

# Articles of Incorporation

Lafayette Place  
Condominium Association, Inc.

127,370-7  
FILED IN OFFICE OF  
STATE CORPORATION COMMISSION  
OF NEW MEXICO

JUN 07 1985

ARTICLES OF INCORPORATION

RECEIVED

JUN 07 1985

N.M. ST. OFF.  
Corp/Fiscal

CORPORATION AND  
FRANCHISE TAX DEPTS.  
LAFAYETTE PLACE CONDOMINIUM OWNERS ASSOCIATION

IN COMPLIANCE with the requirements of Sections 53-8-1 to 53-8-99, N.M.S.A. (1978), the Nonprofit Corporation Act, the undersigned natural person, being of full age and the incorporator for the purpose of forming a corporation not for profit, does hereby certify and adopt the following Articles of Incorporation for such corporation:

#### ARTICLE I

The name of the corporation shall be LAFAYETTE PLACE CONDOMINIUM OWNERS ASSOCIATION, a New Mexico nonprofit corporation.

#### ARTICLE II

The location of the principal office of the Corporation in the State of New Mexico shall be in the City of Albuquerque, Bernalillo County, New Mexico, or at such other place as is designated from time to time by the Board of Directors.

#### ARTICLE III

The Corporation shall not afford pecuniary gain or profit, direct or indirect, incidentally or otherwise, to its members. The purposes for which it is formed are:

To promote the health, safety, community welfare and general welfare of the residents within LAFAYETTE PLACE CONDOMINIUM, and such additions thereto as may be brought within the jurisdiction of this Corporation by annexation, as provided in Article IX herein, hereafter referred to as "the Property," and for this purpose to:

(a) Exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in that certain Declaration of Covenants, Conditions and Restrictions for Lafayette Place Condominium, hereinafter called the "Declaration", applicable to the Property and recorded or to be recorded in the office of the County Clerk of Bernalillo County, and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth at length;

(b) Acquire, build, operate and maintain common areas, streets, footways, recreational facilities, including buildings, structures, personal properties incident thereto, hereinafter referred to as "the common properties and facilities;"

(c) To do all things necessary with respect to carrying out the following:

(1) provide exterior maintenance for the living units within Lafayette Place Condominium;

(2) maintain lands, trees or other plantings; and

(3) collect from residents and pay to the municipality for municipal services such as water and garbage service, and supplementing municipal services if such payment and action is required;

(d) Fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied or imposed against the property of the Association;

(e) Enforce any and all covenants, restrictions, and agreements applicable to the Property;

(f) Pay taxes, if any, on the common properties and facilities;

(g) Insofar as permitted by law, to do any other thing that, in the opinion of the Board of Directors, will promote the common benefit and enjoyment of the residents of Lafayette Place Condominium; and

(h) To do all things permitted by the Nonprofit Corporation Act, §§3-3-1 to 53-8-99, N.M.S.A. (1978).

#### ARTICLE IV

This Corporation does not and shall not afford pecuniary gain incidental or otherwise to any of its members. Upon dissolution of the Corporation, the assets, both real and personal, of the Corporation shall be dedicated to an appropriate public agency or utility to be devoted to purposes as nearly as practicable the same as those to which they were required to be devoted by the Corporation. 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 purposes as nearly as practicable the same as those to which they were required to be devoted by the Corporation. No such disposition of Association properties shall be effective to divest or diminish any rights or title of any member vested in him under the recorded Declaration as amended and deeds applicable to the Property, unless made in accordance with the provisions of such Declaration and deeds.

#### ARTICLE V

The period of duration of the Corporation's existence is perpetual.

#### ARTICLE VI

The location of the registered office of the Corporation shall be 1909 Carlisle Blvd. N.E., Albuquerque, New Mexico 87110; and the name of the person in charge thereof and the initial agent of the Corporation for service of process is C. W. REYNOLDS.

#### ARTICLE VII

The name and address of the incorporator, who is a natural person of adult age, is: C. W. REYNOLDS, 1909 Carlisle Blvd. N.E., Albuquerque, New Mexico 87110.

#### ARTICLE VIII

The affairs of the Corporation shall be managed by a Board of not less than three (3) nor more than nine (9) Directors, who need not be members of the Corporation. The initial Board of Directors shall consist of three (3) Directors, who shall hold office until the election of their successors for the terms stated in Article XIII. Beginning with the first annual meeting, to be held on the first Saturday in November of each year, the members at each annual meeting shall elect Directors for a term of one (1) year.

#### ARTICLE IX

Additions to The Property described in Article III may be made only in accordance with the provisions of the recorded Declaration applicable to the Property. Such additions, when properly made under the applicable covenants, shall extend the jurisdiction, function, duties and membership of this Corporation to such property.

#### ARTICLE X

The Corporation shall have power to borrow money and also to mortgage its properties; however, it may mortgage only to the extent authorized under the recorded covenants and restrictions applicable to said properties.

#### ARTICLE XI

The Corporation shall have power to dispose of its real properties only as authorized under the recorded Declaration and amendments thereto applicable to said properties.

#### ARTICLE XII

These Articles may be amended in accordance with the law provided that the voting and quorum requirements specified for any action under any provision of these Articles shall apply also to any amendment of such provision, and provided further that no amendment shall be effective to impair or dilute any rights of members that are governed by the recorded covenants and restrictions applicable to the properties, as for example

membership in voting rights, which are part of the property interest created thereby, except as provided in the recorded Declaration and amendments thereto.

ARTICLE XIII

The names and addresses of those persons who are to act as Directors until the election of their successors and their terms of office are:

C. W. Reynolds	1909 Carlisle Blvd. N.E., Albuquerque, NM 87110
William C. Thompson	1909 Carlisle Blvd. N.E., Albuquerque, NM 87110
Charles E. Cook	1909 Carlisle Blvd. N.E., Albuquerque, NM 87110

to serve until the first annual meeting to be held on June 7, 1986.

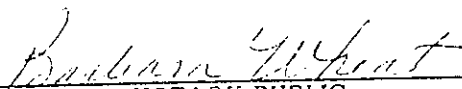
IN WITNESS WHEREOF, I have set my hand, this 29<sup>th</sup> day of May, 1984.

  
 \_\_\_\_\_  
 C. W. REYNOLDS

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

On this 29<sup>th</sup> day of May, 1984, personally appeared before me C. W. REYNOLDS, to me personally known to be the person described in and who executed the above and foregoing instrument as incorporator and acknowledged to me that he executed the same as his free act and deed on behalf of said corporation.

My commission expires 11-5-88.

  
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 NOTARY PUBLIC



OFFICIAL SEAL  
 BARBARA WHEAT  
 NOTARY PUBLIC - NEW MEXICO  
 Notary Bond Filed with Secretary of State  
 My Commission Expires 11-5-88

**FILED IN OFFICE OF  
STATE CORPORATION COMMISSION  
OF NEW MEXICO**

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

JUN 07 1985

To the State Corporation Commission  
State of New Mexico

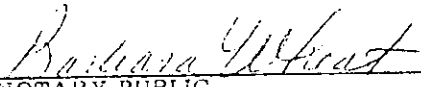
**CORPORATION AND  
FRANCHISE TAX DEPTS.**

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

On this 20<sup>th</sup> day of May, 1984, before me, a Notary Public in the State and County aforesaid, personally appeared C. W. REYNOLDS, who is to me known to be the person and who, being by me duly sworn, acknowledged to me that he does hereby accept appointment as the initial Registered Agent of LAFAYETTE PLACE CONDOMINIUM OWNERS ASSOCIATION, the Corporation which is named in the annexed Articles of Incorporation, and which is applying for a Certificate of Incorporation pursuant to the provisions of the Nonprofit Corporation Act of the State of New Mexico.

  
\_\_\_\_\_  
REGISTERED AGENT

Subscribed and sworn to before me on the day, month, and year first above set forth.

  
\_\_\_\_\_  
NOTARY PUBLIC

My commission expires 11-5-88.



OFFICIAL SEAL  
BARBARA WHEAT  
NOTARY PUBLIC - NEW MEXICO  
Notary Bond Filed with Secretary of State  
My Commission Expires 11-5-88