

200416112130

ARTICLES OF INCORPORATION  
OF

STATE OF MONTANA  
**FILED**

EMPIRE ESTATES HOMEOWNERS' ASSOCIATION, INC.

MAR 15 2004

SECRETARY OF STATE

Pursuant to Section 35-2-202, MCA, of the Montana Non-Profit Corporation Act, the undersigned corporation hereby adopts, in the manner prescribed by statute, the following Articles of Incorporation.

**ARTICLE I**

The name of the corporation is "EMPIRE ESTATES HOMEOWNERS' ASSOCIATION, INC."

**ARTICLE II**

The corporation shall have perpetual existence unless otherwise dissolved by consent or by operation of law.

**ARTICLE III**

The purpose for which the corporation is organized is to operate a homeowners' association for the Empire Estates subdivision in Flathead County, Montana, and for related purposes. This corporation is and shall be a non-profit corporation, located in Flathead County, Montana. This corporation is a mutual benefit corporation. The corporation shall have such powers as may be necessary to carry out its above-stated purpose in addition to those permitted and provided by law.

**ARTICLE IV**

This corporation shall not have or issue any shares of stock. No dividends shall be paid and no part of the income or profit of this corporation shall be distributed to its members, directors or officers, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes of the corporation. No substantial part of the activities of the corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation. The corporation shall not participate in or intervene in any political campaign on behalf of any candidate for public office.

**ARTICLE V**

Upon dissolution of the corporation, the Board of Directors shall pay or make provision for the payment of all the liabilities of the corporation and shall thereafter dispose of all of the assets of the corporation exclusively in accordance with the purposes of the corporation. Any

such assets not so disposed of shall be disposed of by the district court of the country in which the principal office of the corporation is located for such purposes or related purposes or to such organization or organizations as the Court shall determine.

**ARTICLE VI**

The members of this corporation and the management of its affairs shall be vested in a Board of Directors as prescribed in the Bylaws.

**ARTICLE VII**

The members of the corporation shall be the Owners of the Lots which are presently or which may in the future be part of the Empire Estates subdivision as provided in the Declaration of Covenants, Conditions, Restrictions and Easements for Empire Estates to be recorded in the office of the Clerk and Recorder of Flathead County, Montana, as amended from time to time (the "Declaration"). Capitalized terms used in these Articles of Incorporation shall have the same meaning in the Declaration.

**ARTICLE VIII**

The address of the initial registered office of the corporation is 3300 Highway 2 West, Kalispell, Montana 59901, and the name of its initial registered agent at such address is Wayne E. Turner.

**ARTICLE IX**

The name and address of the incorporator of this corporation are as follows:

Wayne E. Turner

3300 Highway 2 West  
Kalispell, MT 59901

DATED this 9<sup>th</sup> day of March, 2004.

  
\_\_\_\_\_  
Wayne E. Turner

200416112130

STATE OF MONTANA )  
 )  
 ) :SS  
County of Flathead )

This instrument was acknowledged before me on this 9<sup>th</sup> day of March, 2004, by Wayne E. Turner.



Raigan Lee Julius  
Notary Public for the State of Montana  
Residing at Lakeside Montana  
My commission expires: 8/5/2007

STATE OF MONTANA )  
 ) ss.  
County of Flathead )

~~March~~ Recorded at the request of the Law Office of Vincent G. Rieger, P.C. this 9 day of ~~March~~, 2004, at 12:13 clock P.m. and recorded in the records of Flathead County, State of Montana.

Fee \$ 18<sup>00</sup> Pd.

Paula Robinson

Flathead County Clerk and Recorder

Reception No. 200416112130

Christa A. Larson  
Deputy

After recording please return to:  
Vincent G. Rieger  
Law Office of Vincent G. Rieger, P.C.  
4 Meridian Court  
Kalispell, MT 59901