

ARTICLES OF INCORPORATION
FOR
BEAR CREEK/TIMBER VIEW HOMEOWNERS ASSOCIATION, INC.

The undersigned hereby voluntarily set for the following statements for the purpose of forming a non-profit corporation under and pursuant to Chapter 504 of the laws of the State of Iowa.

ARTICLE I
NAME OF CORPORATION

The name of the corporation is Bear Creek/Timber View Homeowners Association, Inc., hereinafter called the "Association".

ARTICLE II
KNOWN PLACE OF BUSINESS

The address of the Association's known place of business is 16580 U.S. Highway 34, Ottumwa, Iowa, 52501, but other offices may be established and maintained at other places as the Board of Directors may designate.

ARTICLE III
PERIOD OF EXISTENCE

The period of the Association's duration shall be perpetual.

ARTICLE IV
PURPOSE AND POWERS

The corporation is formed for the purposes of providing for maintenance, preservation and architectural control of the properties, residential lots, houses and Community Properties subject to the Covenants, Conditions and Restrictions applicable to those certain tracts of land known as Bear Creek Estates and Bear Creek Timber View Estates, subdivisions in Wapello County, Iowa, according to plats thereof recorded in the Records of the Wapello County, Iowa Recorder, on February 27, 1998 in Book G-7 Page 380 and July 22, 2004 in Book 11-J Page 80 and any additional properties that may hereafter be brought within the jurisdiction of this Association and to promote the health, safety and welfare of the residents within the above-described property and to:

1. 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 or subdivision named above, and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth at length;

2. 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; and

3. have and exercise any and all powers, rights and privileges that a corporation organized under the Non-Profit Corporation Act of the State of Iowa may by law now or hereafter have or exercise.

ARTICLE V
MEMBERSHIP

The Association shall not have members as defined in §§ 504.600-.623 of the Code of Iowa (2011), but owners of property shall be entitled to vote as provided herein.

ARTICLE VI
VOTING RIGHTS

Persons owning either a residence or an undeveloped parcel within the subdivisions shall be entitled to a vote on matters coming before the Association as provided in the Bylaws.

ARTICLE VII
BOARD OF DIRECTORS

The affairs of this Association shall be managed by a board of five (5) directors. The number of directors may be changed by amendment of the Association's bylaws. The names and addresses of the persons who are to serve as the initial directors are:

<u>Name</u>	<u>Term Expires</u>
_____	_____, 2013
_____	_____, 2013

_____, 2014
_____, 2014
_____, 2014

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ARTICLE VIII
DISSOLUTION

The Association may be dissolved, either by unanimous written consent of all 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 nonprofit corporation, association, trust or other organization to be devoted exclusively to such similar purposes. No part of the monies, properties or assets of the Association, upon dissolution or otherwise, shall inure to the benefit of any private person or individual or member of the Association.

ARTICLE IX
CONFLICTS WITH THE DECLARATION AND APPLICABLE LAWS

To the extent that these Articles shall be contrary to, or inconsistent with, the provisions of the Declaration, these Articles shall be considered to supersede the Declaration, however these Articles shall by superseded by any applicable governmental laws, rules or regulations.

ARTICLE X
AMENDMENTS

Amendment of these Articles shall require the assent of a majority of the eligible property owners, as defined in Article VI.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the state of Iowa, the undersigned incorporators of this Association, have executed these Articles of Incorporation this ____ day of December, 2011.

Signed by:
