



# NORTH CAROLINA

## Department of The Secretary of State

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To all whom these presents shall come, Greetings:

I, ELAINE F. MARSHALL, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

### ARTICLES OF INCORPORATION

OF

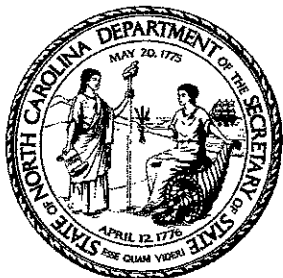
### WILDWOOD VILLAS HOMEOWNERS ASSOCIATION

the original of which was filed in this office on the 11th day of September, 1980.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 29th day of April, 2009

*Elaine F. Marshall*

Secretary of State



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SEP 11 10 10 AM '80 ARTICLES OF INCORPORATION

THAD EURE OF  
SECRETARY OF STATE  
NORTH CAROLINA WILDWOOD VILLAS HOMEOWNERS ASSOCIATION

In compliance with the requirements of Chapter 55 A of the General Statutes of North Carolina, the undersigned, all of whom are residents of Pitt County, North Carolina, and all of whom are of full age, have this day voluntarily associated themselves together for the purpose of forming a corporation not for profit and do hereby certify:

Article I

The name of the corporation is WILDWOOD VILLAS HOMEOWNERS ASSOCIATION, hereinafter called the "Association."

Article II

The principal and registered office of the Association is located at 105 Mumford Street, Greenville, Pitt County, North Carolina 27834.

Article III

B. C. Branch, whose address is 105 Mumford Street, Greenville, Pitt County, North Carolina 27834, is hereby appointed the initial registered agent of the Association.

Article IV

PURPOSE AND POWERS OF THE ASSOCIATION

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the residence lots and common area within that certain tract or property described as:

273249

A parcel of land lying and being in the City of Greenville, County of Pitt, State of North Carolina, bounded on the north by the Tar River, on the east by the City of Greenville, on the south by the J. N. Williams Heirs, and on the west by James Brown, Jr., et al, and being more particularly described as follows:

BEGINNING at a railroad spike located as follows: BEGINNING at the intersection of the center lines of Third Street and Beech Street of the City of Greenville, said point being marked by a railroad spike and thence, following the center line of Beech Street, North 24-46-29 East 135.71 feet to a railroad spike which is the property line of James Brown, Jr., et al, it being a corner between James Brown, Jr., et al, and the property of Bernice Branch, and continuing with the division line between the said Brown and Williams land, which is an extension of the center line of Beech Street North 24-46-29 East 290 feet to an iron stake which is the point of BEGINNING for the property described herein;

Thence, from said BEGINNING point, following the eastern property line of said James Brown, Jr., et al, North 24-46-29 East crossing a 20-foot sewage easement of the City of Greenville, 1,755.95 feet to an iron stake located on the southern bank of the Tar River, which stake is 6 feet from the water line and continuing North 24-46-29 East to the water line of the said Tar River;

Thence, following the water line of the said Tar River, South 73-45-41 East 172.96 feet South 82-50 East 133.49 feet, South 78-06-05 East 118.19 feet, South 72-18-33 East 270.14 feet to the northwestern property line of the City of Greenville; thence following the western property line of the City of Greenville, South 33-15-59 West 4 feet to an iron stake set on the bank of the said Tar River and continuing with the western line of the said City of Greenville, crossing an easement held by the City of Greenville, South 35-15-59 West 1,326.06 feet to an iron stake by a cyprus stump, and continuing with the said western property line of the City of Greenville, South 27-26-04 West 551.67 feet to an iron stake, a corner with the J. N. Williams Heirs; thence with the northern boundary of the J. N. Williams Heirs property North 68-54-34 West 415.37 feet to the point of BEGINNING.

There is described herein all of Lot 1 of the Jas. Brown subdivision as shown on the map recorded in Map Book 2, at Page 62 of the Pitt County Registry, lying north of the last call of this description, to-wit: North 68-54-34 West, the same being a division of the property herein described and that retained by the J. N. Williams heirs.

The property hereinbefore described is subject to an easement held by the City of Greenville which is recorded in Book X-31, Page 746, Pitt County Registry, said easement being shown by the said Map hereinbefore referred to.

The said property as hereinbefore described contains 21.42 acres.

There is also conveyed an easement along the western boundary of the property of Jesse N. Williams, Jr., et al, as described in that certain deed dated July 16, 1977, and recorded in Book A-46, at Page 773 of the Pitt County Registry, adjacent to the James Brown, Jr., et al property, said easement being sixty feet wide and adjacent to and at right angles to said Brown line and extends between the BEGINNING point of the foregoing description and the termination of northern end of Beech Street. The easement is for the benefit of the J. N. Williams Heirs, their heirs and assigns, and Bernice Branch, his heirs and assigns.

and to promote the health, safety and welfare of the residents within the above-described property and any additions thereto as may hereafter be brought within the jurisdiction of this purpose to:

- (a) 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 and recorded, or to be recorded in the Office of the Register of Deeds, Pitt County, North Carolina, 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;
- (b) 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;

- (c) 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;
- (d) borrow money, and with the assent of two-thirds (2/3) of each class of members, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;
- (e) dedicate, sell or transfer all or any part of the common area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of each class of members, agreeing to such dedication, sale or transfer;
- (f) participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential

property and common area, provided that any such merger, consolidation or annexation shall have the assent of two-thirds (2/3) of each class of members;

(g) 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 North Carolina by law may now or hereafter have or exercise.

Article V

MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest in any lot which is subject by covenants or record to assessment by the Association, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any lot which is subject to assessment by the Association.

Article VI

VOTING RIGHTS

The Association shall have two classes of voting membership:

Class A. Class A members shall be all owners, with the exception of the Declarant, and shall be entitled to one vote for each lot owned. When more than one person holds an interest in any lot, all such persons shall be members. The vote for such lot:

shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any lot.

Class B. The Class B member(s) shall be the Declarant (as defined in the Declaration), and shall be entitled to three (3) votes for each lot owned. The Class B membership shall cease, if not sooner terminated as herein provided, on January 1, 1990.

Article VII

BOARD OF DIRECTORS

The affairs of the Association shall be managed by a Board of three (3) directors, who need only be members of the Association. The number of directors may be changed by amendment of the Bylaws of the Association. The names and addresses of the persons who are to act in the capacity of directors until the selection of their successors are:

<u>NAME</u>	<u>ADDRESS</u>
B. C. Branch	1715 Forest Hill Drive Greenville, N. C. 27834
Michael L. Harrington	2003 Fern Drive Greenville, N. C. 27834
B. C. Branch, Jr.	1809 E. Fifth Street Greenville, N. C. 27834

At the first annual meeting, the members shall elect three directors who are to serve for a term of one (1) year until the next ensuing annual meeting or until their successors are elected and qualified.

Article VIII

DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each class of 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 to such similar purposes.

Article IX

DURATION

The corporation shall exist perpetually.

Article X

AMENDMENTS

Amendment of these Articles shall require the assent of seventy-five (75) per cent of the entire membership.

Article XI

FHA/VA APPROVAL

As long as there is a Class B membership, the following actions will require the prior approval of the Federal Housing Administration or the Veterans Administration: annexation of additional properties, mergers and consolidations, mortgaging of common area, dedication of common area, dissolution and amendment of these Articles.



IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of North Carolina, we, the undersigned, constituting the incorporators of this Association, have executed these Articles of Incorporation, this the 9<sup>th</sup> day of June, 1980.

B. C. Branch (SEAL)  
B. C. BRANCH

Michael L. Harrington (SEAL)  
MICHAEL L. HARRINGTON

B. C. Branch Jr (SEAL)  
B. C. BRANCH, JR.

NORTH CAROLINA

PITT COUNTY

I, Sarah Lovington Phillips, a Notary Public in and for the aforesaid County and State, do hereby certify that B. C. BRANCH, MICHAEL L. HARRINGTON

and B. C. BRANCH, JR. personally appeared before me this day and, after first being duly sworn, acknowledged the due execution of the foregoing Articles of Incorporation of WILDWOOD VILLAS HOMEOWNERS ASSOCIATION and certify that the same is true.

WITNESS my hand and Notarial Seal, this the 9<sup>th</sup> day of June, 1980.

Sarah Lovington Phillips  
Notary Public

My commission expires: 11-20-84



# NORTH CAROLINA

## Department of The Secretary of State

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To all whom these presents shall come, Greetings:

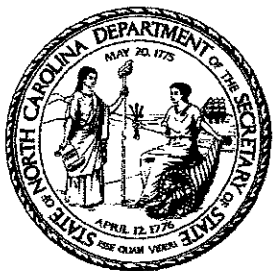
I, ELAINE F. MARSHALL, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

### ARTICLES OF AMENDMENT

OF

### WILDWOOD VILLAS HOMEOWNERS ASSOCIATION

the original of which was filed in this office on the 24th day of September, 1980.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 29th day of April, 2009

*Elaine F. Marshall*

Secretary of State

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SECRETARY OF STATE  
NORTH CAROLINA

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ARTICLES OF  
AMENDMENT TO THE ARTICLES OF INCORPORATION  
OF  
WILDWOOD VILLAS HOMEOWNERS ASSOCIATION

and directors

The undersigned incorporators/of WILDWOOD VILLAS HOMEOWNERS ASSOCIATION, prior to the conveyance of any of the real property described in the Articles of Incorporation, hereby execute these Articles of Amendment for the purpose of amending the charter of the corporation:

1. The name of the corporation is: WILDWOOD VILLAS HOMEOWNERS ASSOCIATION.

2. The charter of the coporation is hereby amended as follows: By amending Article VI, Class B as follows:

The Class B member(s) shall be the Declarant (as defined in the Declaration), and shall be entitled to three (3) votes for each lot owned.

The Class B membership shall cease, if not sooner terminated as herein provided, on January 1, 1985.

3. The foregoing amendment is made by the incorporators and all directors before the conveyance of any of the real property described in and before any members are admitted the original Articles of Incorporation/to the Association. This amendment adopted unanimously by the undersigned incorporators and directors on September 15, 1980.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this the 15th day of September, 1980.

*B.C. Branch* (SEAL)  
B. C. BRANCH, Director - President  
*Michael L. Harrington* (SEAL)  
MICHAEL L. HARRINGTON, Director - Secretary  
*B.C. Branch Jr.* (SEAL)  
B. C. BRANCH, JR., Director

NORTH CAROLINA

PITT COUNTY

I, Sarah Lovington Phillips, a Notary Public in and for the aforesaid County and State, do hereby certify that B. C. BRANCH, MICHAEL L. HARRINGTON and B. C. BRANCH, JR. personally appeared before me this day and, after first being duly sworn, acknowledged the due execution of the foregoing Articles of Incorporation of WILDWOOD VILLAS HOMEOWNERS ASSOCIATION and certify that the same is true.

WITNESS my hand and Notarial Seal, this the 15th day of September, 1980.

Sarah Lovington Phillips  
NOTARY PUBLIC

My commission expires: November 20, 1984

NORTH CAROLINA

PITT COUNTY

I, Sarah Lovington Phillips, a Notary Public in and for the aforesaid County and State, do hereby certify that MICHAEL L. HARRINGTON personally appeared before me this day and acknowledged that he is Secretary of WILDWOOD VILLAS HOMEOWNERS ASSOCIATION, a corporation, and that by authority duly given, and as the act of the corporation, the foregoing instrument was signed in its name by its President, B. C. BRANCH, sealed with its corporate seal, and attested by himself as its Secretary.

WITNESS my hand and official seal, this the 15th day of September, 1980.

Sarah Lovington Phillips  
NOTARY PUBLIC

My commission expires: November 20, 1984