

350503

ARTICLES OF INCORPORATION  
OF  
SLACK POINT RANCH HOMEOWNERS ASSOCIATION, INC.  
A Montana Non-Profit Corporation

STATE OF MONTANA  
FILED

NOV 10 1997

SECRETARY OF STATE

**KNOW ALL MEN BY THESE PRESENTS:**

The undersigned does hereby execute the within Articles for the purpose of uniting for the mutual benefit, protection, improvement and association of persons owning or interested in the preservation, enhancement, common useage and development of that real property described on Exhibit "A" attached hereto and any other real or personal property subsequently transferred or conveyed to the corporation.

**ARTICLE I.**

The name of the corporation is:

**SLACK POINT RANCH HOMEOWNERS ASSOCIATION, INC.**

**ARTICLE II.**

Its duration shall be perpetual from and after the issuance of the Certificate of Incorporation by the Secretary of State of the State of Montana.

**ARTICLE III.**

The purposes for which this Association is formed are:

1. The specific and primary purpose for which the Association is formed is:

(a) To provide the maintenance, preservation and development of common areas, recreational facilities and access roadways, boat ramps and docks contained within that certain real property located in the County of Lake, State of Montana, more particularly described as follows:

See Exhibit "A" attached hereto and by this reference made a part hereof as though fully set forth at this place.

2. The general purposes and powers are:

(a) To exercise all of the powers and privileges and to perform all other duties and obligations of the association arising from the protective covenants or any other declaration of covenants, conditions or restrictions applicable to the above-described property;

(b) To fix, levy, collect, and enforce payments by any lawful means, all charges or assessments pursuant to terms of the covenants; to pay all expenses in connection therewith and all office and other business expenses incident to the conduct of the business of the Association

including all licenses, taxes or governmental charges levied or imposed against the property to the Association;

(c) To have and to exercise any and all powers, rights, and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Montana by law may now or hereafter have or exercise;

(d) To 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; and

(e) To borrow money, mortgage, pledge or otherwise hypothecate any or all of its real or personal property as security for money borrowed or debts incurred.

The foregoing statement of purposes shall be construed as a statement both of purposes and of powers, and purposes and powers in each clause shall be in no wise limited or restricted by reference but shall be broadly construed as independent purposes and powers. The corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purposes of the Association.

#### ARTICLE IV.

All lot owners will be members of the Association. The authorized number and qualifications of members of the Association, the property, voting and other rights and privileges of members, and their liability to dues and assessments and the method of collection thereof shall be as set forth in the By-Laws of this Association as are in effect from time to time and the covenants placed upon the property above-described.

#### ARTICLE V.

The affairs of this Association shall be managed by a board of directors as set forth in the Bylaws. The directors of this Association need not be members of this Association. The number of directors may be changed by amendment to the By-Laws of this Association but shall not be reduced to less than three (3).

#### ARTICLE VI.

The principal office of the corporation shall be located at: #5 Eagle Drive, Polson, Montana 59860, and its mailing address shall be P.O. Box 129, Polson, Montana 59860. The initial registered agent shall be Dennis Duty of the same addresses.

#### ARTICLE VII.

Amendment to these Articles of Incorporation shall be made in conformance with Section 35-2-201 et. seq. M.C.A.

ARTICLE VIII.

This Association is one which does not contemplate pecuniary gain or profit to the members thereof and it is organized solely for non-profit purposes. Upon the winding up and dissolution of this Association, after paying or adequately providing for the debts and obligations of the Association, the remaining assets shall be distributed to a nonprofit fund, foundation or corporation, which is organized and operated exclusively for charitable, educational, and/or scientific purposes and which has established its tax-exempt status under Section 501(c)(3) of the Internal Revenue Code. If the Association holds any assets in trust, such assets shall be disposed of in such manner as may be directed by decree of the District Court of the county in which the Association's principal office is located, upon petition therefore by the Attorney General or by any person concerned in the litigation.

ARTICLE IX.

The name and address of the incorporator is Dennis Duty, P.O. Box 129, Polson, MT 59860.

IN WITNESS WHEREOF the undersigned has executed these articles of Incorporation this 1 day of Aug, 1997

Dennis R. Duty  
Dennis Duty, Incorporator and Director

STATE OF MONTANA     )  
  :SS.  
County of Lake         )

On this 1 day of Aug, 1997, before me the undersigned, a Notary Public for the State of Montana, personally appeared **Dennis Duty**, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

J. Rene Korte  
Notary Public for the State of Montana  
Residing at Polson  
My commission expires 7/6/98

EXHIBIT "A"

Lots 1 through 39 inclusive of Fairway Properties II, a subdivision of Lake County, Montana, as shown on the map or plat thereof on file and of record in the office of the Clerk and Recorder of Lake County, Montana.

ARTICLES OF AMENDMENT  
OF  
SLACK POINT RANCH HOMEOWNERS ASSOCIATION, INC.  
A Montana Non-Profit Corporation

TO THE PUBLIC:

ARTICLE I.

This corporation was originally incorporated under the name of **Slack Point Ranch Homeowners Association, Inc.** on the 10<sup>th</sup> day of November, 1997.

ARTICLE II.

The officers and directors of **Slack Point Ranch Homeowners Association, Inc.** desires to amend Articles I, of the Articles of Incorporation dated September 4, 1995, pursuant to the provisions of M.C.A. 35-1-209.

That the Amendment was adopted by Resolution at a meeting of the Board of Directors of the above-captioned corporation held at the registered office of the corporation on the 25th day of November, 1997, was as follows:

NOW THEREFORE, BE IT RESOLVED that Articles I, and VI of the Articles of Incorporation of this corporation be amended as follows:

Article I

The name of the corporation shall be changed from **Slack Point Ranch Homeowners Association, Inc.** to **Mission Bay Homeowners Association, Inc.**

ARTICLE III.

Pursuant to §35-2-222(1)(d) said Amendment may be adopted by the Directors and does not require a vote of the membership in view of the fact that it merely changes a geographical attribution to the name.

DATED this 25 day of November, 1997.

MISSION BAY HOMEOWNERS ASSOCIATION, INC.

By: \_\_\_\_\_

Dennis Duty  
President

ATTEST:

\_\_\_\_\_  
Secretary

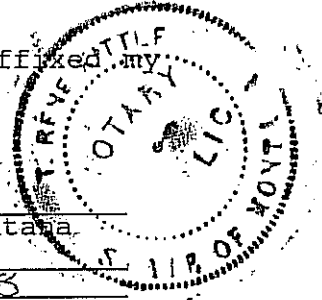
STATE OF MONTANA )  
County of Lake )

On this 25th day of November, 1997, before me the undersigned, a Notary Public for the State of Montana, personally appeared Dennis Duty and Tim Hinderman, known to me to be the officers of the corporation whose name is subscribed to the within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

*J. Rene Killo*

Notary Public for the State of Montana  
Residing at Polson  
My commission expires 9/6/98



STATE OF MONTANA, COUNTY OF LAKE

Recorded At 2:57 O'Clock P M. SEP 23 1998  
Microfilm 393297 RUTH E. HODGES Recorder  
Fees \$ 1200 By Judy Munnig Deputy

*Return.*

*Clint Fischer  
P.O. Box 879  
Polson MT 59860*

# SECRETARY OF STATE

STATE OF MONTANA

MIKE COONEY

Business Services Bureau  
LesLee Shell-Beckert, Deputy



Montana State Capitol  
PO Box 202801  
Helena, MT 59620-2801  
(406)444-3665  
<http://www.state.mt.us/sos/>

CLINTON J FISCHER  
ATTORNEY AT LAW  
PO BOX 879  
POLSON MT 59860-0879

January 28, 1998

Dear Mr. Fischer:

I've approved the filing of the documents for the above named entity. The document number and filing date have been recorded on the original document. This letter serves as your certificate of filing and should be maintained in your files for future reference.

Thank you for giving this office the opportunity to serve you. If you have any questions in this regard, or need additional assistance, please do not hesitate to contact the Business Services Bureau professionals at (406) 444-3665.

Sincerely,

A handwritten signature in cursive script that reads "Mike Cooney".

Mike Cooney  
Secretary of State  
Enclosure

RE: OLD NAME: SLACK POINT  
RANCH HOMEOWNERS  
ASSOCIATION, INC.  
NEW NAME: MISSION BAY  
HOMEOWNERS ASSOCIATION,  
INC.  
Date of Filing: January 5, 1998  
Filing Number: D092567-351772