

ARTICLES OF INCORPORATION

JAN 19 1993

OF

PVH HOME OWNERS ASSOCIATION, INC.

*John R. Mearns*

TO THE SECRETARY OF STATE, JEFFERSON CITY, MISSOURI:

We, the undersigned,

NAME	ADDRESS	CITY/STATE
LARRY E. SCHELL	3406 W. Sexton St.	Springfield, MO
MARY ANN SCHELL	3406 W. Sexton St.	Springfield, MO
RANDALL T. SCHELL	<u>4739 Western Ave.</u>	Springfield, MO

being natural persons of the age of twenty-one (21) years or more and citizens of the United States, for the purpose of forming a Corporation under the "General Not-for-Profit Corporation Act" of the State of Missouri, do hereby adopt the following Articles of Incorporation:

1. Name. The name of the corporation is PVH HOME OWNERS ASSOCIATION, INC.

2. Duration. The period of duration of the corporation is perpetual.

3. Registered Office and Agent. The address of its initial Registered Office in the State of Missouri is 3406 W. Sexton St. Springfield, Missouri, 65810-1022, County of Greene and the name of its initial registered agent at said address is Larry E. Schell.

4. Initial Board of Directors. The first Board of Directors shall be <sup>three</sup> ~~two~~ (3) in number, their names and addresses being as follows:

Larry E. Schell	3406 W. Sexton Dr.	Springfield, MO	65810
Mary Ann Schell	3406 W. Sexton Dr.	Springfield, MO	65810
Randall T. Schell	<u>4739 Western Ave.</u>	Springfield, MO	

Thereafter the number of directors shall be fixed by, or in the manner provided in, the bylaws of the corporation, and any changes shall be reported to the Secretary of State within 30 calendar days of such change.

5. Purpose. The corporation is formed for the following purposes:

(a) To provide for the maintenance, preservation and architectural control of the lots, buildings and ground, and all common area now or hereafter developed upon the following property in Springfield, Greene County, Missouri:

Prairie View Heights 4th Addition, a subdivision in Springfield, Greene County, Missouri and any subsequently platted additions to Prairie View Heights.

And further promote the health, safety and welfare of the owners of and the environment within the above-described property and any additions thereto which may hereafter be brought within the jurisdiction of this Association by annexation, as provided herein, and for these purposes this Association shall have the right and responsibility:

(b) To 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 for Prairie View Heights 4th Addition herein called the "Declaration," recorded in the office of the Greene County Recorder of Deeds at Springfield, Missouri as the same may be amended from time to time as therein provided.

(c) To 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 including but not limited to, expenses for maintenance of and improvements to the real personal property owned by the Association or used by the Association Membership; expenses including legal fees and Court costs incurred in connection with the enforcement of the terms of the Declaration, and the Articles and Bylaws of the Association, and expenses for any services provided to the Association membership, and

all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes of governmental charges levied or imposed against the property of the Association.

(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.

(e) 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.

(f) To have and to exercise any and all powers, rights and privileges which a corporation organized under the Not-for-Profit Corporation Law of the State of Missouri by law may now or hereafter have or exercise.

(g) The foregoing notwithstanding, no substantial part of the activities of the Association shall be devoted to attempting to influence legislation by propoganda or otherwise within the meaning of the proscriptive provisions of the Internal Revenue Code. The Association shall not directly or indirectly participate in or intervene in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office.

6. Membership. The Developer (Larry E. Schell and Mary Ann Schell) their successors and assigns and every person or entity that is an Owner of a Lot in Prairie View Heights 4th Addition and any subsequently platted additions of Prairie View Heights shall be a member of the Association. Membership shall be appurtenant to and may not be separated from said ownership.

7. Classes of Members and Voting Rights. Class A members shall be all of those owners of lots (with the exception of Developer) in Prairie View Heights 4th Addition and any subsequently platted additions to Prairie View Heights. Each Class A member shall be entitled to one vote for each lot he owns. If more than one person holds such 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 such lot.

Class B members shall be developer, and its successors and assigns. The Class B member shall be entitled to 10 votes for each lot as shown on the preliminary and final plat for Prairie View Heights 4th Addition and any subsequently additions of Prairie View Heights platted by Developer, their successors and assigns.

8. Board of Directors. The affairs of the Association shall be managed initially by a Board of three (3) Directors, two of whom need not be members of the Association. The number of directors and the classes from which they are elected may be changed by the manner provided in, the bylaws of the corporation. The initial two (3) Directors shall serve until the first annual meeting of the Board of Directors, and shall thereafter be elected at the time and in the manner set forth in the Bylaws.

Any director may be removed from office as provided by the Bylaws of the Association, and in the event such removal or the creation of a vacancy through any other cause, such vacancy shall be filled as provided in the Bylaws of the Association.

9. Annexation of Additional Properties. The Association by action of the Board of Directors may annex adjacent property and

common areas in addition to the properties described in Paragraph 5(a) above, and so add to its membership.

10. Dissolution. The Association may be dissolved by the Board of Directors adopting a resolution that the Corporation be dissolved, and directing that the question of such dissolution be submitted to a vote at a meeting of the members entitled to vote thereon, which may be at an annual or special meeting. The resolution to dissolve the corporation shall be adopted upon receiving two-thirds (2/3) of the votes entitled to be cast by members present.

The assets of the Association in the process of dissolution may be applied and distributed as provided in Section 355.230, Revised Statutes of Missouri.

11. Amendments. Amendments to these Articles of Incorporation shall be made by the Board of Directors adopting a resolution setting forth the proposed amendment and directing that it be submitted to a vote at a meeting of the members entitled to vote thereon, which may be either an annual or a special meeting. The proposed amendment shall be adopted upon receiving at least two-thirds (2/3) of the votes entitled to be cast by members present at such meeting.

These original Articles of Incorporation were executed on this 19<sup>th</sup> day of January, 1993 by Larry E. Schell, Mary Ann Schell and Randall T. Schell.

**FILED AND CERTIFICATE OF  
INCORPORATION ISSUED**

**JAN 19 1993**

*Judith K. Myer*

*Larry E. Schell*  
Larry E. Schell

*Mary Ann Schell*  
Mary Ann Schell

*Randall T. Schell*  
Randall T. Schell

STATE OF MISSOURI )  
 ) ss.  
COUNTY OF GREENE )

I, the undersigned, a notary public, hereby certify that on the 19<sup>th</sup> day of January, 1993, personally appeared before me, Larry E. Schell, Mary Ann Schell and Randall T. Schell, whom being by me first duly sworn, declared that they are the persons who signed the foregoing document as incorporators, and that the statements therein contained are true.

MARGARET F MCNEELY  
NOTARY PUBLIC STATE OF MISSOURI  
GREENE COUNTY  
MY COMMISSION EXP. FEB. 21, 1996

*Margaret F. McNeely*  
Notary Public

**FILED AND CERTIFICATE OF  
INCORPORATION ISSUED**

**JAN 19 1993**

*Janet K. Spierdy*

# STATE OF MISSOURI



**Judith K. Moriarty**  
SECRETARY OF STATE

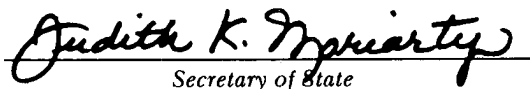
CORPORATION DIVISION  
CERTIFICATE OF INCORPORATION  
GENERAL NOT FOR PROFIT

WHEREAS, DUPLICATE ORIGINALS OF ARTICLES OF INCORPORATION OF  
PVH HOME OWNERS ASSOCIATION, INC.

HAVE BEEN RECEIVED AND FILED IN THE OFFICE OF THE SECRETARY OF  
STATE, WHICH ARTICLES, IN ALL RESPECTS, COMPLY WITH THE  
REQUIREMENTS OF GENERAL NOT FOR PROFIT CORPORATION LAW;

NOW, THEREFORE, I, JUDITH K. MORIARTY, SECRETARY OF STATE OF THE  
STATE OF MISSOURI, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY  
LAW, DO HEREBY CERTIFY AND DECLARE THIS ENTITY A BODY CORPORATE,  
DULY ORGANIZED THIS DATE AND THAT IT IS ENTITLED TO ALL RIGHTS  
AND PRIVILEGES GRANTED CORPORATIONS ORGANIZED UNDER THE  
GENERAL NOT FOR PROFIT CORPORATION LAW.

IN TESTIMONY WHEREOF, I HAVE SET MY  
HAND AND IMPRINTED THE GREAT SEAL OF  
THE STATE OF MISSOURI, ON THIS, THE  
19TH DAY OF JANUARY, 1993.

  
Secretary of State



\$10.00