

## ARTICLES OF INCORPORATION

OF

### DALTON'S COVE HOMEOWNERS 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. Name: The name of the corporation is Dalton's Cove Homeowners Association, Inc. (the "Association").

2. Principal Office Address: The street address of the Association's principal office is 1003 Red Banks Road, Greenville, Pitt County, North Carolina 27858. The mailing address of the Association's principal office is 1003 Red Banks Road, Greenville, Pitt County, North Carolina 27858.

3. Registered Office and Agent: The street address of the initial registered office of the Association is 1003 Red Banks Road, Greenville, Pitt County, North Carolina 27858; the mailing address of the initial registered office of the Association is 1003 Red Banks Road, Greenville, Pitt County, North Carolina 27858; and the name of the initial registered agent at such address is Robert D. Parrott.

4. Purpose: 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, including but not limited to the Lots and common areas (the "Property") shown on that certain Map Entitled on Map for Record "Dalton's Cove Section 1" recorded in Map Book 86, Page 176, Pitt County Registry, and described in the certain Declaration of Conditions, Restrictions and Covenants Running With the Land for Dalton's Cove Subdivision 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 of the Association, as set forth in the Declaration and 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;
- (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) To borrow money;
- (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;
- (i) 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.

5. Membership: The Association shall have members with such designations, rights, powers and privileges as provided in the Declaration and Bylaws of the Association.

6. Board of Directors: The affairs of this Association shall be managed by a board of directors. The number of directors constituting the initial board of directors shall be one (1). The name and address of the person who is to act in the capacity of the director until the selection of his successor is:

<u>Name</u>	<u>Address</u>
Robert D. Parrott	1003 Red Banks Rd. Greenville, NC 27858

Subsequent boards of directors, the number of directors, their terms of office, and the method of their selection shall be provided for and determined as is set forth in the Bylaws of the Association.

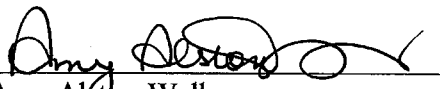
7. Nonprofit Issues: The Association shall have all of the powers granted to nonprofit corporations under the North Carolina General Statutes. It is further provided that no distributions of income of the Association are to be made to the members, directors or officers of the Association; provided, however, that members may receive a rebate of any excess dues and assessments previously paid. No part of the net earnings of the Association shall inure to the benefit of its members, directors, officers, or any other individuals, except that the Association shall be authorized and empowered to pay reasonable compensation for services actually rendered and to rebate excess membership dues, fees or assessments. 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 the purposes similar to those for which this Association was created, or to one or more nonprofit organizations or associations to be devoted for similar purposes as set forth in these Articles of Incorporation as shall be selected by the Board of Directors.

8. Limitation of Personal Liability: The members, directors and officers shall not be individually or personally liable for debts or other liabilities of this Association, and the private property of the members, directors and officers of the Association shall be exempt from corporate debts and liabilities of the Association of any kind whatsoever.

9. Incorporator: The name of the incorporator is Amy Alston Wells and the address of the incorporator is 498 Red Banks Road, Greenville, Pitt County, North Carolina 27858.

10. Effective Date: These Articles will be effective upon filing.

IN WITNESS WHEREOF, for the purpose of forming this Association under the laws of the State of North Carolina, the undersigned, constituting the incorporator of this Association, has executed these Articles of Incorporation this the 16<sup>th</sup> day of June, 2021.

  
Amy Alston Wells  
Incorporator

Prepared by and return to:  
Amy Alston Wells  
Gaylord, McNally, Strickland, Snyder & Wells, PLLC  
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