STATE OF MONTANA }SS.
County of Lake
I hereby certify that the instrument to which this certificate is affixed is a true and correct copy of the original on file or recorded in my office.
Witness my hand and seal this 21st day of July 2021
Katie Harding, Clerk & Recorder
By Wanda R. Rost Deputy
Fee: $3.50

590336 MISC Pages: 5
STATE OF MONTANA LAKE COUNTY
RECORDED: 07/21/2021 2:19 KOI: MISC
KATIE HARDING CLERK AND RECORDER
FEE: $5.00 BY: Wanda R Rost, Dep
TO: LAKE COUNTY PERMANENT FILES , 106 4TH AVE E, POLSON MT

RESTATED ARTICLES OF INCORPORATION

OF

MISSION BAY PRESERVE HOMEOWNERS ASSOCIATION, INC.

A Montana Non-Profit Corporation

WITNESSETH:

WHEREAS, a membership meeting of the Association members was duly noticed and held on the 12th day of June, 2021, at the principal office of the Corporation, and included on the agenda was a membership vote to approve the within Restated Articles of Incorporation: and

WHEREAS, the Association consists of one class of Membership; and

WHEREAS, the total voting power of the Association Membership is seventy-seven (77) votes and thirty-nine (39) Membership votes were represented at the Membership meeting either in person or by proxy: and

WHEREAS, there were thirty-eight (38) votes in favor of approving and adopting the Restated Articles of Incorporation set forth below and one (1) vote against: the votes in favor comprise greater that two-thirds of the total number of votes cast by the members at said meeting.

J-9480

NOW THEREFORE, the following Restatement of Articles of Incorporation are approved and adopted, replacing previous Articles of Incorporation dated January 31, 2oo4 and recorded under Microfile #420072, in the Records of Lake County, MT.

KNOW ALL MEN BY THESE PRESENT:

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 usage, 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:

MISSION BAY PRESERVE HOMEOWNERS ASSOCIATION, INC.

ARTICLE II

The term of duration of the corporation 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 are 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, recreation facilities and access roadways 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 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 of assessments pursuant to terms of the covenants; to pay all expenses in connection therewith and all office and other business expenses incidental 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 of all of its real or personal property as security borrowed or debts incurred.

   The foregoing statement of purposes shall be construed as enumerating both of purposes and of powers, and the purposes and powers in each clause shall not be in any way 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 of 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 Bylaws of this Association and are in effect from time to time and the Covenants placed upon the property above described.

ARTICLE V

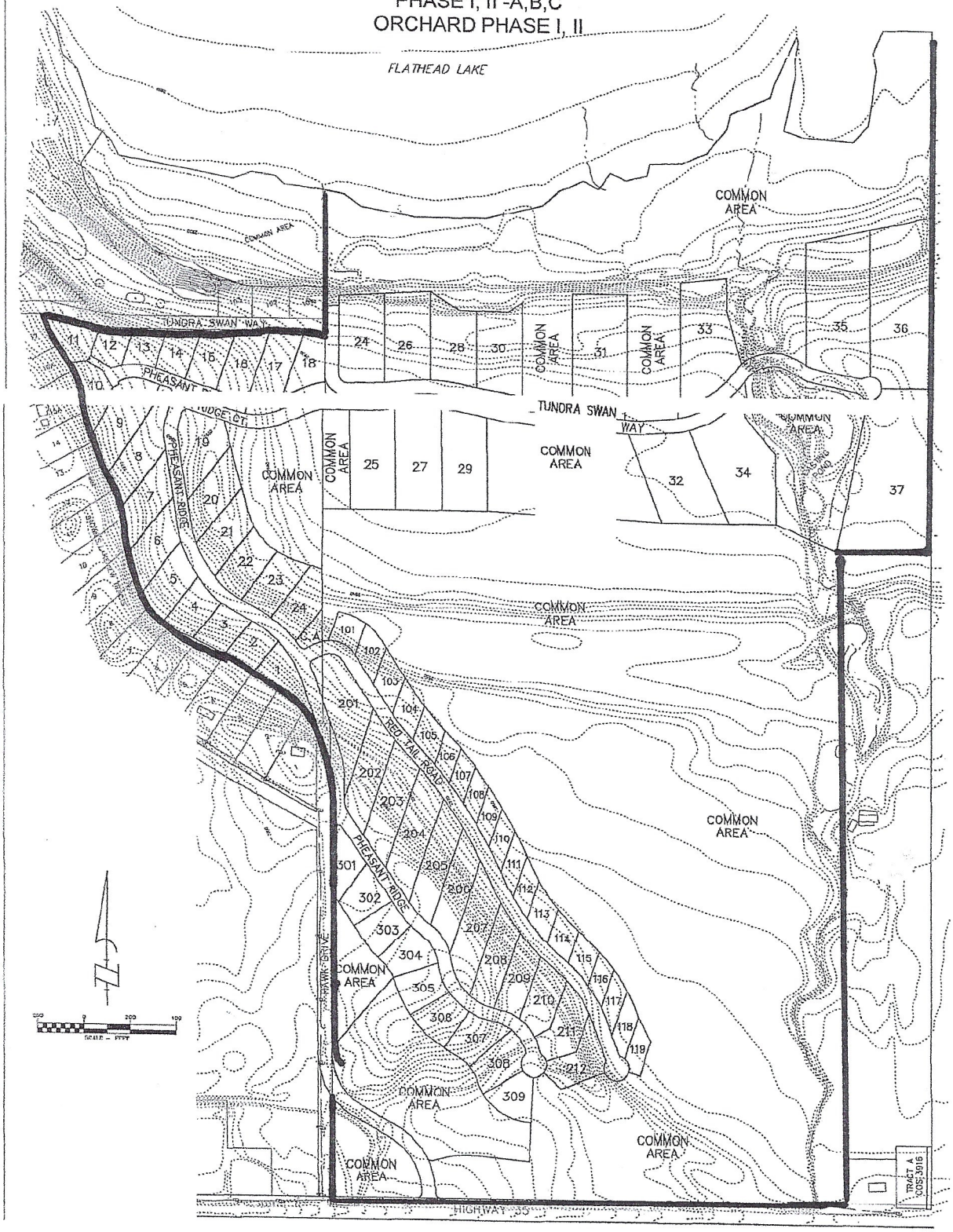
The affairs of this Association shall be managed by a Board of Directors as set forth in the Bylaws. The Directors of this Association must be members of this Association. The number of Directors may be changed by amendment to the Bylaws of this Association but shall not be reduced to less than three (3).

EXHIBIT A

MISSION BAY PRESERVE

PHASE I, II -A,B,C

ORCHARD PHASE I, II



Lake and mountain view parcels in a lakeshore preserve.

MISSION BAY PRESERVE

312 Montana Landing

Polson, MT 59860

590336

ARTICLE VI

The principal office of the corporation shall be located at 312 Montana Landing, Polson, Montana 59860, and its mailing address shall be P.O. Box 129, Polson, MT 59860. The registered agent shall at all times be the Mission Bay Preserve Homeowners Association Board of Directors' President, of the same address.

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

In the event of the dissolution of the corporation, no director, member or individual shall be entitled to any distribution or division of this remaining property or its proceeds, and the balance of all money and other property which the corporation receives from any source, after the payment of all debts and obligations of the corporation, shall be used or distributed exclusively for purposes within the intendment of Section 501(c) of the Internal Revenue Code of 1986 and its regulations as the same now exists or as it may be amended from time to time.

IN WITNESS WHEREOF, the undersigned has executed these Restated Articles of Incorporation this 20 day of July, 2021.

SIGNED:

Meg Fair, President

ATTEST:

Ray Beck, Secretary

STATE OF MONTANA)
:ss
County of Lake)

On this 20 day of July, 2021, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Meg Fair, known to me to be the President and the person 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 by Notarial Seal the day and year in this certificate first above written.

Signature of Notary Public

[SEAL]

Kathleen E. Stinger
NOTARY PUBLIC for the
STATE OF MONTANA
Polson, Montana
My Commission Expires
May 17, 2025

590336

STATE OF MONTANA)
:ss
County of Lake)

On this 20 day of July, 2021, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Kelly Beck, known to me to be the Secretary and the person whose name is subscribed to the within instrument and acknowledged to me that the corporation executed the same.

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

Kathleen E Stinger
Signature of Notary Public

Kathleen E. Stinger
NOTARY PUBLIC for the
STATE OF MONTANA
Polson, Montana
My Commission Expires
May 17, 2025

[SEAL]