

FILED

30 JUN '78

ARTICLES OF INCORPORATION  
OF  
PIER POINT VILLAGE 2 HOMEOWNERS ASSOCIATION, INC.  
STATE OF COLORADO  
DEPT. OF STATE

In compliance with the requirements of the Colorado Nonprofit Corporation Act, cited as Articles 20 to 29, inclusive, of Title VII, Colorado Revised Statutes 1973, the undersigned, all of whom are residents of the State of Colorado, of full age, have and hereby acknowledge their intent to form a corporate entity under and by virtue of said law.

ARTICLE I  
NAME

The name of the corporation is Pier Point Village 2 Homeowners Association, Inc., hereafter called the "Association."

ARTICLE II  
PRINCIPAL OFFICE

The principal and registered office of the Association is located at 6671 South Broadway, Littleton, Colorado 80121.

ARTICLE III  
INITIAL REGISTERED AGENT

James W. Shelton, whose address is 6671 South Broadway, Littleton, Colorado 80121, 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 control of the residence lots and the Village 2 Common Area within that certain tract of property described as:

Pier Point Village 2, as shown on that certain plat known as "Pier Point Subdivision Filing No. 7, a resubdivision of Lot 1, Block 2, Pier Point Subdivision Filing No. 1," a part of the West 1/2 of the Southwest 1/4 of Section 6, Township 5 South, Range 66 West of the 6th P.M., City of Aurora, Arapahoe County, Colorado. The plats are

filed for record in the offices of the County Clerk and Recorder of Arapahoe County, Colorado, as follows:

Pier Point Subdivision Filing No. 1, recorded on the 17th day of January 1974, in Book 25 at Pages 86 and 87, as Reception No. 1402705;

Pier Point Subdivision Filing No. 7, recorded on the 12th day of June 1978, in Book 34 at Page 90, as Reception No. 1743902;

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 the 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 for Pier Point Village 2, hereinafter called the "Declaration," applicable to the property and filed for record with the Clerk and Recorder of Arapahoe County, Colorado, on the 22nd day of June 1978, at Reception No. 1747534, 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 of each class of members, 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 Village 2 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 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 Village 2 Common Area, provided that any such merger, consolidation, or annexation shall have the assent of two-thirds of each class of members; and

(g) have and to exercise any and all powers, rights, and privileges which a corporation organized under the Nonprofit Corporation Law of the State of Colorado 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 membership:

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 among themselves determine, but in no event shall more than one vote be cast with respect to any Lot.

Class B: The Class B member(s) shall be the Declarant (as defined in the Declaration), and shall be entitled to three votes for each Lot owned. 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 the total votes outstanding in the Class B membership (upon the conveyance of 75% of the units); or

(b) On December 31, 1980.

ARTICLE VII  
BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of from three to seven directors, who need not be members of the Association. The number of directors may be changed by amendment of the Bylaws of the Association. The names and addresses of three persons who are to initially act in the capacity of directors until the selection of their successors are:

<u>NAME</u>	<u>ADDRESS</u>
James W. Shelton	6671 South Broadway Littleton, Colorado 80121
Donald G. Schaffer	6671 South Broadway Littleton, Colorado 80121
William L. Skufca	6671 South Broadway Littleton, Colorado 80121

The remaining four directors shall be selected at a time not later than the date on which 75% of the Lots have been sold by the Declarant.

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 three directors for a term of three years; and at each annual meeting thereafter the members shall elect two directors or three directors, as the case may be, for a term of three years to replace the outgoing directors.

ARTICLE VIII  
MERGER, CONSOLIDATION, OR DISSOLUTION

The Association may be merged, consolidated, or dissolved with the assent given in writing and signed by not less than two-thirds of each class of members in the manner provided by the Colorado Nonprofit Corporation Act, being Article 20, Title VII, Colorado Revised Statutes 1973, as from time to time amended. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets, both real and personal, 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 of these Articles shall require the assent of 75% of the entire membership.

ARTICLE XI  
FHA/VA APPROVAL

As long as there is a Class B membership, the following actions will require the prior approval of the Federal Housing Administration or the Veterans Administration: annexation of additional properties, mergers, and consolidations, mortgaging of Village 2 Common Area, dedication of Village 2 Common Area, dissolution, and amendment of these Articles.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Colorado, we the undersigned, constituting the incorporators of this Council, have executed these Articles of Incorporation this 30<sup>th</sup> day of June 1978.

  
James W. Smelton

  
Donald G. Schaffer

  
William L. Skufca

STATE OF COLORADO                    )  
  ) SS.  
CITY AND COUNTY OF DENVER        )

The foregoing instrument was acknowledged before me this  
30<sup>th</sup> day of June 1978, by James W. Shelton, Donald G. Schaffer  
and William A. Skutera.

WITNESS my hand and official seal.

My commission expires: May 13, 1981

Mary S. Janik  
Notary Public

(SEAL)

COLORADO DEPARTMENT OF STATE

STATEMENT OF

CHANGE IN REGISTERED OFFICE AND/OR REGISTERED AGENT

CORPORATE I.D. NUMBER  
F 09 038281

FOR OFFICE USE ONLY

**A** NAME OF NEW REGISTERED AGENT  
A. S. YARR

**B** ADDRESS OF NEW REGISTERED OFFICE  
PAPER SLIDE  
Pier Point Village 2 Emmonet's Assoc., Inc.  
EMMETT ADDRESS  
3669 S. Alchison Way  
DENVER CO 80214

**C** COUNTY OF INCORPORATION  
Colorado

**D** I HEREBY CERTIFY THAT COLORADO LAW REQUIRES THAT THE CORPORATIONS REGISTERED OFFICE AND THE BUSINESS ADDRESS OF THE CORPORATION IS REGISTERED AGENT, AS CHANGED, MUST BE IDENTICAL

COMPLETE THIS FORM ONLY WHEN THE AGENT NAME AND/OR ADDRESS IN BOX G ARE TO BE CHANGED FOR THE CORPORATION NAMED IN THAT BOX IN THE STATE OF COLORADO

THE EXACT CORPORATE NAME OF THE REGISTERED OFFICE AND CURRENT REGISTERED AGENT

**E** DECLARATION AND NOTIFICATION

I, James W. Shelton STATE Colorado COUNTY Arapahoe

DECLARE TO THE PROVISIONS OF TITLE 106, CHAPTER 10, ARTICLE 10, SECTION 10-10-101, C.R.S. THAT THIS STATEMENT IS TRUE, COMPLETE AND CORRECT

DATE OF SIGNATURE TO BE FORWARDED TO THE COMMISSIONER'S OFFICE ON 6/6/82

SIGNATURE OF AGENT James W. Shelton

DATE OF SIGNATURE TO BE FORWARDED TO THE COMMISSIONER'S OFFICE ON 6/6/82

SIGNATURE OF AGENT James W. Shelton

COMMISSIONER'S OFFICE DATE COMPLETE 6/6/82

JAMES W. SHELTON  
AGENT FOR  
PIER POINT VILLAGE 2 IMMONE OWNER  
ASSOCIATION, INC.  
6671 S. BROADWAY  
LITTLETON, CO 80121

DO NOT ALTER THIS INFORMATION

MAIL TO  
COLORADO DEPARTMENT OF STATE  
P.O. BOX 5851  
DENVER, CO 80217

DN14221

STATE OF COLORADO  
STATEMENT OF CHANGE OF REGISTERED OFFICE AND/OR REGISTERED AGENT

PLEASE TYPE OR PRINT CLEARLY . . . . . PLEASE READ INSTRUCTIONS ON REVERSE SIDE

1 The exact Corporate Name, current Registered Office & current Registered Agent are DNO 350937

FOR OFFICE USE ONLY  
FILED

881909 4218

The Corporation named herein makes the following statement:

2 The State or Country of Incorporation is Colorado

3 The complete street address of the Corporation's REGISTERED OFFICE shall be changed to: \_\_\_\_\_  
4 The name of the Corporation's SUCCESSOR REGISTERED AGENT IS:  
Randall J. Omasta

5 The address of the Corporation's Registered Office and the address of the Corporation's Registered Agent, as changed, will be identical

6 The complete street address of the Corporation's principal place of business in Colorado is:

3869 So. Arapahoe Way, Aurora, CO 80014

"Address" means street name and number, city or town, and United States post office zip code designation. If by reason of rural location or otherwise, a street name shall not exist, other appropriate "address" fixing as nearly as possible the actual physical location may be substituted, but in all such exceptional cases the rural free delivery route, the county, and the United States post office zip code designation shall be included.

IMPORTANT! PLEASE READ CAREFULLY!  
If you are a not-for-profit corporation or a limited partnership, this form must be notarized. If you are a business (profit) corporation, no notarization is required.

STATE OF COLORADO  
COUNTY OF ARAPAHOE

\_\_\_\_\_  
By Steven Pustertin (Note 2)  
Its \_\_\_\_\_ President

Subscribed and sworn to before me this 15th day of July, 1986  
My commission expires 08/27/88

Annie Wood  
Notary Public  
3000 S. Peoria St., Aurora, Colorado 80014

Notes: 1. Exact name of corporation making the statement.  
2. Signature and title of officer signing (for the corporation, must be president or vice president).



**STATE OF COLORADO  
STATEMENT OF CHANGE OF REGISTERED OFFICE AND/OR REGISTERED AGENT**

PLEASE TYPE OR PRINT CLEARLY . . . . . PLEASE READ INSTRUCTIONS ON REVERSE SIDE

1 The exact Corporate Name, current Registered Office & current Registered Agent are: ALL J. MUSTA

FOR OFFICE USE ONLY

**MAY 24 1988**

PIER POINT VILLAGE 5 HOMEOWNERS ASSOCIATION, INC.  
3869 S. ATCHISON WAY

AURORA CO

80014

2014-88 10111  
8810-100 8111

**FILING FEE \$10.00**

The Corporation named herein makes the following statement

2 The State - Country of incorporation is: COLORADO

3 The complete street address of the Corporation's REGISTERED OFFICE shall be changed to:

3869 SOUTH ATCHISON WAY, AURORA, CO 80014

4 The name of the Corporation's SUCCESSOR REGISTERED AGENT IS:

ANITA SCHMECKPEPER

5 The address of the Corporation's Registered Office and the address of the Corporation's Registered Agent, as changed, will be identical.

6 The complete street address of the Corporation's principal place of business in Colorado is:

3869 S. ATCHISON WAY, AURORA CO 80014

"Address" means street name and number, city or town, and United States post office zip code designation. If by reason of rural location or otherwise, a street name shall not exist, other appropriate "address" listing as nearly as possible the actual physical location may be substituted, but in all such exceptional cases the rural free delivery route, the county, and the United States post office zip code designation shall be included.

**IMPORTANT! PLEASE READ CAREFULLY!**  
If you are a not-for-profit corporation or a limited liability company, this form shall be notarized. If you are a business (profit) corporation, no notarization is required.

STATE OF COLORADO

COUNTY OF ARAPAHOE

PIER POINT VILLAGE 5 HOMEOWNERS ASSOCIATION, INC. (Note 1)

By Gary L. Peterson (Note 2)

Its  President  
Its \_\_\_\_\_ Registered Agent (Note 3)  
Its \_\_\_\_\_ Authorized Agent (Foreign Corporations Only)

Subscribed and sworn to before me this 19th day of MAY 1988.  
My commission expires 6-1-91.



**COMPUTER UPDATE COMPLETE**

- Notes:
- Exact name of corporation listing.
  - Regarding profit corporations: This statement may be executed by the registered agent when it involves only a registered address change. A copy of this statement has been forwarded to the corporation by the registered agent.
  - Signature and title of officer signing for the corporation must be president or vice president. FOR A FOREIGN CORPORATION, WITHOUT SUCH OFFICERS, THE AUTHORIZED AGENT.
  - Signature of notary public must be exactly as shown on notarial seal, and must agree with notarial commission.

Rob H. [Signature]  
Notary Public, State of Colorado  
3000 S. Pearl Street, Aurora, CO 80014

**STATE OF COLORADO  
STATEMENT OF CHANGE OF REGISTERED OFFICE AND/OR REGISTERED AGENT**

PLEASE TYPE OR PRINT CLEARLY . . . . . PLEASE READ INSTRUCTIONS ON REVERSE SIDE

1 The exact Corporate Name, current Registered Office & current Registered Agent are: ANITA SCHMECKPEPER  
AGENT USA - COO  
NEAR POINT VILLAGE 7 MEMBERS  
ASSOCIATION, INC.  
2001 S. JOHNSON WAY

CA 033017

FOR OFFICE USE ONLY

JUN 24 1988

80014

07-01-88 16:14  
681071860

**FILING FEE \$10.00**

The Corporation named herein makes the following statement:

2 The State or Country of incorporation is: COLORADO

3 The complete street address of the Corporation's REGISTERED OFFICE shall be changed to:  
3869 SOUTH ATCHISON WAY, AURORA, CO 80014

4 The name of the Corporation's SUCCESSION REGISTERED AGENT IS:  
ANITA SCHMECKPEPER

5 The address of the Corporation's Registered Office and the address of the Corporation's Registered Agent, as changed, will be identical

6 The complete street address of the Corporation's principal place of business in Colorado is:

3869 SOUTH ATCHISON WAY, AURORA, CO 80014

"Address" means street name and number, city or town, and United States post office zip code designation. If by reason of rural location or otherwise, a street name shall not exist, other appropriate "address" listing as nearly as possible the actual physical location may be substituted, but in all such exceptional cases the rural free delivery route, the county, and the United States post office zip code designation shall be included.

**IMPORTANT! PLEASE READ CAREFULLY!**  
If you are a not-for-profit corporation or a limited partnership, this form must be notarized. If you are a business (profit) corporation, no notarization is required.

STATE OF COLORADO  
COUNTY OF ARAPAHOE

By Judith A. Reilly (Note 2)  
Is  President  
Is \_\_\_\_\_ Registered Agent (Note 3)  
Is \_\_\_\_\_ Authorized Agent (Foreign Corporations Only)

Subscribed and sworn to before me this 23<sup>rd</sup> day of May 1988  
My commission expires April 16, 1992

Dioree K. Ristow  
Notary Public (Note 4)

- COMPUTER UPDATE COMPLETE**
- Notes: 1. Exact name of corporation must be stated.  
2. Regarding profit corporations: This statement may be executed by the registered agent when he/she is only a registered address change. A copy of this statement has been forwarded to the corporation by the registered agent.  
3. Signatures and title of officer signing for the corporation must be president or vice president. **FOR A FOREIGN CORPORATION WITHOUT SUCH OFFICERS, THE AUTHORIZED AGENT.**  
4. Signature of notary public must be exactly as shown on notarial seal, and must agree with notarial commission.

BB- Form DP1  
Rev. 1988

SUBMIT THIS STATEMENT WITH PAYMENT TO:  
CORPORATE REPORT SECTION  
DEPARTMENT OF STATE

Filing Fee \$10.00