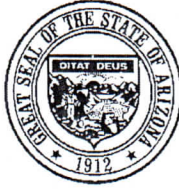


# STATE OF ARIZONA



Office of the  
**CORPORATION COMMISSION**

The Executive Director of the Arizona Corporation Commission does hereby certify that the attached copy of the following document:

**ARTICLES OF INCORPORATION, 09/26/1978**

consisting of 11 pages, is a true and complete copy of the original of said document on file with this office for:

**SAHUARO TOWNHOUSES, INC.**  
**ACC file number: 01181443**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Arizona Corporation Commission on this 22 Day of February, 2023 A.D.



A handwritten signature in black ink that reads "Kim Battista".

Kim Battista, Interim Executive Director

By

A handwritten signature in blue ink that reads "Chasity Pullin".  
**CHASITY PULLIN**

Box 248

Box 248

**ARIZONA CORPORATION COMMISSION**  
**INCORPORATING DIVISION**  
 2222 WEST ENCANTO BLVD., SUITE 210-D  
 PHOENIX, ARIZONA 85009

I. CERTIFICATE OF DISCLOSURE  
A.R.S. 10-128

CHECK BOX "A" OR "B" WHICHEVER IS APPROPRIATE

THE UNDERSIGNED CERTIFY THAT

- A. No person serving either by election or appointment as officers, directors, trustees, incorporators and persons controlling or holding more than 10% of the issued and outstanding common shares or 10% of any other proprietary, beneficial or membership interest in the corporation:
1. Have been convicted of a felony involving a transaction in securities, consumer fraud or antitrust in any state or federal jurisdiction within the seven year period immediately preceding the execution of this certificate;
  2. Have been convicted of a felony, the essential elements of which consisted of fraud, misrepresentation, theft by false pretenses, or restraining of trade or monopoly in any state or federal jurisdiction within the seven year period immediately preceding the execution of this certificate;
  3. Have been or are subject to an injunction, judgment, decree or permanent order of any state or federal court entered within the seven year period immediately preceding the execution of this certificate, where such injunction, judgment, decree or permanent order:
    - (a) Involved the violation of fraud or registration provisions of the securities laws of that jurisdiction; or
    - (b) Involved the violation of false consumer fraud laws of that jurisdiction; or
    - (c) Involved the violation of the antitrust or restraint laws of trade laws of that jurisdiction.

- B. The following persons serving either by election or appointment as officers, directors, trustees, incorporators and persons controlling or holding more than 10% of the issued and outstanding common shares or 10% of any other proprietary, beneficial or membership interest in the corporation, have been or are subject to one or more of the statements listed in items 1 through 3 above:

I. NAME(S): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

II. THE FOLLOWING INFORMATION ON EACH PERSON LISTED MUST ACCOMPANY THIS REPORT

1. Full name and prior names used.
2. Full birth name.
3. Present home address.
4. Prior addresses (for immediately preceding 7 year period).
5. Date and location of birth.
6. Social security number.
7. The nature and description of each conviction or judicial action, the date and location, the court and public agency involved, and the file or cause number of the case.

DATED 9-14-78 EXACT CORPORATE NAME Sahuaro Townhouses, Inc.

Under penalties of law, I declare that I have examined this certificate, including any attachments, and to the best of my knowledge and belief it is true, correct and complete.

BY George A. Collamer BY James D. Sift  
 TITLE Incorporator - Director TITLE Director

BY Donald E. Surface BY \_\_\_\_\_  
 TITLE Incorporator - Director TITLE \_\_\_\_\_

Box 248

Box 248

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ARIZONA WEEKLY GAZETTE  
P. O. BOX 1950  
PHOENIX, ARIZONA 85001

KNOW ALL MEN BY

That we,

Arizona, and c

associated our

tion not for profit under and pursuant to the laws of the State of

Arizona, and for that purpose do hereby adopt these Articles of

Incorporation.

ARTICLE I

The names and addresses of all the incorporators are:

George A. Collamer  
1133 East Missouri  
Phoenix, Arizona 85013

Donald E. Surface  
1133 East Missouri  
Phoenix, Arizona 85013

ARTICLE II

The name of the corporation shall be Sahuaro Townhouses, Inc.,  
hereafter referred to as the "Association".

ARTICLE III

The principal place of business of the Association shall be  
Phoenix, Maricopa County, Arizona, but other offices may be main-  
tained in the State of Arizona, or at such other place or places  
within or without the State of Arizona as may be established from  
time to time by the Board of Directors.

ARTICLE IV

This Association does not contemplate pecuniary gain or profit  
to the members thereof, and the specific purposes for which it is

STERNING AND PUGH, P.A.  
2200 CENTRAL AVENUE, SUITE 200  
PHOENIX, ARIZONA 85004  
TEL. 252-1154

1 formed are to provide for maintenance, preservation and architec-  
2 tural control of the residential lots and common areas within that  
3 certain tract of property described as:

4 Lots 1 through 12 and Tracts "A" through "G"  
5 of SAHUARO TOWNHOUSES, a planned area develop-  
6 ment of a portion of the N.W. 1/4 of Section  
7 26, T.2N., R.3E., G. & S.R.B. & M., as recorded  
8 in Book 201, page 46, Maricopa County Recorder's  
9 Office and according to the Affidavit of Correction  
10 recorded in Docket 13138, page 1383, Maricopa  
11 County Recorder's Office.

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

16 (a) Exercise all of the powers and privileges and to perform  
17 all of the duties and obligations of the Association as set forth  
18 in that certain Declaration of Covenants, Conditions and Restric-  
19 tions, hereinafter called the "Declaration", applicable to the  
20 property and recorded in the office of the County Recorder of  
21 Maricopa County, Arizona, in Docket 13145 commencing at Page 277,  
22 as amended from time to time as therein provided, said Declaration  
23 as amended being incorporated herein as if set forth at length;

24 (b) Enforce all covenants, conditions, restrictions, liens,  
25 assessments, easements and other rights provided or established in  
26 the Declaration; to fix, assess, levy, collect and enforce by all  
27 lawful means, all assessments, charges and funds provided for under  
28 the Declaration, these Articles of Incorporation, and the By-Laws;  
29 and to disburse and use the proceeds of any and all such charges  
30 and any other funds for th payment of taxes, insurance, and for  
31 the maintenance of the commonly owned areas and those other areas  
32 above described lying within public rights-of-way and/or adjacent  
33 to the Project, and to improve, repair, replace, maintain, rehabili-  
34 tate and restore any real and personal property, and for the promo-  
35 tion of any and all purposes herein mentioned in any lawful manner  
36 deemed desirable by the board of directors pursuant to the provi-  
37 sions hereof and of the Declaration and the By-Laws, with the  
38 expenses and costs of all of the foregoing to be paid out of the  
39 general funds of this Association.

40 (c) Acquire (by gift, purchase or otherwise), own, hold,  
41 improve, build upon, operate, maintain, convey, sell, lease,  
42 transfer, dedicate for public use or otherwise dispose of real or  
43 personal property in connection with the affairs of the Association;

44 (d) Borrow money, and with the assent of two-thirds (2/3) of  
45 the members, mortgage, pledge, deed in trust, or hypothecate any or

STRONG AND PUGH, P.A.  
Attorneys at Law  
1200 North Central  
Phoenix, Arizona 85004

1 all of its real or personal property as security for money borrowed  
or debts incurred;

2  
3 (e) Dedicate, sell or transfer all or any part of the common  
4 area to any public agency, authority or utility for such purposes  
5 and subject to such conditions, and further subject to the limita-  
6 tions contained in the Declaration, as may be agreed to by the  
7 members, and no such dedication or transfer shall be effective  
8 unless an instrument has been signed by two-thirds (2/3) of the  
9 members agreeing to such dedication, sale or transfer; and further,  
10 no such dedication, sale or transfer shall be effective unless  
11 adequate provision has been made for the maintenance, repair and  
12 replacement of those areas and facilities lying adjacent to this  
13 Planned Area Development and described in Article IV above;

14 (f) Participate in mergers and consolidations with other  
15 nonprofit corporations organized for the same purposes or annex  
16 additional residential property and common area, provided that any  
17 such merger, consolidation or annexation shall have the assent of  
18 two-thirds (2/3) of the members; and provided further that the  
19 resulting corporation from any such merger or consolidation  
20 specifically agrees and undertakes to maintain and provide for the  
21 repair and replacement of those areas and facilities lying adjacent  
22 to this Planned Area Development and described in Article IV above;

23 (g) Make contracts with third parties, firms and corporations  
24 and to perform work thereunder, and to make contracts with any of  
25 the officers, directors, stockholders or employees of these  
26 corporations, individually and without limitations, restrictions or  
27 prejudice, which contracts, when and if made, shall be considered  
28 and construed on the same basis as contracts with third parties,  
all in furtherance of the management, operation, objects and  
purposes of this corporation;

(h) Operate without profit so that no part of its net earnings  
or assets shall ever be distributed as a dividend or inure to the  
benefit of any member, director or individual;

(i) Establish terms and conditions applicable to membership  
in the Association which are not inconsistent with the provisions  
of the Declaration;

(j) Create any boards, committees or councils deemed to be  
convenient by the board of directors for supervision, implementing,  
enforcing and/or carrying out its powers, privileges, duties and  
obligations herein set forth;

(k) Do all other things necessary and appropriate in further-  
ance of any of the foregoing.

#### ARTICLE V

Every owner of a Townhouse Unit within the properties (as those  
terms are defined in the Declaration), which Townhouse Unit is

STRONG AND PUGH, P.A.  
2701 NORTH 51<sup>ST</sup> AVENUE  
SUITE 1000  
DENVER, CO 80202  
303.733.1173

1 subject by the Declaration to assessment by the Association, shall  
2 be a member of the Association. The foregoing is not intended to  
3 include persons or entities who hold an interest merely as security  
4 for the performance of an obligation. Membership shall be appur-  
5 tenant to and may not be separated from ownership of any lot which  
6 is subject to assessment by the Association.

7 ARTICLE VI

8 The control and management of this Association shall be vested  
9 in a board of directors. The board of directors shall be composed  
10 of not less than three (3) nor more than seven (7) persons, as  
11 provided in the By-Laws, but the number of directors may be changed  
12 by amendment of the By-Laws of the Association. During the period  
13 between the date of incorporating this corporation and the first  
14 meeting of the members of the corporation, or until their successors  
15 are elected, the following individuals, who were elected at a  
16 meeting held in Phoenix, Arizona, on the first day of August, 1978,  
17 shall serve as directors of the corporation:

18 George A. Collamer Address on pg 1

19 Donald E. Surface Address on pg 1

20 James W. Suft 1051 Village Circle Drive South  
Phoenix, Arizona 85022

21 After the first meeting of the members, all directors shall be  
22 elected at the annual meeting of the members of the Association; for  
23 a term of one year, or until their successors shall have been  
24 elected and qualified; and in accordance with Section 10 of Article  
25 XIV of the Constitution of the State of Arizona cumulative voting  
26 shall be allowed. The annual meeting of the members of the  
27 Association shall be as provided in the By-Laws, on the second  
28 Tuesday in June.

ARTICLE VII

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The Association may be dissolved at a special meeting called for that purpose and only with the vote of not less than two-thirds (2/3) of the vote of the members and only after adequate provision has been made for the maintenance, repair and replacement of those areas and facilities lying adjacent to this Planned Area Development and described in Article IV above. 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 VIII

The board of directors shall elect a President, one or more Vice Presidents, Secretary and Treasurer and assistants thereto. The time and method of electing said officers and the length of their term shall be fixed in the By-Laws. The President and Vice President shall be members of the board of directors, but the Secretary and Treasurer and their assistants need not be members of the board of directors. The board of directors may further elect an executive committee from among its membership. Any vacancies in the board of directors or in any office may be filled by the remaining directors and the person so chosen to fill a vacancy shall serve during the unexpired term of his predecessor and until his successor is duly elected and qualified.

STRONG AND PUGH, P.A.  
2701 NORTH SEVENTH AVENUE  
DENVER, COLORADO 80202  
(303) 733-7750

STRONG AND PUGH, P.A.  
201 NORTH 51ST AVENUE  
PHOENIX, ARIZONA 85007  
602.955.1175

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ARTICLE IX

The board of directors shall have the power to adopt the original By-Laws of the Association, which By-Laws may be changed or amended by the directors, together with the concurrence of a majority of a quorum of the members present at any meeting called for that purpose. The By-Laws may prescribe, among other things, the date of the annual meeting, the method of electing officers, the liability of the members for dues or assessments, the terms and conditions upon which a membership may be transferred, and such other regulations and rules as may be required, provided the same are not contrary to law or inconsistent with the objectives or purposes of the corporation.

ARTICLE X

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

ARTICLE XI

The time of the commencement of this corporation shall be the date the Articles of Incorporation are filed by the Arizona Corporation Commission, and the duration of the corporation shall be perpetual.

ARTICLE XII

Any indebtedness or liability, direct or contingent, must be authorized by an affirmative vote of the majority of the votes cast by the members of the board of directors at a lawfully held meeting, and approved by the Arizona Corporation Commission, to the extent required by the laws of the State of Arizona. The maximum amount of indebtedness or liability, direct or contingent, to which this Association may be subjected at any one time shall not exceed the



1 amount of \$50,000.00, or an amount represented by two hundred per-  
2 cent (200%) of its income for the previous fiscal year (whichever  
3 amount is greater), except the additional amounts may be authorized  
4 by an affirmative vote of three-fourths (3/4) of the members of the  
5 Association at a lawfully held meeting.

#### 6 ARTICLE XIII

7 The members, officers and directors, and members of the  
8 executive committee, shall not be individually or personally liable  
9 for the Association's debts or other liabilities, and the private  
10 property of such individuals shall be exempt from any Association  
11 debts or liabilities.

#### 12 ARTICLE XIV

13 Every director and every officer of the Association shall be  
14 indemnified by the Association against all expenses and liabilities,  
15 including counsel fees, reasonably incurred by or imposed upon him  
16 in connection with any proceeding to which he may be a party, or in  
17 which he may become involved, by reason of his being or having been  
18 a director or officer of the Association, or any settlement thereof,  
19 whether or not he is a director or officer at the time such expenses  
20 are incurred, except in such cases wherein the director or officer  
21 is adjudged guilty of willful misfeasance or malfeasance in the  
22 performance of his duties, provided that in the event of a settle-  
23 ment the indemnification herein shall apply only when the board of  
24 directors approves such settlement and reimbursement as being for  
25 the best interests of the Association. The foregoing right of  
26 indemnification shall be in addition to and not exclusive of all  
27 other rights to which such director or officer may be entitled.

STRONG AND PUGH, P.A.  
1701 NORTH SEVENTH AVENUE  
SUITE 200 ARIZONA 85007  
PHOENIX ARIZONA 85016

ARTICLE XV

1  
2 This corporation does hereby appoint S. EARL PUGH, JR., 2701  
3 North Seventh Avenue, Phoenix, Arizona 85007, who has been a bona  
4 fide resident of the State of Arizona for at least three (3) years,  
5 its lawful agent in and for the State of Arizona for and on behalf  
6 of whom may be served all necessary process or processes in any  
7 action, suit or proceeding that may be had or brought against said  
8 corporation, in any of the courts in said State of Arizona, such  
9 service of process or notice, or the acceptance thereof, by said  
10 agent endorsed thereon to have the same force and effect as if  
11 served upon the President and Secretary of said corporation. The  
12 foregoing appointment or any successor appointment may be revoked  
13 at any time by filing an appointment of a successor agent.

14 IN WITNESS WHEREOF, for the purpose of forming this corpora-  
15 tion under the laws of the State of Arizona, we, the undersigned,  
16 constituting the incorporators of this Association, have executed  
17 these Articles of Incorporation this 14<sup>th</sup> day of SEPT, 1978.

18  
19 George A. Collamer  
George A. Collamer

20  
21 Donald E. Surface  
Donald E. Surface

22  
23  
24  
25  
26  
27  
28  
S. EARL PUGH, P.A.  
2701 NORTH SEVENTH AVENUE  
PHOENIX, ARIZONA 85007  
(602) 263-9759

23 STATE OF ARIZONA )  
24 ) SS.  
24 County of Maricopa )

25 On this 14<sup>th</sup> day of SEPT, 1978, before me, the under-  
26 signed Notary Public, personally appeared GEORGE A. COLLAMER,  
27 known to me to be the person whose name is subscribed to the fore-  
28 going instrument, and acknowledged that he executed the same for

1 the purposes therein contained.

2 IN WITNESS WHEREOF, I hereunto set my hand and official seal.

3

Don E. Barnett  
Notary Public

4

5 STATE OF ARIZONA )  
6 County of Maricopa ) SS.

7 On this 14th day of SEPT, 1978, before me, the under-  
8 signed Notary Public, personally appeared DONALD E. SURFACE, known  
9 to me to be the person whose name is subscribed to the foregoing  
10 instrument, and acknowledged that he executed the same for the  
11 purposes therein contained.

12 IN WITNESS WHEREOF, I hereunto set my hand and official seal.

13

Don E. Barnett  
Notary Public

14

15 My Commission Expires:

16 1-6-79

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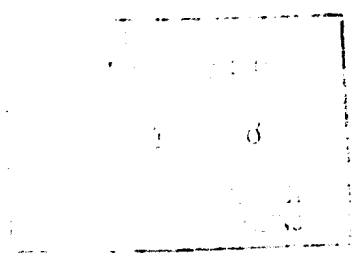
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STRONG AND PUGH, P.A.  
2701 NORTH SEVENTH AVENUE  
PHOENIX, ARIZONA 85007  
(602) 263-8759



*Handwritten notes:*  
H. G. P. A.  
New-Per

*Handwritten note:*  
6/30 f. d.

118144

ARIZONA CORPORATION COMMISSION  
INCORPORATING DIVISION

FILED

SEP 26 1978

At 2:30 P.M. at request of  
Stacy Ann Pugh  
Address 1112 N. 1st Ave  
Phoenix, AZ 85001  
By J.C. Anderson Jr. SECRETARY  
*Rd*

*Handwritten note at bottom right:*  
X1 as per date in the above  
L-28-9751