

Return to:

STATE OF NORTH CAROLINA



Swann Plantation Townhouse
Subdivision Homeowner's Assoc.
c/o Sonya Daniel
One Hundred Seven South Front St
Wilmington, NC 28401
**Department of The
Secretary of State**

58

TO THE REGISTER OF DEEDS OF

New Hanover

COUNTY:

I, **THAD EURE**, Secretary of State of the State of North Carolina, do hereby
certify that

SWANN PLANTATION TOWNHOUSE SUBDIVISION HOMEOWNER'S ASSOCIATION, INC.

whose charter was suspended 15th day of March, 1988
under the provisions of General Statutes 105-230, as amended, has now made proper
report to the Commissioner of Revenue and fully complied with the law.

THEREFORE, the said

SWANN PLANTATION TOWNHOUSE SUBDIVISION HOME- has this day been reinstated and
OWNER'S ASSOCIATION, INC. is again authorized to exercise its rights, privileges, and franchises as a corporation.

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed my official seal.

DONE IN OFFICE at Raleigh, this the 11th day of April,
in the year of our Lord 1988.

RECORDED AND VERIFIED
REBECCA P. TUCKER
REGISTER OF DEEDS
NEW HANOVER CO. NC

BOOK

1413

PAGE

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Secretary of State

APR 28 2 36 PM '88

SIGNATURE OMITTED PURSUANT TO
CHAPTER 349, 1987 SESSION LAWS

By

Deputy Secretary of State



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STATE OF NORTH CAROLINA



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Department of The
Secretary of State

TO THE REGISTER OF DEEDS OF New Hanover COUNTY:

I, Thad Eure, Secretary of State of the State of North Carolina, as directed by Section 105-230 of the General Statutes of North Carolina, as amended, do hereby certify that the following Articles of Incorporation have been suspended as of March 15, 1988 for failure to file required report due the State of North Carolina as provided by law:

SWANN PLANTATION TOWNHOUSE SUBDIVISION HOMEOWNER'S ASSOCIATION, INC.

RECORDED AND VERIFIED
REBECCA P. TUCKER
REGISTER OF DEEDS
NEW HANOVER CO. NC

69

MAR 17 1 35 PM '88

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.

DONE IN OFFICE at Raleigh, this the 15th day of March 1988 .

A handwritten signature in black ink, appearing to read "Thad Eure", written over a horizontal line.

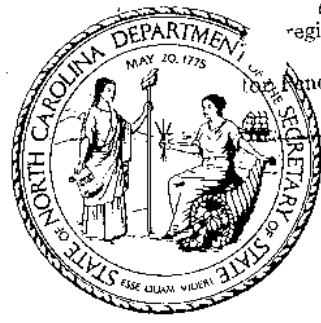
THAD EURE
Secretary of State



122177

2001 - NEW DOCUMENTS

June 19 87 At _____ O'clock
registered in the office of the Register of Deeds
_____ County in Book No. 7 Page 42
High Overstreet
Register of Deeds for
_____ COUNTY



State of North Carolina

Department
of the
Secretary of State

To all to whom these presents shall come, Greeting:

I, Thad Eure, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached (3 sheets) to be a true copy of

ARTICLES OF INCORPORATION
OF

SWANN PLANTATION TOWNHOUSE SUBDIVISION HOMEOWNER'S ASSOCIATION, INC.

and the probates thereon, the original of which was filed in this office on the 23rd day of June 19 87, after having been found to conform to law.

In Witness Whereof, I have hereunto set my hand and affixed my official seal.

Done in Office, at Raleigh, this 23rd day of June in the year of our Lord 19 87.



Thad Eure
Secretary of State

SEAL HEREON AFFIXED PURSUANT TO CHAPTER 519, 1987 SESSION LAWS

By _____
Deputy Secretary of State



State of North Carolina

NOTICE

The issuance of a corporate charter to any domestic corporation or a certificate of authority to any foreign corporation does not authorize the use in this State of the corporate name in violation of the rights of any third party under the Federal Trademark Act, the Trademark Act of this State, a trade name or the common law; and the issuance of such charter or certificate will not be a defense to an action for violation of any such rights.

Certified Copy
from
The Department of The
Secretary of State
to be Recorded
with the
Register of Deeds
of County of
Registered Office

ARTICLES OF INCORPORATION
OF
SWANN PLANTATION TOWNHOUSE SUBDIVISION
HOMEOWNER'S ASSOCIATION, INC.

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

FILED
DATE 07/23/07 TIME 13:13
SECRETARY OF STATE
WILMINGTON, N.C.

ARTICLE I

NAME

The name of the corporation is SWANN PLANTATION TOWNHOUSE SUBDIVISION HOMEOWNER'S ASSOCIATION, INC., hereinafter called the "Association".

ARTICLE II

PRINCIPAL OFFICE

The principal office of the Association is located at 2310 New Orleans Place, Wilmington, North Carolina 28403.

ARTICLE III

REGISTERED AGENT

J. C. REYNOLDS, JR., whose address is 2310 New Orleans Place, Wilmington, North Carolina 28403, is hereby appointed as initial registered agent of this Association.

ARTICLE IV

INITIAL REGISTERED OFFICE

The initial Registered Office shall be at 2310 New Orleans Place, Wilmington, New Hanover County, North Carolina 28403.

ARTICLE V

PURPOSES

This Association does not contemplate pecuniary gain or profit to the members thereof. The specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the residence Lots and Common Area within that certain tract or property described as Swann Plantation Townhouse Subdivision, as shown on a map thereof, prepared by Jerold W. Lewis, R.L.S. to be recorded in the Pender County Register of Deeds Office, and to promote the health, safety and welfare of the residents within the above described property and any additions thereto as may hereafter be brought within the jurisdiction of this Association and for this purpose to:

(a) Exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in that certain Declaration of Covenants, Conditions and Restrictions, hereinafter called the "Declaration", applicable to the property and recorded or to be recorded in the Office of the Pender County Register of Deeds and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein by reference;

(b) Fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes, or governmental charges levied or imposed against the property of the Association;

(c) 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;

(d) Borrow money, and with the assent of two-thirds (2/3) of each class of members, mortgage, pledge, deed in trust or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred; provided, however, the rights of the holder of any such security interest shall be subordinate to the rights of the homeowners hereunder;

(e) Dedicate, sell or transfer all or any part of the Common Area to any public agency, authority or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of each class of members, agreeing to such dedication, sale or transfer;

(f) Participate in mergers and consolidations with other non-profit corporations organized for the same purposes or annex additional residential property and Common Area, as provided in the Declaration;

(g) 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 North Carolina by law may now or hereafter have or exercise.

ARTICLE VI

MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest in any Lot which is subject by covenants of record to assessment by the Association, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment by the Association.

ARTICLE VII

VOTING RIGHTS

The Association shall have one class of voting membership which shall be composed of all the Owners and which shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members. The vote for such lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any Lot. No fractional vote shall be allowed.

ARTICLE VIII

BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of three (3) Directors, who need not be members of the Association. The number of directors may be changed by amendment of the By-Laws of the Association. The names and addresses of the persons who are to act in the capacity of directors until the selection of their successors are:

<u>NAME</u>	<u>ADDRESS</u>
J. C. REYNOLDS, JR.	2310 New Orleans Place, Wilmington, N.C. 28403
CLYDE W. HARRELSON	Middlesound Loop Road, Wilmington, N.C. 28405
WAYNE WEBSTER	P.O. Box 802, Randleman, N.C. 27317

At the first annual meeting the members shall elect one director for a term of one year, one director for a term of two years and one director for a term of three years; and at each annual meeting thereafter the members shall elect one director for a term of three years.

ARTICLE IX

DISSOLUTION

The Association may be dissolved with the assent, given in writing, and signed by not less than two-thirds (2/3) of each class of members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any non-profit corporation, association, trust or other organization to be devoted to such similar purposes.

ARTICLE X

DURATION

The corporation shall exist perpetually.

ARTICLE XI

AMENDMENTS

Amendment of these Articles shall require the assent of sixty percent (60%) of the entire membership.

ARTICLE XII


INCORPORATOR

NAME

ADDRESS

DAVID G. SNEEDEN 520 Princess Street, Wilmington, N.C. 28401

IN WITNESS WHEREOF, the undersigned incorporator has executed these Articles of Incorporation this 16th day of June, 1987.

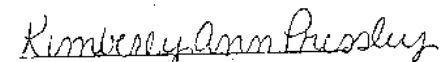

DAVID G. SNEEDEN

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

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| ACKNOWLEDGEMENT
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THIS IS TO CERTIFY that on the 16th day of June, 1987, before me a Notary Public, personally appeared DAVID G. SNEEDEN, who I am satisfied is the person named in and who executed the foregoing Articles of Incorporation, and having first made known to him the contents thereof, did acknowledge that he signed and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, this the 16 day of June, 1987.


NOTARY PUBLIC

My commission expires:
3-17-91