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Elaine F. Marshall  
North Carolina Secretary of State  
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**State of North Carolina  
Department of the Secretary of State**

**ARTICLES OF INCORPORATION  
OF  
BOLING TOWNES HOMEOWNERS ASSOCIATION, INC.**

**A NORTH CAROLINA NONPROFIT CORPORATION**

Pursuant to § 55A-2-02 of the General Statutes of North Carolina, the undersigned corporation does hereby submit these Articles of Incorporation for the purpose of forming a nonprofit corporation.

**ARTICLE I  
NAME**

The name of the Corporation is BOLING TOWNES HOMEOWNERS ASSOCIATION, INC., hereinafter called the "Association."

**ARTICLE II  
NONPROFIT CORPORATION**

The Association is a nonprofit corporation duly incorporated and organized pursuant to Chapter 55A of the General Statutes of North Carolina.

**ARTICLE III  
INITIAL REGISTERED OFFICE**

The street address, mailing address and county of the initial registered office of the Association is: 5520 McNeeley Drive, #303, Raleigh, NC 27612, Wake County.

**ARTICLE IV  
INITIAL REGISTERED AGENT**

The name of the initial registered agent is Waheed Haq.

**ARTICLE V**  
**PRINCIPAL OFFICE**

The street address and mailing address of the principal office of the Association is 5520 McNeeley Drive, #303, Raleigh, NC 27612, Wake County.

**ARTICLE VI**  
**INCORPORATOR**

The name and address of the incorporator is Waheed Haq, 4109 Henry J. Menninger Wynd, Raleigh, NC 27612.

**ARTICLE VII**  
**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, beautification and harmony of properties within that certain tract of property described as the Boling Townes Subdivision, and as depicted in the plat thereof recorded in Plat Book 70 Page 392-393 of the Johnston County Registry, and as more particularly described in the Declaration of Covenants, Conditions and Restrictions for Boling Townhomes, recorded in the Johnston County Registry and to promote the health, safety, and welfare of the occupants within the above described property and; accordingly to perform each of the following:

(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 for Boling Townes Community, recorded in the Johnston County Registry in the Office of the Register of Deeds (hereinafter, "Declaration"), and as the same may be amended from time to time as therein provided, said Declaration being incorporated as if fully set forth herein;

(b) Fix, levy, collect and enforce payment by any lawful means, all charges or assessments; 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;

(c) Have and to exercise any and all powers, rights, and privileges which a corporation organized under the Nonprofit Corporation Act of the State of North Carolina by law may now or hereafter have or exercise.

This corporation is organized and shall be operated exclusively as a property owners association and not for profit. No part of the earnings of this corporation or the funds contributed by any person or corporation shall inure to the benefit of any director, officer, or Member of the corporation, or any private individual (other than by acquiring, constructing, or providing management, maintenance, and care of the Association property, and other than by a rebate of excess membership dues, fees, or assessments), except that reasonable compensation may be paid for services rendered to or for the corporation affecting one or more of its purposes.

In order to properly prosecute the objects and purposes set forth herein, this corporation shall have all the powers vested in corporations by the laws of the State of North Carolina, Chapter 55A, and other laws relating to corporations which may appear in the General Statutes of North Carolina, together with all amendments thereto, past and future, which powers shall include, but shall not be limited by nor shall such powers be deemed as exclusive of other powers vested in the corporation, the foregoing powers stated above.

#### **ARTICLE VIII** **MEMBERSHIP**

The Association shall have members as provided in Article III of the Declaration. Concurrently with and as an incident to ownership of a Lot, each owner automatically shall become a "Member" of the Association, and by accepting a deed conveying to such Owner title to a Lot, each Lot Owner consents to becoming a Member of the Association. Membership in the Association shall be appurtenant to ownership and no incidence of such membership may be severed from such ownership or otherwise held separately therefrom. Immediately and automatically upon any person ceasing to be a Lot Owner, the membership of such Person in the Association shall also immediately and automatically terminate. Provided, however, such

termination shall not, to any extent, extinguish, relieve or reduce any accrued liabilities or obligations of the former Member to the Association, or impair any rights, remedies or recourse which the Association or any other Member has with respect to the former Member.

### **ARTICLE IX** **VOTING RIGHTS**

Voting rights in the Association shall be governed by Article III of the Declaration. When a Lot is owned by more than one Member, all such Members collectively shall be considered as a single member for purposes of voting, and they may cast one vote per Lot in such manner as they may determine between or among themselves, except that in no event shall such votes with respect to such jointly owned Lot be split or cast separately.

### **ARTICLE X** **BOARD OF DIRECTORS**

The affairs of this Association shall be managed by a Board of Directors. The initial Board of Directors shall be comprised of Waheed Haq and Siraj Chohan. Following the initial term of such aforesaid directors, the number of members of the first Board of Directors of the Association shall be not less than three (3), nor more than nine (9) who do not necessarily need to be members of the Association all as provided in Article V of the Bylaws.

### **ARTICLE XI** **DURATION AND DISOLUTION**

The corporation shall exist perpetually. 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 non-profit corporation, association, trust, or other organization to be devoted to such similar purposes.

**ARTICLE XII**  
**AMENDMENTS**

Amendment to these Articles shall require the assent of sixty seven percent (67%) of the total Lots entitled to vote at a duly called meeting of the Association at which a quorum is present and approves the change.

This the 21st day of February, 2008.

  
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Waheed Haq, INCORPORATOR