



# NORTH CAROLINA

## Department of the Secretary of State

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**To all whom these presents shall come, Greetings:**

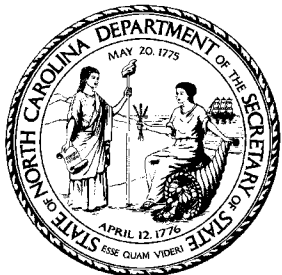
I, ELAINE F. MARSHALL, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

### ARTICLES OF INCORPORATION

OF

**MANNING FARM COMMUNITY ASSOCIATION, INC.**

the original of which was filed in this office on the 8th day of February, 2023.



Scan to verify online.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 8th day of February, 2023.

*Elaine F. Marshall*

Secretary of State

**ARTICLES OF INCORPORATION**  
**of**  
**MANNING FARM COMMUNITY ASSOCIATION, INC.**

The undersigned individual hereby does make and acknowledge these Articles of Incorporation for the purpose of forming a nonprofit corporation under and by virtue of the laws of the State of North Carolina as contained in Chapter 55A of the General Statutes of North Carolina, entitled "North Carolina Nonprofit Corporation Act," and the several amendments thereto, and to that end hereby does set forth:

1. The name of the corporation is: **Manning Farm Community Association, Inc.** (the "Association").
2. The period of duration for the Association shall be perpetual.

3. This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to operate, manage, preserve and provide architectural control of that certain tract or property known as Manning Farm Subdivision located in Pitt County, North Carolina, described in the certain Declaration of Covenants, Conditions, Restrictions and Easements For Manning Farm recorded or to be recorded with the Register of Deeds of Pitt County, as amended, and any additions thereto as may hereafter be brought within the jurisdiction of this Association (the "Declaration") (said Declaration being incorporated herein by reference), for those purposes, including but not limited to:

- (a) Exercise all of the powers and privileges and perform all of the duties and obligations of the Association, as set forth in the Declaration;
- (b) Make, establish and enforce reasonable rules and regulations concerning the use of subdivision development, common elements, land, and other real and personal property which may be owned by the Association itself;
- (c) Fix, levy, collect and enforce payment, by any lawful means, of all charges or assessments against lot owners pursuant to the terms of the Declaration; pay all expenses in connection therewith and all office and other expenses including all licenses, taxes or governmental charges levied or imposed against the property of the Association; provide funds to pay for common expenses of the Association as provided in the Declaration and to use and expend the proceeds of assessments in the exercise of the powers and duties of the Association;
- (d) Acquire, own, hold, improve, 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) Contract for the management of the property and delegate to such manager or managers all powers and duties of the Association except those powers and duties which are specifically required to have approval of the Board of Directors or the membership of the Association;
- (f) Enforce, by any legal means, the provisions of the Declaration, the Bylaws of the Association and the rules and regulations for the use of the Association property;
- (g) Undertake the performance of and carry out the acts and duties incident to the administration of the operation and management of the Association in accordance with the terms, provisions, conditions and authorization contained in these Articles, the Declaration and the Bylaws of the Association;

- (h) Dedicate, sell or transfer all or any part of the common area of the Property to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members. After Class B lots cease to exist, no such dedication or transfer shall be effective unless the Members entitled to at least 80% of the vote of the entire membership of the Association, agree to such dedication, sale or transfer and signify their agreement by a signed document recorded in the applicable public registry in Pitt County, North Carolina;
- (i) Participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and common area, in accordance with any requirements of the Declaration or the Bylaws of the Association; and,
- (j) Have and exercise any and all powers, rights and privileges which a corporation organized under the North Carolina Nonprofit Corporation Act may now or hereafter have or exercise.

4. In the event of dissolution of the Association, the residual assets of the Association shall be distributed to a nonprofit organization with purposes similar to those of the Association, or to any other organization eligible under the provisions of Chapter 55A of the General Statutes of North Carolina.

5. The Association shall have members with such designations, rights, powers and privileges as provided in any declaration applicable to the Subdivision and recorded in Pitt County, North Carolina and the bylaws of the Association.

6. The street address of the initial principal office:

2000 Aerial Center Parkway, Suite 110  
Morrisville, North Carolina 27560  
Wake County

7. The name of the initial registered agent and street address and county of the initial registered office of the Association are:

S. Elaine Hudspeth  
2000 Aerial Center Parkway, Suite 110  
Morrisville, North Carolina 27560  
Wake County

8. The directors of the Association shall be elected in the manner provided in the bylaws.


9. No part of the net earnings of the Association shall inure to the benefit of any officer, director or member of the Association; provided, however, that members may receive a rebate of excess dues and assessments previously paid. The Association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the exempt purposes of the Association.

10. Upon dissolution of the Association, the assets thereof, after all of its liabilities and obligations have been discharged or adequate provision made therefor, be dedicated to an appropriate public agency to be used for purposes similar to those for which the Association was created or, in the event that such dedication is refused acceptance, distributed to any association or associations organized for purposes similar to those set forth herein, all as more particularly provided in the bylaws of the Association.

11. The name and address of the incorporator are:

Amy Alston Wells  
498 Red Banks Rd.  
Greenville, NC 27858

This the 7<sup>th</sup> day of February, 2023.

  
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Amy Alston Wells, Incorporator

Prepared by and return to:

Amy Alston Wells  
Gaylord, McNally, Strickland, Snyder, & Wells, PLLC  
498 Red Banks Road  
P.O. Drawer 545  
Greenville, NC 27835  
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