

OFFICE OF THE NEW MEXICO
SECRETARY OF STATE

CERTIFICATE OF COMPARISON
OF
COUNTRY CLUB SQUARE HOMEOWNERS' ASSOCIATION, INC.
2407583

The Office of the Secretary of State certifies that the attached is a true and complete copy of the 9 page document on file in this office.

This Certification is in accordance with Section:

53-8-1 to 53-8-99 NMSA 1978

Dated: **September 25, 2019**

In testimony whereof, the Office of the Secretary of State has caused this certificate to be signed on this day in the City of Santa Fe, and the seal of said office to be affixed hereto.



Maggie Toulouse Oliver

Maggie Toulouse Oliver
Secretary of State

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CERTIFICATE Pg. 1 of 9
Eileen Garbagni, Sandoval County Clerk B: 422 P: 23739





OFFICE OF THE
PUBLIC REGULATION COMMISSION

CERTIFICATE OF INCORPORATION

OF

COUNTRY CLUB SQUARE HOMEOWNERS' ASSOCIATION, INC.

2407583

The Public Regulation Commission certifies that the Articles of Incorporation, duly signed and verified pursuant to the provisions of the
NONPROFIT CORPORATION ACT
(53-8-1 to 53-8-99 NMSA 1978)
have been received by it & are found to conform to law.

Accordingly, by virtue of the authority vested in it by law, the Public Regulation Commission issues this Certificate of Incorporation & attaches hereto, a duplicate of the Articles of Incorporation.

Dated: DECEMBER 5, 2003

In testimony whereof, the Public Regulation of the State of New Mexico has caused this certificate to be signed by its Chairman and the seal of said Commission to affixed at the City of Santa Fe.

Lynne Loring

Chairwoman

Russ E. Chales

Bureau Chief

2407583

DEC - 5

**ARTICLES OF INCORPORATION
OF
COUNTRY CLUB SQUARE HOMEOWNERS' ASSOCIATION,
INC.
(A Nonprofit Corporation)**

THE UNDERSIGNED, being desirous of forming a non-profit corporation under the laws of the State of New Mexico, has prepared and hereby adopts the following Articles of Incorporation:

**ARTICLE I
NAME**

The name of the corporation is COUNTRY CLUB SQUARE HOMEOWNERS' ASSOCIATION, INC., hereafter called the "Association".

**ARTICLE II
PRINCIPAL OFFICE**

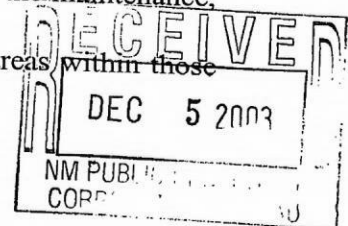
The principal office of the Association is located at 506 Rio Rancho Blvd., NE, Rio Rancho, New Mexico 87124

**ARTICLE III
REGISTERED AGENT AND REGISTERED OFFICE**

Christopher M. Pacheco, whose address is 333 Rio Rancho Drive, Ste. 401, Rio Rancho, New Mexico, is hereby appointed registered agent of this Association. The street address for the registered office is 333 Rio Rancho Drive, Ste. 401, Rio Rancho, New Mexico 87124.

**ARTICLE IV
PURPOSE AND POWERS OF THE ASSOCIATION**

This Association does not contemplate pecuniary gain or profit of the members thereof, and the specific purposes for which it is formed are to provide for the maintenance, preservation and architectural control of the residence, lots and common areas within those



portions of the Country Club Square Subdivision, City of Rio Rancho, County of Sandoval, State of New Mexico, that are subjected to the Declaration of Protective Covenants and Building Restrictions (the "Declaration") recorded in the office of the County Clerk of Sandoval County, New Mexico. The Association will further act to promote the health, safety and welfare of the residents within the Subdivision and for this purpose will:

(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, as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth fully;

(b) fix, levy, collect and enforce payment by any lawful means, of all assessments pursuant to the terms of the Declaration and will pay all expenses in connection therewith and all operating costs of the association, including, without limitation, licenses, taxes or other governmental charges levied or imposed against the Association or Association Land;

(c) 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.

(d) borrow money, and with the assent of two-thirds (2/3) of each class of members, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(e) dedicate, sell or transfer all or any part of the Association Land 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 assented to in writing by two-thirds (2/3) of the members of each class;

(f) participate in mergers and consolidations with other nonprofit corporations organized for the same purposes, provided that any such merger or consolidation shall have the assent of two-thirds (2/3) of the members of each class;

(g) have and exercise any and all powers, rights and privileges which a corporation organized under the Nonprofit Corporation Act of the State of New Mexico by law may now or hereafter have and exercise.

ARTICLE V **MEMBERSHIP**

Every person or entity who is a record owner of a fee or undivided fee interest in any Lot which is subject to Assessment, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment by the Association.

ARTICLE VI **VOTING RIGHTS**

The Association shall have two classes of voting membership as follows:

Class A: Shall be all the Owners, except the Declarant, and shall be entitled to one (1) vote for each Lot owned. When more than one person holds interest in the same Lot, all such persons shall be members, but shall be entitled to only one (1) vote, collectively.

Class B: Shall be the Declarant and shall be entitled to three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership upon the happening of either of the following events, whichever occurs earlier:

- a. When the total votes outstanding in Class A, is more than 10; or
- b. On December 31, 2020.

The rights of membership, including the right to vote and the right to participate in Association affairs, are subject to suspension by the Board for: (1) failure or refusal to pay any assessment levied by the Association for a period of thirty (30) days after the due date of such assessment; or (2) an infraction of, default in, or breach of any provision of the Declaration, these Articles, the Bylaws or other Rules and Regulations of the Association.

ARTICLE VII **INCORPORATOR**

The name and address of the incorporator is:

Christopher M. Pacheco, Esq.
c/o Lastrapes, Spangler & Pacheco, P.A.
333 Rio Rancho Drive N.E., Ste. 401
Rio Rancho, New Mexico 87124

ARTICLE VIII **BOARD OF DIRECTORS**

The affairs of this Association shall be managed by a Board of Directors, who need not be members of the Association. The initial Board of Director shall have a fixed number of three (3) directors. The number of directors may be changed by amendment to the Bylaws of the Association or in accordance with the Declaration. The names and addresses of the persons who are to act in the capacity of directors until the selection of their successors are:

NAME

ADDRESS

Francisco Melendez	506 Rio Rancho Blvd., NE, Rio Rancho 87124
Miguel Melendez	506 Rio Rancho Blvd., NE, Rio Rancho 87124
Dawn Davide	506 Rio Rancho Blvd., NE, Rio Rancho 87124

The Association shall indemnify its directors and officers against expenses, costs and attorneys' fees actually and reasonably incurred by them in connection with the defense of any action, suit, or proceeding, civil or criminal in which they are made a party by reason of being or having been a director or officer of the Association, unless they are guilty of negligence or misconduct in their performance of their duties as directors or officers.

At the first annual meeting, the members shall elect directors for a term of one year. The directors elected to the Board shall be elected by a majority vote of the Class A and Class B members.

ARTICLE IX
DISSOLUTION

The Association may be dissolved with the written assent of not less than two-thirds (2/3) of each class of members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association, if any, 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 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.

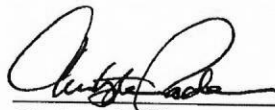
**ARTICLE X
DURATION**

The corporation shall exist perpetually.

**ARTICLE XI
AMENDMENTS**

These Articles may be amended, changed, modified or repealed by the affirmative vote of seventy-five percent (75%) of the entire membership and the consent of the Class B Members, in person or by proxy at a meeting duly called for that purpose. Written notice of such meeting, setting forth the purpose thereof, shall have been sent to all members not less than fifteen (15) nor more than thirty (30) days prior to such meeting.

IN WITNESS WHEREOF, the undersigned Incorporator of this Corporation has made and signed these Articles of Incorporation this 4th day of December, 2003.



Christopher M. Pacheco

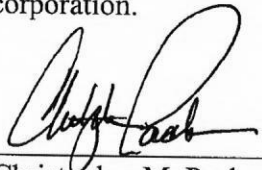
**AFFIDAVIT OF ACCEPTANCE OF APPOINTMENT
BY DESIGNATED INITIAL REGISTERED AGENT**

To the Public Regulation Commission

DEC - 5 2003

STATE OF NEW MEXICO)
)ss.
COUNTY OF SANDOVAL)

On this 4th day of December ~~October~~ 2003 before me, a Notary Public in and for the State and County aforesaid, personally appeared Christopher M. Pacheco, who is known to me to be the undersigned person and who, being by me duly sworn, acknowledged to me that he is a resident of the State of New Mexico and does hereby accept his appointment as the initial Registered Agent of Country Club Square Homeowners' Association, Inc., the corporation which is named in the annexed Articles of Incorporation.


Christopher M. Pacheco, Registered Agent

SIGNED AND SWORN TO before me on December 4th, 2003, by Christopher M. Pacheco.

Patricia D Hudson.

My Commission Expires:

