

NONPROFIT

ARTICLES OF INCORPORATION OF 19991221029 C
THE SUMMIT VIEW ASSOCIATION, INC 65.00
SECRETARY OF STATE
11-24-1999 10:24:05

In compliance with the requirements of the Colorado Revised Nonprofit Corporation Act, Articles 121 through 137 of Title VII, Colorado Revised Statutes, as amended, the undersigned incorporator hereby acknowledges his intent to form a nonprofit corporation under and by virtue of said statute.

ARTICLE 1. NAME

The name of the corporation is The Summit View Association, Inc. (the "Association").

ARTICLE 2. PERIOD OF DURATION

The Association shall exist in perpetuity from and after the date of filing of these Articles of Incorporation with the Colorado Secretary of State, unless dissolved according to Colorado law.

ARTICLE 3. PURPOSES OF THE ASSOCIATION

The Association does not contemplate pecuniary gain or profit of the members thereof. The primary purposes for which the Association is formed are (a) to provide for the operation, administration, use, and maintenance of property within the Summit View Subdivision, as more fully described in that certain Declaration of Covenants, Conditions, Restrictions and Easements recorded on October 1, 1999 in the office of the Clerk and Recorder of Weld County, Colorado, as amended or supplemented from time to time (the "Declaration"); (b) to preserve, protect, and enhance the values and amenities of such property; and (c) to promote the health, safety, and welfare of members of the Association.

ARTICLE 4. DEFINITIONS

Unless otherwise specified, capitalized terms used in these Articles of Incorporation shall have the same meanings as such terms have in the Declaration.

ARTICLE 5. POWERS

In furtherance of the purposes stated above, the Association shall have and may exercise all of the rights, powers, privileges, and immunities now or subsequently conferred upon nonprofit corporations organized under the laws of the State of Colorado, by the Colorado Common Interest Ownership Act (if applicable), or granted under the Declaration.

ARTICLE 6. MEMBERS

The Association shall have voting members and the qualifications and rights of those members shall be as set forth in the Declaration.

ARTICLE 7. LIMITATION OF LIABILITY

No member of the Board of Directors of the Association shall have any liability to the Association or to its members for monetary damages for breach of fiduciary duty as a director, except to the extent such exemption from liability is not permitted under the Colorado Revised Nonprofit Corporation Act. Any repeal or modification of the foregoing sentence shall not adversely affect any right or protection of a director in respect of any act or omission occurring prior to such repeal or modification.

No member of the Board of Directors, or officer of the Association shall be personally liable for any injury to person(s) or property arising out of a tort committed by an employee except to the extent such exemption from liability is not permitted under the Colorado Revised Nonprofit Corporation Act.

ARTICLE 8. INDEMNIFICATION

The Association shall provide indemnification either directly or indirectly through insurance policies or otherwise, to the fullest extent permitted by law, for any individual who serves as a member of the Board of Directors, officer, employee, fiduciary or agent of the Association against liabilities and expenses asserted against or incurred by such individual in connection with holding such position. Such indemnification shall not extend, in any event, to any act or omission occurring prior to the date of incorporation of the Association.

Whenever such an individual seeks indemnification by the Association against any liability or expenses incurred in any threatened, pending or completed proceeding in which the individual is a party because he or she holds or has held any such position, the Association shall proceed diligently and in good faith to make a determination, in the manner permitted in the Colorado Revised Nonprofit Corporation Act, whether indemnification is permissible in the circumstances. If indemnification is determined to be permissible, the Association shall indemnify the individual to the fullest extent permissible, provided that any indemnification for expenses shall be limited to the amount found reasonable by an evaluation conducted in a manner permitted by the Colorado Revised Nonprofit Corporation Act.

This Article shall not be interpreted to limit in any manner any indemnification the Association may be required to pay pursuant to the Colorado Revised Nonprofit Corporation Act, any court order, or any contract, resolution or other commitment which is legally valid.

ARTICLE 9. DISSOLUTION

Upon dissolution or final liquidation other than by merger or consolidation, the assets of the corporation shall be distributed to the members in the same proportion as provided for payment of the Common Expenses as set forth in the Declaration.


ARTICLE 10. REGISTERED OFFICE, REGISTERED AGENT, AND INITIAL PRINCIPAL OFFICE

The initial registered office of the Association is 1333 W. 120th Avenue, Suite 222, Westminster, Colorado 80234. The initial registered agent at such office is Everett Pfeiff.

The address of the initial principal office of the Association is 1333 W. 120th Avenue, Suite 222, Westminster, Colorado 80234.

ARTICLE 11. CONSENT TO APPOINTMENT AS INITIAL REGISTERED AGENT

I, the undersigned, hereby consent to my appointment as initial registered agent of the Association as designated in Article 10 of these Articles of Incorporation.



Everett Pfeiff


ARTICLE 12. INITIAL BOARD OF DIRECTORS

The initial Board of Directors shall consist of one person. The name and address of that person is listed as follows:

<u>Name</u>	<u>Address</u>
Everett Pfeiff	1333 W. 120 th Avenue Suite 222 Westminster, Colorado 80234

ARTICLE 13. INCORPORATOR

The name and address of the incorporator is Richard C. Jennings, at Ballard Spahr Andrews & Ingersoll, LLP, 1225 17th Street, Suite 2300, Denver, Colorado 80202. The incorporator is a natural person of the age of eighteen (18) years or more.



Richard C. Jennings
Ballard Spahr Andrews & Ingersoll, LLP
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