

“Sample Park” Articles of Incorporation Establishing Homeowners Association

CERTIFICATE OF INCORPORATION OF

“SAMPLE PARK” HOMEOWNERS ASSOCIATION, INC.

DATE

In compliance with the requirements of Title 15A, Chapter 1 et seq. of the Revised Statutes of New Jersey, the undersigned, all of whom are of full age, have this day voluntarily associated themselves together for the purposes of forming an Association not for profit and do hereby certify:

ARTICLE I NAME

The name of the Association is “SAMPLE PARK” HOMEOWNERS ASSOCIATION, INC.

ARTICLE II PRINCIPAL OFFICE

The principal office of the Association is located at “Sample Park”, “Any Town”, NJ .

ARTICLE III REGISTERED AGENT

“Agent’s Name”, whose address is *** “Any Town”, NJ is hereby appointed the initial registered agent of this Association.

ARTICLE IV PURPOSE AND POWERS OF THE ASSOCIATION

1) To provide administration, management, preservation, utilization and control of the Common Areas of the Association, governance over and maintenance of any real property of our common interest community that is currently, or shall come to be, owned in common by all of the residents, or members of the “Sample Park” Homeowners Association.

(a) To exercise all the powers and privileges and to perform all of the duties and obligations of the Association as set forth in the Declaration and the By-Laws of the Association, as the same may be amended from time to time as therein provided, said Declaration and By-Laws being incorporated herein as if set forth at length;

(b) To fix, levy, collect and enforce payment by any lawful means, of all charges or Assessments pursuant to the terms of said By-Laws of the Association, 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;

©) To institute, maintain, settle or appeal actions or hearings in its name on behalf of all homeowners concerning matters of common interest, including, but not limited to: the common property; structural components of a building or other improvements; mechanical, electrical and plumbing elements serving the property; and protests of ad valorem taxes on commonly used facilities;

(d) To acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, mortgage, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;

(e) To make and collect assessments and to lease, maintain, repair and replace the common areas upon purchase of the private residential leasehold community property:

(f) To have the authority, without the joinder of any homeowner, to modify, move, or create any easement for ingress and egress, or for the purpose of utilities, if the easement constitutes part of or crosses the property upon purchase of the property. This subsection does not authorize the association to modify or move any easement created in whole or part for the use or benefit of anyone other than the members, or crossing the property of anyone other than the members, without the consent or approval of such person as required by law or the instrument creating the easement. Nothing in this subsection affects the rights of ingress or egress of any member of the association;

(g) To borrow money, to mortgage, pledge, deed in trust or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(h) To sue and be sued, complain and defend and participate as a party or otherwise in any judicial, administrative, arbitral or other proceeding, in its corporate name;

(i) To have a corporate seal which may be altered at pleasure, and to use the seal by causing it, or a facsimile to be impressed or affixed or in any other manner reproduced.

(j) To elect or appoint officers, employees and agents of the Association, and define their duties and fix their compensation;

(k) To make and alter bylaws for the administration and regulation of the affairs of the Association; (l) To levy dues and assessments on its members in accordance with its certificate of incorporation or bylaws which may provide for reasonable regulations for enforcement and collection thereof and for different dues and assessments for different classes of members;

(m) To pay pensions and establish pension and deferred compensation plans, and plans of similar nature for, and to furnish medical services, life, sickness, accident, disability or unemployment insurance and benefits, education, housing, social and recreational services and other similar aids and services to its officers, employees, and agents including any of the foregoing who may be trustees, their families, dependents or beneficiaries;

(n) To participate with others in any corporate entity, partnership, limited partnership, joint venture, or other association of any kind, or in any transaction, undertaking or arrangement which the participating Association would have power to conduct by itself, whether or not that participation involves sharing or delegation of control with or to

others;

(o) At the request of the United States Government or of any of its agencies, transact any lawful activity in time of war or other national emergency, notwithstanding the purposes set forth in its certificate of incorporation;

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(p) To include any associated activity (such as cooperative child-care, food purchasing or other business enterprise); and

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(q) 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 New Jersey by law may now or hereafter have or exercise.

ARTICLE V MEMBERS

Every person who is or hereafter becomes a homeowner of the current residential leasehold community that is know as "Sample Park" is eligible for membership. Ownership of any home within this leasehold community, and signature requesting membership, shall be the sole qualification for membership.

ARTICLE VI BOARD OF TRUSTEES

The affairs of the Association shall be managed by a Board of Trustees. The Board of Trustees shall be composed of five (5) persons who need not initially be Members of the Association. The names and addresses of the persons who are to act in the capacity of Trustees until the selection of their successors are:

(1)

(2)

(3)

(4)

(5)

A trustee or officer of the Association shall not be personally liable to the Association or its members for damages for breach of any duty owed to the Association or its members, except that such provision shall not relieve a trustee or officer from liability for any breach of duty based upon an act or omission (1) in breach of such person's duty of loyalty to the Association or its members, (2) not in good faith or involving a knowing violation of law or (3) resulting in receipt by such person of an improper personal benefit.

ARTICLE VII CAPITAL STOCK

The Association shall not issue capital stock.

ARTICLE VIII DISTRIBUTION OF DIVIDENDS

No dividend shall be paid and no part of the income or profit of the Association shall be distributed to its members, trustees or officers, but the Association may pay

compensation in a reasonable amount to its members, trustees and officers, for services rendered, may pay interest on loans or other credit advances by members, trustees and officers, may confer benefits on its members in conformity with its purposes, and, upon dissolution, may make distributions to its members as permitted by this act; except the payment, benefit, or distribution shall not be deemed to be a dividend or distribution of income or profit.

ARTICLE VIII TERM

The Association shall exist perpetually, but may be dissolved at any time pursuant to appropriate law and the provisions of the Declaration.

ARTICLE IX MERGERS AND CONSOLIDATIONS

To the extent permitted by law, the Association may participate in mergers and consolidations with other non-profit associations organized for the same general purposes, provided that any such merger or consolidation shall have the assent of seventy-five (75%) percent of the votes present and entitled to be cast at any meeting of the Association, duly constituted for such purpose, a quorum being present.

ARTICLE X MEMBERSHIP

The qualifications for Members shall be set forth in detail in the By-Laws of the Association or in the Declaration.

ARTICLE XI DISSOLUTION

The method of distribution of assets of the Association upon dissolution shall be set forth in the By-Laws of the Association or the Declaration.

ARTICLE XII AMENDMENTS

These Articles may be amended at any meeting of the Association duly constituted for such purpose, a quorum being present, by an affirmative vote of seventy-five (75%) percent of the members present and entitled to cast a vote in person or by proxy.

IN WITNESS WHEREOF, for the purposes of forming this non-profit Association under the laws of the State of New Jersey, we, the undersigned, constituting the incorporators of this Association, have executed these Articles of Incorporation this Xth day of X, 200X.

1. _____ , “Any Town”, NJ
Name Address (print)

2. _____ , “Any Town”, NJ
Name Address (print)

3. _____ , “Any Town”, NJ
Name Address (print)

4. _____ , “Any Town”, NJ
Name Address (print)

5. _____ , “Any Town”, NJ
Name Address (print)