "C", Block 4, of Century Village Subdivision No. 1, being a re-subdivision of Lots 1 through 5, Block 4, Century Village Subdivision Unit No. 1, according to the official map and plat thereof, No. 72-163, on file in the Anchorage Recording District, Third Judicial District, State of Alaska.

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 in the Anchorage Recording District, Third Judicial District, State of Alaska, and as the same may be amended from 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, of 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 seventy percent (70%) of its 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 seventy percent (70%) of the members of the Association, 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 seventy percent (70%) of its 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 Alaska, 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 residential unit or apartment 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 residential unit or apartment which is subject to assessment by the Association.