

**Articles of Incorporation**  
**Casa Real Homeowners Association**

Order: G2BBK6WP9  
Address: 7819 E Hawthorne St  
Order Date: 11-04-2020  
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ARTICLES OF INCORPORATION  
OF  
CASA REAL HOMEOWNERS ASSOCIATION

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PIMA COUNTY RECORDER

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 Article I of the Declaration of Covenants, Conditions and Restrictions, pertaining to CASA REAL HOMEOWNERS ASSOCIATION, and hereinafter termed the "Declaration" which was recorded in the office of the County Recorder of Pima County, Arizona in Book 5650 commencing at page 0735 et. seq.

ARTICLE II  
NAME

The name of the corporation is CASA REAL HOMEOWNERS 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.

ARTICLE IV  
STATUTORY AGENT

PETER D. HERDER, a bona fide resident of the State of Arizona for the last four years, whose address is 2875 North Tucson Boulevard, Tucson, Arizona 85719, is hereby appointed the initial statutory agent of this association.

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ARTICLE V  
GENERAL NATURE OF BUSINESS

The purposes for which this Association 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 Association as set forth in the aforesaid Declaration, referred to in Article I 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 business of the Association, including all licenses, taxes or governmental charges levied or imposed against the property of the Association;

(D) Subject to the provision of Article XI, Section 4 of the Declaration, 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

The Association shall have two classes of membership;

Class A - Class A members shall be every person or entity who becomes a record owner of a fee or undivided fee interest in any Townhouse which is subject by covenant or records to assessment by the Association, including contract sellers. Class A members 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.

Class B - The Class B member shall be the Developer. The Class B members shall be entitled to three (3) votes for each Lot in which it holds a fee interest on the date of the filing of these Restate Articles of Incorporation, provided, however, upon transfer or conveyance of any Lot by the Developer to any purchaser other than to a builder or developer who succeeds Developer's interest, the voting rights attaching to said Lot by reason of ownership by the Class B member shall terminate and shall not be transferable. Class B membership shall terminate and be converted to Class A membership on the first to occur of: (1) March 1, 1984; (2) when the total votes outstanding in the Class A membership equals the total votes outstanding in the Class B membership. and in such event the Class A membership shall be effective. Thereafter Class A membership shall be the sole membership class of the Association until a new or additional class of membership is authorized.

The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. No member shall have more than one membership. Membership shall be appurtenant to any Owner and may not be separated from ownership of any Lot which is subject to assessment by the Association. Ownership of such Lot on the date set forth above shall be the sole qualification for membership.

ARTICLE VII  
INCORPORATORS

The names, residence and post office addresses of the Incorporators are as follows:

<u>Names</u>	<u>Addresses</u>
Peter D. Herder	2875 North Tucson Blvd. Tucson, Arizona 85719
A.L. Raubenolt	32 North Stone Avenue Tucson, Arizona 85701

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 first Board of Directors shall consist of three (3) Directors and such Officers as the Board may appoint or elect. All Directors and Officers must be members of the Association. The number of Directors may be changed by amendment of the By-Laws of the Association.

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The Board of Directors of the Association will consist of the five members, elected at a meeting held in Tucson, Arizona on the 19th day of September, 1979, whose names and addresses are:

<u>Names</u>	<u>Addresses:</u>
Peter D. Herder	2875 N. Tucson Blvd. Tucson, Arizona 85719
A.L. Raubenolt	Home Federal Savings & Loan 32 North Stone Avenue Tucson, Arizona 85702
Charles Bowles	c/o Herder 2875 N. Tucson Blvd. Tucson, Arizona 85719
Ron Towler	Casa Real 7814 E. Hawthorne Tucson, Arizona
Ron Dutcher	Casa Real 7814 E. Hawthorne Tucson, Arizona

The Board of Directors will serve either: (A) for three years from the date of their election; or (B) until termination of all Class B voting rights held by the Developer, whichever event first occurs.

At the first annual meeting following the occurrence of (A) or (B) above, or at a special meeting of the Association members called by the first Board of Directors for the purpose of election of a Board of Directors, the Members shall elect a Board of Directors to be divided into three classes, as nearly equal in number as may be, the term of office of those of the first class to expire at the first annual meeting of Members after their election, the term of office of those of the second class to expire at the second annual meeting of Members after their election, and the term of office of those of the third class to expire at the third annual meeting of Members after their election.

At each annual election of Directors held after the classification and election described in the preceding paragraph, Directors chosen to succeed those whose terms expire shall be elected for a term of office to expire at the third annual meeting of Members after their election. The manner of electing Directors may be changed by an amendment to the By-Laws.