

## ARTICLES OF INCORPORATION

of

### **Sierra Heights Homeowners' Association, Inc.**

I, the undersigned, natural person of the age of twenty-one (21) years or more, do hereby submit these Articles of Incorporation for the purpose of forming a nonprofit corporation under the laws of the State of North Carolina, as contained in Chapter 55A of the General Statutes of North Carolina entitled "Nonprofit Corporation Act," and to that end do hereby set forth:

1. The name of the corporation is **Sierra Heights Homeowners' Association, Inc.**
2. The address of the initial registered office of the corporation in the State of North Carolina is 4065 Powhatan Road, Clayton, North Carolina 27520, Johnston County; and the name of its initial registered agent is Julian R. Stewart.
3. The name and address of the incorporator is Julian R. Stewart at 4065 Powhatan Road, Clayton, NC 27520, Johnston County, North Carolina.
4. The street address and mailing address of the principal office of the corporation is 4065 Powhatan Road, PO Box 369, Clayton, NC 27550, Johnston County, North Carolina.
5. The corporation will have members with such designations, rights, powers, and privileges as provided in the bylaws.
6. Upon dissolution of the corporation, the assets thereof shall, after all liabilities and obligations of the corporation have been paid, or adequate provision made therefore, be distributed as set forth in the bylaws.
7. The purpose for which the corporation is organized is to operate and manage the Sierra Heights Homeowners' Association in compliance with the Bylaws and Covenants for the

subdivision located in Johnston County, North Carolina.

8. The corporation shall be authorized to do all things necessary or convenient to carry out its affairs, including without limitation, the following powers:

- a. To sue and be sued, complain and defend in its corporate name;
- b. To make and amend bylaws not inconsistent with its articles of incorporation or with the laws of this State, for regulating and managing the affairs of the corporation;
- c. To purchase, receive, lease, or otherwise acquire, and own, hold, improve, use, and otherwise deal with, real or personal property, or any legal or equitable interest in property, wherever located;
- d. To sell, convey, mortgage, pledge, lease, exchange, and otherwise dispose of all or any part of its property;
- e. To make contracts and guarantees, incur liabilities, borrow money, issue its notes, bonds, and other obligations, and secure any of its obligations by mortgage or pledge of any of its property, franchises, or income;
- f. To conduct its affairs, locate offices, and exercise the powers granted by law within or without this State;
- g. To elect or appoint directors, officers, employees, and agents of the corporation, define their duties, and fix their compensation;
- h. To make donations for the public welfare or for charitable, religious, cultural, scientific, or educational purposes, and to make payments or donations not inconsistent with law for other purposes that further the corporate interest;
- i. To impose dues, assessments, admission and transfer fees upon its members;

j. To establish conditions for admission of members, admit members and issue memberships;

9. The number of directors constituting the initial board of directors shall be determined at the initial meeting of the corporation.

10. To the fullest extent permitted by the North Carolina Nonprofit Corporation Act as it exists or may hereafter be amended, no person who is serving or who has served as a director of the corporation shall be personally liable for monetary damages for breach of any duty as a director. No amendment or repeal of this article, nor the adoption of any other amendment to these Articles of Incorporation inconsistent with this article, shall eliminate or reduce the protection granted herein with respect to any matter that occurred prior to such amendment, repeal, or adoption.

IN TESTIMONY WHEREOF, I, the said Incorporator, has hereunto set my hand and seal this the 11<sup>th</sup> day of February, 2008.

 \_\_\_\_\_ (SEAL)  
Julian R. Stewart, Incorporator

NORTH CAROLINA  
JOHNSTON COUNTY

This is to certify that on the 11 day of Feb., 2008, before me, a Notary Public, personally appeared Julian R. Stewart, who I am satisfied is the person named in, and who executed the foregoing Articles of Incorporation and I, having first made known to him/her the contents thereof, he/she did severally acknowledge that he/she signed and delivered the same as his/her voluntary act and deed for the purposes and uses therein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notary Seal, this the 11<sup>th</sup> day of Feb. 2008.

Cristen H Scarborough  
Notary Public

My commission expires: 03.26.2011

