

PREPARED BY: L. ALLEN HAHN, ATTORNEY

NORTH CAROLINA  
PITT COUNTY

**ARTICLES OF INCORPORATION  
OF  
HAMPTON CREEK HOMEOWNER'S ASSOCIATION, INC.  
A NON-PROFIT CORPORATION**

We, the undersigned natural persons of the age of twenty-one years or more, acting as incorporators for the purpose of creating a non-profit corporation under the laws of the State of North Carolina, as contained in Chapter 55A of the General Statutes of North Carolina, entitled "Non-Profit Corporation Act", and the several amendments thereto, do hereby set forth.

**ARTICLE I:**

The name of the corporation shall be HAMPTON CREEK HOMEOWNER'S ASSOCIATION, INC.

**ARTICLE II:**

The period of duration of the corporation shall be perpetual.

**ARTICLE III:**

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purpose for which it is formed are to provide for maintenance and preservation of the residence lots and common areas, any private roads or rights of way within that certain area known as HAMPTON CREEK AT SAWGRASS POINTE to the promote the health, safety and welfare of the residents within the above-described property any additions thereto as may hereafter be brought within the jurisdictions of this purpose to:

1. 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;
2. borrow money, and with the assent of two-thirds (2/3) of each class of members, mortgage, pledge, deed of trust, or hypothecate any of all of its real or personal property as security for money borrowed or debts incurred;
3. 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;
4. participate in mergers and consolidations with other non-profit 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 members;
5. 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 IV:

The corporation is to have the following class or classes of members: Members in good standing as defined in By-Laws.

ARTICLE V:

Directors of the corporation shall be elected by a majority vote of the members at annual meeting.

ARTICLE VI:

The address of the initial registered office of the corporation, which is also the address of the principal office of the corporation, is as follows:

**HAMPTON CREEK HOMEOWNER'S ASSOCIATION, INC.  
3902 BACH CIRCLE  
GREENVILLE, NORTH CAROLINA 27858 (Pitt County)**

The name of the initial registered agent of the corporation at the above address is  
ROCKY RUSSELL.

ARTICLE VII:

The number of directors constituting the initial board of directors shall be two (2) and the names and addresses of the persons who are to serve as directors until the first meeting of the corporation or until their successors are elected and qualified are:

ROCKY RUSSELL  
3902 BACH CIRCLE  
GREENVILLE, NORTH CAROLINA 27858 (Pitt County)

L. ALLEN HAHN  
3500 WARWICK DRIVE  
GREENVILLE, NORTH CAROLINA 27858 (Pitt County)

ARTICLE VIII:

The name and address of the incorporator is:

ROCKY RUSSELL  
3902 BACH CIRCLE  
GREENVILLE, NORTH CAROLINA 27858 (Pitt County)

ARTICLE IX:

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, 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 set forth in Article Three hereof. No substantial part of the activities of the corporation shall be the carrying on or propaganda, or otherwise attempting to influence legislation, and the corporation shall not except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation.

ARTICLE X:

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of the section 501 (c )(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the Superior court of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations and operated exclusively for such purposes.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal, this the 14 day of

~~July~~, 2005.  
September

  
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ROCKY RUSSELL, Incorporator (SEAL)