

**RESTATED ARTICLES OF INCORPORATION
OF
MISSION BAY HOMEOWNERS ASSOCIATION, INC.
A Montana Non-Profit Corporation**

WITNESSETH:

WHEREAS, a membership meeting of the Association members was duly noticed and held on the 5 day of January, 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 207 votes and 106 Membership votes were represented at the Membership meeting either in person or by proxy; and

WHEREAS, a quorum of Association Members were present at said meeting either in person or by proxy; and

WHEREAS, there were 101 votes in favor of approving and adopting the Restated Articles of Incorporation set forth below and 5 votes against; the votes in favor comprise greater than two-thirds of the total number of votes cast by the members at said meeting.

NOW THEREFORE, the following Restatement of Articles of Incorporation are approved and adopted.

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 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 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.

ARTICLES OF INCORPORATION

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STATE OF MONTANA LAKE COUNTY
-1- RECORDED: 01/05/2022 2:28 KOI: MISC
KATIE HARDING CLERK AND RECORDER
FEE: \$5.00 BY: *Katie Harding*
TO: LAKE COUNTY PERMANENT FILES, 106 4TH AVE S, POLSON MT

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, 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 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 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 anyway 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 must be members of this Association. The number of directors may be changed by amendment to the By-Law 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 312 Montana Landing, Polson, Montana 59860, and its mailing address shall be P.O. Box 1775, Polson, MT 59860. The registered agent shall at all times be the Mission Bay 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 © 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 5 day of January, 2021.



Ralph Brownell, President

ATTESTED:



Allen R Bone, Secretary

ARTICLES OF INCORPORATION

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STATE OF MONTANA)
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County of Lake)

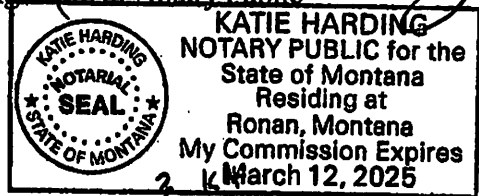
On this 5th day of January, 2021, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Ralph Brownell, known to me to be the President and the person whose name is subscribed to the within instrument, and acknowledged to me that s/he executed the same.

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

Katie Harding

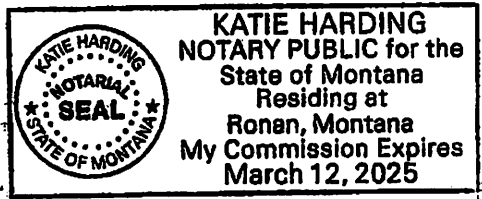
Signature of Notary Public

STATE OF MONTANA)
:ss
County of Lake)



On this 5th day of January, 2021, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Allen Bone, known to me to be the Secretary and the person whose name is subscribed to the within instrument, and acknowledged to me that s/he 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.



Katie Harding

Signature of Notary Public