

**ARTICLES OF INCORPORATION  
OF  
DUNBARTON HOMEOWNERS ASSOCIATION, INC.**

The undersigned natural person of the age of eighteen (18) years or more, does hereby make and acknowledge these Articles of Incorporation for the purpose of forming a non-profit corporation under and by virtue of the laws of the State of North Carolina as contained in Chapter 55-A of the General Statutes of North Carolina entitled "Non-Profit Corporation Act" and the several amendments thereto, and to that end does hereby set forth:

**ARTICLE I**

The name of the corporation is Dunbarton Homeowners Association, Inc.

**ARTICLE II**

The period of duration of the corporation shall be perpetual.

**ARTICLE III**

The purpose or purposes for which the corporation is organized are:

- A. To promote the health, safety and welfare of the owners and residents of that property encompassed within the outer perimeter of that land shown on the plat entitled Phase I of Dunbarton, dated April 1974, and containing approximately 13.5 acres located on the north side of Dunbarton Circle and of the owners and residents of such additional properties as may hereinafter be brought within the jurisdiction of this corporation by annexation as provided in Article V herein, all of such land being hereinafter referred to as the "Properties."
- B. To provide for the preservation of the values and amenities in the Properties.
- C. To own, acquire, build, operate and maintain on the Properties recreation facilities, playgrounds, open spaces and other common facilities for the benefit of the residents of the Properties.
- D. To promote fellowship and friendship among its members and to provide an area to hold meetings and social gatherings for the better realization of such purposes.
- E. To provide a forum for the expression of ideas and plans with regard to the improvement of social, recreational and general living conditions in the Properties and to take steps toward the fulfillment of said ideas and plans.
- F. To purchase, lease or otherwise acquire and hold, own, use, operate and sell or otherwise dispose of real and personal property necessary for the implementation and full enjoyment of the purposes herein enumerated.
- F. To acquire and receive revenue for its operation, primarily from but not limited to membership fees, dues, charges and assessments from the members of the corporation.

- H. In general, to have, exercise and carry on any activity which may seem to the corporation capable of being conveniently carried on or exercised in connection with the above or which may seem to be calculated directly or indirectly to further the purposes of the corporation and not forbidden by the laws of the State of North Carolina.
- I. No part of the net earnings of the corporation shall inure to the benefit of any officer, director or member of the corporation, and upon dissolution of the corporation, the assets thereof shall, after all of its liabilities and obligations have been discharged or adequate provisions made therefor, be distributed to any association or associations organized for the purposes similar to those set forth above. No substantial part of the activities of the corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the corporation shall not participate in or intervene in any political campaign on behalf of any candidate for public office.

#### **ARTICLE IV**

The corporation is to have no capital stock. Membership (including classes thereof) and the method for election of directors shall be as provided for in the Bylaws.

#### **ARTICLE V**

Additions to the Properties described in Article III may be made only in accordance with the provisions of the recorded covenants and restrictions applicable to said Properties. Such additions, when properly made under the applicable covenants, shall extend the jurisdiction, functions, duties and membership of this corporation to such Properties. Where the applicable covenants require that certain additions be approved by this corporation, the approval must have the assent of two thirds (2/3) of the vote of each class of members who are voting in person or by proxy at a meeting duly called for this purpose, written notice of which shall be mailed to all members at least thirty (30) days in advance, and shall set forth the purpose of the meeting.

#### **ARTICLE VI**

The address of the initial registered office of the corporation is 208 Foster Street, Durham, Durham County, North Carolina, and the name of the initial registered agent at such address is Fred J. Herndon.

#### **ARTICLE VII**

The number of directors constituting the initial board of directors shall be (3), and the names and addresses of the persons who are to serve as directors until the first meeting of the members of the corporation or until their successors are elected and qualified:

|                         |  |
|-------------------------|--|
| Frank A. Ward           | 600 South Duke Street, Durham, N. C. 27701 |
| Marshall T. Spears, Jr. | 433 W. Main Street, Durham N. C. 27702     |
| Fred J. Herndon         | 208 Foster Street, Durham, N. C. 27701     |

#### **ARTICLE VIII**

The name and address of the incorporator is:

Marshall T. Spears, Jr. 433 W. Main Street, Durham, N. C. 27702