

AZ. CORP. COMMISSION  
FOR THE STATE OF AZ  
FILED

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AZ. CORP. COMMISSION  
FOR THE STATE OF AZ  
FILED

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ARTICLES OF INCORPORATION

OF

DESERT PALMS TOWNHOUSE ASSOCIATION

In compliance with the requirements of Arizona Revised Statutes, Sections 10-451, et seq. the undersigned voluntarily associated themselves together for the purpose of forming a private non-profit corporation and do hereby certify:

ARTICLE I

DEFINITIONS

The words and terms used herein shall be deemed to have the same meanings as are given those words and terms in the Declaration of Covenants, Conditions and Restrictions pertaining to DESERT PALMS TOWNHOUSE ASSOCIATION and hereinafter termed the "Declaration", which was recorded in the office of the County Recorder of Pima County, Arizona, in Book 4205, commencing at Page 434, et seq., and amendments.

ARTICLE II

NAME

The name of the corporation is DESERT PALMS TOWNHOUSE ASSOCIATION, hereinafter called the "Association".

ARTICLE III

PRINCIPAL PLACE OF BUSINESS

The principal place of business of the Association is located in Pima County, Arizona.

LAW OFFICES OF  
MICHAEL J. VINGELLI  
1600 ARIZONA BANK BUILDING  
33 NORTH STONE AVENUE  
TUCSON, ARIZONA 85701  
TELEPHONE: (502) 792-9333

000211



ARIZONA COMPUTATION COMMISSION  
INCORPORATING DIVISION

Phoenix Address: 2222 West Encanto Blvd,  
Phoenix, Arizona 85009

CERTIFICATE OF DISCLOSURE  
A.R.S. Sections 10-128 & 10-128.01

Tucson Address: 415 West Congress Street  
Tucson, Arizona 85701

DESERT PALMS TOWNHOUSE ASSOCIATION

TRUST COMPANY NAME

Check appropriate box(es) "A", "B", or "C"

THE UNDERSIGNED CERTIFY THAT:

A. No person serving either by election or appointment as officers, directors, incorporators and persons controlling, or holding more than 10% of the issued and outstanding common shares or 10% of any other proprietary, beneficial or membership interest in the corporation:  
1. Have been convicted of a felony involving a transaction in securities, consumer fraud or antitrust in any state or federal jurisdiction within the seven year period immediately preceding the execution of this certificate.  
2. Have been convicted of a felony, the essential elements of which consisted of fraud, misrepresentation, theft by false pretenses, or restraint of trade or monopoly in any state or federal jurisdiction within the seven year period immediately preceding the execution of this certificate.  
3. Have been or are subject to an injunction, judgment, decree or permanent order of any state or federal court entered within the seven year period immediately preceding the execution of this certificate where such injunction, judgment, decree or permanent order:

- (a) Involved the violation of fraud or registration provisions of the securities laws of that jurisdiction; or
- (b) Involved the violation of the consumer fraud laws of that jurisdiction; or
- (c) Involved the violation of the antitrust or restraint laws of trade laws of that jurisdiction.

B. For any person or persons who have been or are subject to one or more of the statements in items A.1 through A.3 above, the following information "must" be attached:

- 1. Full name and prior names used.
- 2. Full birth name.
- 3. Present home address
- 4. Prior addresses (for immediate preceding 7 year period).
- 5. Date and location of birth.
- 6. Social Security number.
- 7. The nature and description of each conviction or judicial action, the date and location, the court and public agency involved and the file or cause number of the case.

C. No person (a) serving either by election or appointment as an officer, director, trustee or incorporator of the corporation or (b) major stockholder possessing or controlling any proprietary, beneficial or membership interest in the corporation, has served in any such capacity or held such interest in any corporation which has been placed in bankruptcy or receivership or had its charter revoked? YES  NO  X

If your answer to the above question is "Yes", you "must" attach the following information, for each corporation:

- 1. Name and address of corporation.
- 2. Full name, including alias and address of each person involved.
- 3. Statute(s) in which the corporation:
  - (a) Was incorporated.
  - (b) Was transacted business.
- 4. Dates of corporate operation.
- 5. A description of the bankruptcy, receivership or charter revocation, including the date, the court or agency involved, and the file or cause number of the case.

Under penalties of law, the undersigned officers declare that we have examined this certificate, including any attachments, and to the best of our knowledge and belief it is true, correct and complete.

BY: Richard Schutt DATE: 11/9/81  
BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
TITLE: \_\_\_\_\_ TITLE: \_\_\_\_\_  
MR. RICHARD SCHUTT INCORPORATOR

ARTICLE IV

STATUTORY AGENT

MICHAEL J. VINGELLI, P.C., a bona fide resident of the State of Arizona for the last three years, whose address is 1600 Arizona Bank Building, 33 North Stone Avenue, Tucson, Arizona 85701, is hereby appointed the initial statutory agent of this Association.

ARTICLE V

GENERAL NATURE OF BUSINESS

This Association does not contemplate pecuniary gain or profit to the Member thereof. The specific purposes for which it is formed are:

1. To promote the health, safety and welfare of the owners and residents within that certain property described in the Declaration.

2. For the above purposes to:

A. Exercise all of the powers and privileges and to perform all of the duties and obligations of the Committee as set forth in the aforesaid Declaration, as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth at length;

B. Fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration;

C. Pay all expenses in connection therewith and all office and other expenses incident to the conduct of the Association, including all licenses, taxes or governmental charges levied or imposed against the property of the Association;

D. 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;

E. Have and exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Arizona, by law may now or hereafter have or exercise.

#### ARTICLE VI

##### MEMBERSHIP AND VOTING RIGHTS

Every person or entity who becomes a record owner of a fee or undivided fee interest in any townhouse which is subject by Covenant of record to assessment by the Association, including contract sellers, shall be members of the Association and each townhouse owner or owners shall be entitled to one vote for each lot in which they hold the interest required for membership. When more than one person holds such interest in any lot, all such persons shall be members, but 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.

#### ARTICLE VII

##### INCORPORATORS

The names, residences and post office addresses of the incorporators are as follows:

WILLIAM FISHER, President  
9069 East Palms Park Drive  
Tucson, Arizona 85715

RICHARD SCHUTT, Vice President  
9071 East Palms Park Drive  
Tucson, Arizona 85715

LAW OFFICES OF  
MICHAEL J. VINCELLI  
1600 ARIZONA BANK BUILDING  
33 NORTH STONE AVENUE  
TUCSON, ARIZONA 85701  
TELEPHONE: (602) 792-0333

(4)

Judy Olvey  
9201 East Bidahochi Place  
Tucson, Arizona 85715

ARTICLE VIII

BOARD OF DIRECTORS AND OFFICERS

The affairs of the Association shall be managed by a Board of not less than two (2) directors, nor more than nine (9) directors. The initial Board of Directors shall consist of the following:

WILLIAM FISHER, 9069 E. Palms Park, Dr., Tucson, Az.  
RICHARD SCHUTT, 9071 E. Palms Park Dr., Tucson, Az.  
MELVIN KNEIB, 9008 E. Palms Park Dr., Tucson, Az.  
JUDY OLVEY, 9201 East Bidahochi Pl., Tucson, Az.  
SAM JACOB, 9024 E. Palms Park Dr., Tucson, Az.

ARTICLE IX

COMMENCEMENT AND TERMINATION

The Association shall commence as of the date the Corporation Commission shall accept these Articles and it shall continue to exist for the maximum period now or hereafter authorized by law, subject to renewal as authorized by law.

ARTICLE X

EXEMPTION OF PRIVATE PROPERTY

The private property of the Members, Officers and Directors of the Association shall be forever except from corporate debts and liabilities.

ARTICLE XI

AMENDMENTS

Amendment of these Articles shall require the assent

of fifty percent (50%) of the membership of each class of members.

ARTICLE XII

INTERPRETATION.

In the event that any provision hereof is inconsistent with or in derogation of the Declaration, the provisions of the Declaration shall be deemed to control.

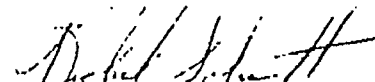
ARTICLE XIII

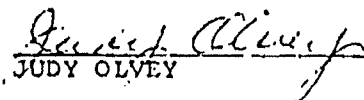
MAXIMUM INDEBTEDNESS

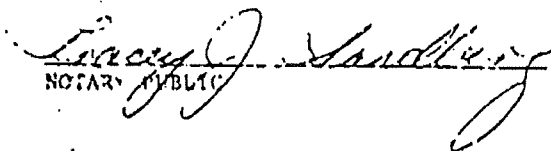
The highest amount of indebtedness or liability, direct or contingent, to which the corporation is at any time to subject itself shall be as determined and limited by applicable law.

IN WITNESS WHEREOF, the incorporators have hereunto set their hands this 19th day of October, 1981.

  
\_\_\_\_\_  
WILLIAM FISHER

  
\_\_\_\_\_  
RICHARD SCHUTT

  
\_\_\_\_\_  
JUDY OLVEY

  
\_\_\_\_\_  
NOTARY PUBLIC

LAW OFFICES OF  
MICHAEL J. VINGILLI  
1800 ARIZONA BANK BUILDING  
33 NORTH STONE AVENUE  
TUCSON, ARIZONA 85701  
TELEPHONE: (602) 792-8333

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STATE OF ARIZONA }  
County of Pima } ss.

I hereby certify that the within instrument was filed and recorded

JUN - 2 '80 - 8 00 AM

Fee No.

In DOCKET 6291

page 118

and indexed

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at the request of Pioneer National Title Insurance

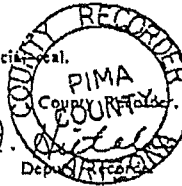
When recorded, mail to:  
Desert Palms Townhouse Committee  
9008 E. Palms Park Drive  
Tucson, Arizona 85715

Witness my hand and official seal.

JOE BEDARD

By

*Arvid J. Bedard*



Compared  
Photostated  
Fee:

3.50

*Bedard*

For the consideration of TEN DOLLARS

and other valuable considerations, I (or we) KLEIN CONSTRUCTION COMPANY, INC., AN ARIZONA CORPORATION, whose mailing address is 9131 E. Speedway, Tucson, AZ, 85710,

do hereby CONVEY unto DESERT PALMS TOWNHOUSE COMMITTEE, an unincorporated nonprofit association, whose mailing address is 9008 E. Palms Park Drive, Tucson, AZ 85715, the beneficiaries being the several owners of townhouse units within said Desert Palms Townhouses. the following described real property situate in \_\_\_\_\_ Pima County, Arizona:

Lots 12, 13, 24 and 25, the east 14 feet of the west 19 feet of Lot 34, the east 4.17 feet of Lot 52 and the west 12 feet of Lot 53 in DESERT PALMS TOWNHOUSE, LOTS 1 THRU 61, a subdivision in Pima County, Arizona, in Book 23 of Maps and Plats at page 63, Pima County records.

The above described property constitutes the "Common Area" of said DESERT PALMS TOWNHOUSES.

Subject to current taxes and assessments and to all matters of record affecting said property in the office of the County Recorder of Pima County, Arizona.

No affidavit of value is required pursuant to Sec. 42-1614B(S) A.R.S. and pursuant to Declaration of Establishment of Conditions and restrictions dated and recorded March 10, 1972, in Docket 4205 at page 434,

Dated this 22 day of April, 1980

KLEIN CONSTRUCTION COMPANY, INC.

by *Gaylen E. Klein*  
President

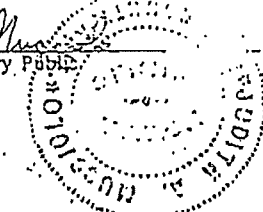
STATE OF ARIZONA )  
COUNTY OF PIMA ) ss.

This instrument was acknowledged before me this 30 day of April-May, 19 80

by Gaylen E. Klein as President of Klein Construction Company, Inc., an Arizona corporation.

*Judith A. M...*  
Notary Public

My commission expires: 3-22-83



PNTI (AZ) D/C - 30 (7-74)

PIONEER NATIONAL TITLE INSURANCE

A TICO COMPANY

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