

# ***Michigan Department of Consumer and Industry Services***

## ***Filing Endorsement***

***This is to Certify that the ARTICLES OF INCORPORATION – NONPROFIT***

***for***

***HUNTER'S CREEK CONDOMINIUM ASSOCIATION***

***ID NUMBER: 764996***

***received by facsimile transmission on March 30, 2000 is hereby endorsed***

***Filed on March 30, 2000 by the Administrator.***

***The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.***

***In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 30th day of March, 2000.***



***, Director***

***Corporation, Securities and Land Development Bureau***

***Sent by Facsimile Transmission 12756***

|                                                                                                                                                                                                                                                                      |       |                       |                       |  |  |                                   |  |  |      |       |     |                           |  |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-----------------------|-----------------------|--|--|-----------------------------------|--|--|------|-------|-----|---------------------------|--|--|
| MICHIGAN DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES - CORPORATION, SECURITIES & LAND DEVELOPMENT BUREAU                                                                                                                                                            |       |                       |                       |  |  |                                   |  |  |      |       |     |                           |  |  |
| Date Received                                                                                                                                                                                                                                                        |       | (FOR BUREAU USE ONLY) |                       |  |  |                                   |  |  |      |       |     |                           |  |  |
|                                                                                                                                                                                                                                                                      |       |                       |                       |  |  |                                   |  |  |      |       |     |                           |  |  |
| <table border="1"> <tr> <td colspan="3">Name<br/>John M. Novak</td> </tr> <tr> <td colspan="3">Address<br/>425 W. Michigan Avenue</td> </tr> <tr> <td>City</td> <td>State</td> <td>Zip</td> </tr> <tr> <td colspan="3">Kalamazoo, Michigan 49007</td> </tr> </table> |       |                       | Name<br>John M. Novak |  |  | Address<br>425 W. Michigan Avenue |  |  | City | State | Zip | Kalamazoo, Michigan 49007 |  |  |
| Name<br>John M. Novak                                                                                                                                                                                                                                                |       |                       |                       |  |  |                                   |  |  |      |       |     |                           |  |  |
| Address<br>425 W. Michigan Avenue                                                                                                                                                                                                                                    |       |                       |                       |  |  |                                   |  |  |      |       |     |                           |  |  |
| City                                                                                                                                                                                                                                                                 | State | Zip                   |                       |  |  |                                   |  |  |      |       |     |                           |  |  |
| Kalamazoo, Michigan 49007                                                                                                                                                                                                                                            |       |                       |                       |  |  |                                   |  |  |      |       |     |                           |  |  |
| EFFECTIVE DATE:                                                                                                                                                                                                                                                      |       |                       |                       |  |  |                                   |  |  |      |       |     |                           |  |  |

Document will be returned to the name and address you enter above.

**ARTICLES OF INCORPORATION**  
 For use by Domestic Nonprofit Corporations  
 (Please read information and instructions on last page)

These Articles of Incorporation are signed and acknowledged by the incorporators for the purpose of forming a non-profit corporation under the provisions of Act No. 162 of the Public Acts of 1982, as follows:

ARTICLE I

The name of the corporation is: **HUNTER'S CREEK CONDOMINIUM ASSOCIATION.**

ARTICLE II

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

- (a) To manage and administer the affairs of and to maintain **Hunter's Creek**, a condominium (hereinafter called the "Condominium");
- (b) To levy and collect assessments against and from the members of the corporation and to use the proceeds thereof for the purposes of the corporation;
- (c) To carry insurance and to collect and allocate the proceeds thereof;
- (d) To rebuild improvements after casualty;
- (e) To contract for and employ persons, firms, or corporations to assist in the management, operation, maintenance and administration of said Condominium;
- (f) To make and enforce reasonable regulations concerning the use and enjoyment of said Condominium;

- (g) To own, maintain and improve, and to buy, sell, convey, assign, mortgage or lease (as Landlord or Tenant) any real and personal property, including, but not limited to any unit in the Condominium or any other real property, whether or not contiguous to the Condominium; for the purpose of providing benefit to the members of the corporation and in furtherance of any of the purposes of the corporation;
- (h) To borrow money and issue evidence of indebtedness in furtherance of any or all of the objects of its business; to secure the same by mortgage, pledge or other lien;
- (i) To enforce the provisions of the Master Deed and Bylaws of the Condominium and of these Articles of Incorporation and such Bylaws and Rules and Regulations of this Corporation as may hereafter be adopted;
- (j) To do anything required of or permitted to it as Administrator of said Condominium by the Condominium Master Deed or Bylaws or by Act No. 59 of Public Acts of 1978, as from time to time amended;
- (k) In general, to enter into any kind of activity; to make and perform any contract and to exercise all powers necessary, incidental or convenient to the administration, management, maintenance, repair, replacement and operation of said Condominium and to the accomplishment of any of the purposes thereof.

### ARTICLE III

Location of the first registered office is:

192 VanBruggen Street  
Galesburg, Michigan 49053

### ARTICLE IV

The name of the first resident agent is:

Donald F. Watts

### ARTICLE V

The corporation is organized upon a membership basis.

The amount of assets which said corporation possesses is:

|                    |      |
|--------------------|------|
| Real Property:     | None |
| Personal Property: | None |

Said corporation is to be financed under the following general plan:

Assessment of Members

#### ARTICLE VI

The names and places of business of each of the incorporators are as follows:

|                 |                                                    |
|-----------------|----------------------------------------------------|
| Donald F. Watts | 192 VanBruggen Street<br>Galesburg, Michigan 49053 |
| Joyce Watts     | 192 VanBruggen Street<br>Galesburg, Michigan 49053 |
| Joy Watts       | 192 VanBruggen Street<br>Galesburg, Michigan 49053 |

#### ARTICLE VII

The names and addresses of the first Board of Directors are as follows:

|                 |                                                    |
|-----------------|----------------------------------------------------|
| Donald F. Watts | 192 VanBruggen Street<br>Galesburg, Michigan 49053 |
| Joyce Watts     | 192 VanBruggen Street<br>Galesburg, Michigan 49053 |
| Joy Watts       | 192 VanBruggen Street<br>Galesburg, Michigan 49053 |

#### ARTICLE VIII

A volunteer director of the corporation shall not be personally liable to the corporation or its members for monetary damages for a breach of the volunteer director's fiduciary duty, except for liability for any of the following:

- (a) A breach of the volunteer director's duty of loyalty to the corporation or its members;
- (b) Acts or omissions not in good faith or that involve intentional misconduct or a knowing violation of law;
- (c) A violation of Section 551(l) of the Michigan Nonprofit Corporation Act;
- (d) A transaction from which the volunteer director derived an improper personal benefit;
- (e) An act or omission occurring as of the date of adoption of these Articles of Incorporation;
- (f) An act or omission that is grossly negligent.

For purposes of this Article, "volunteer director" means a director who does not receive anything of value from the corporation for serving as a director other than reasonable per diem compensation and reimbursement for actual, reasonable, and necessary expenses incurred by a director in his or her capacity as a director.

Any repeal, modification or adoption of any provision in these Articles of Incorporation inconsistent with this Article shall not adversely affect any right or protection of a volunteer director of the corporation existing at the time of such repeal, modification or adoption.

#### ARTICLE IX

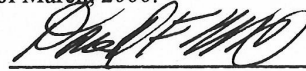
The term of the corporate existence is perpetual.

#### ARTICLE X

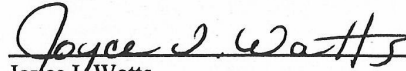
The corporation is organized on a membership basis. The qualifications of members, the manner of their admission to the corporation, the termination of membership, and voting by such members shall be as follows:

- (a) Each co-owner (including the Developer) of a unit in the Condominium shall be a member of the corporation, and no other person or entity shall be entitled to membership; except that the subscribers hereto shall be members of the corporation until such time as their membership shall terminate, as hereinafter provided.
- (b) Membership in the corporation (except with respect to any non-co-owner incorporators, who shall cease to be members upon the qualification for membership of any co-owner) shall be established by acquisition of fee simple title to a unit in the Condominium and by recording with the Register of Deeds in the County where the Condominium is located, a deed or other instrument establishing a change of record title to such unit and the furnishing of evidence of same satisfactory to the corporation (except that the Developer of the Condominium shall become a member immediately upon establishment of the Condominium) the new co-owner thereby becoming a member of the corporation, and the membership of the prior co-owner thereby being terminated.
- (c) The share of a member in the funds and assets of the corporation cannot be assigned, pledged, encumbered or transferred in any manner except as an appurtenance to his unit in the Condominium.
- (d) Voting by members shall be in accordance with the provisions of the Bylaws of this corporation.

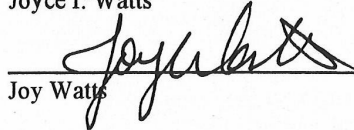
We, the incorporators, sign our names this 30th day of March, 2000.



Donald F. Watts



Joyce I. Watts



Joy Watts

Document Prepared by  
and when filed return to:  
John M. Novak  
MILLER, JOHNSON, SNELL & CUMMISKEY, P.L.C.  
425 West Michigan Avenue  
Kalamazoo, Michigan 49007