

CERTIFICATE OF INCORPORATION OF  
ELK FALLS PROPERTY OWNERS' ASSOCIATION, INC.

KNOW ALL MEN BY THESE PRESENTS that we J. F. Fouze,  
Robert S. Gast, Jr. and David H. Dallinger, citizens of  
the United States and residents of the State of Colorado, having  
associated ourselves for the purpose of forming a body corpor-  
ate not for pecuniary profit, under the provisions of Article  
19, Colorado Revised Statutes 1963, hereby make, execute and  
acknowledge this certificate in writing of our intention so to  
become a body corporate under and by virtue of said statute.

FIRST: The corporate name of our said association  
shall be "ELK FALLS PROPERTY OWNERS' ASSOCIATION, INC."

SECOND: The objects and purposes for which our said  
association is formed and incorporated are as follows, to-wit:

1. Promotion, improvement and protection of  
property values in the area represented by the Asso-  
ciation by maintaining the area as a highly desirable  
single dwelling residential neighborhood possessing  
features of extraordinary value.
2. Improvement, maintenance and repair of all  
roads within the area represented by the Association,  
whether private or dedicated to a governmental au-  
thority for public use.
3. Providing by contract or otherwise a trash  
hauling service for the area represented by the Asso-  
ciation.
4. Promotion of fair, equitable and just zon-  
ing, building and tax statutes, ordinances and regu-  
lations, and securing fair, equitable and just appli-  
cation of such statutes, ordinances or regulations  
by government agencies.
5. Promotion and improvement of fire and po-  
lice protection, and all emergency relief, civil de-  
fense and safety programs.

6. Promotion of and control of riding horses by members of the Association, including improvement, maintenance and repairs of barns, stables and corrals used in connection therewith.

7. Lease, purchase, lands, lakes, creeks and other hunting and fishing facilities.

8. Doing all other things necessary, proper and incidental to the promotion of the above stated objects or purposes and to the general welfare of the members of the Association.

PROVIDED, HOWEVER, that no substantial part of the objects, purposes or activities of the Association or any of its programs shall be for the promotion or general dissemination of political propaganda or attempting to influence legislation, and the Association shall not intervene on behalf of any candidate for any public office.

THIRD: This Association shall have all those powers vested in it under and by virtue of the laws of the State of Colorado in such cases made and provided. The power to encumber, transfer, assign and sell any of the property, real, personal or mixed, of the Association is hereby vested in the Board of Directors to be exercised in the manner and upon such terms and conditions as the Board may provide. Upon appropriate resolution of the Board of Directors, the President, the Secretary or the Treasurer, or such other officers as the Board may designate in such resolution, shall be empowered to execute all deeds, conveyances, mortgages, instruments and documents affecting the Association; provided, however, that no sale or disposition of all of the property of this Association shall be had except in compliance with the terms and conditions of the statutes of the State of Colorado in such cases made and provided.

FOURTH: The term of the existence of this Association shall be perpetual.

FIFTH: This Certificate of Incorporation may be amended at any regularly called annual or special meeting of the members of the Association, provided that a two-thirds majority of those present at said meeting affirmatively concur in such amendment or amendments.

SIXTH: The affairs and management of our said Association are to be under the control of a Board of Directors consisting of five members. The Board of Directors shall have staggered terms. William D. Powell is hereby designated to serve as a Director for one year; Robert S. Gast, Jr. and David H. Dellinger are hereby designated to serve as Directors for a period of two years; and J. F. House and John F. Obench are hereby designated to serve as Directors for a period of three years, all dating from the date this Certificate of Incorporation is filed with the Secretary of State of the State of Colorado. The term for the Director elected to succeed each of the above named Directors shall be for a period of two years. Election of the Directors shall be in the manner designated in the By-laws of this Association.

SEVENTH: The principal office or place of meeting of this Association shall be at the Elk Falls Ranch situated in Jefferson and Park Counties in the State of Colorado.

EIGHTH: Membership in this Association shall be open to those persons who qualify for membership under the terms of the By-laws of the Association.

NINTH: The Board of Directors shall have the power to make such prudential by-laws as they may deem proper for the management of the affairs of this Association. The by-laws of the Association may be modified, amended or repealed as provided in such by-laws.

ARTICLE IV: The Association is not organized for pecuniary profit. It shall not have power to issue certificates of ownership or declare dividends, and no part of its net earnings shall inure to the benefit of any member, officer, director or other individual; provided, however, that no member, officer or director or other individual shall be deprived of any indirect benefit from the income or property of the Association which may inure to such member, officer, director or other individual as a member intended to be benefited by the incorporation and operation of this Association. In the event that this Association is dissolved, or is otherwise terminated, the balance, if any, of all money received by the Association from its operations, after the payment in full of all debts and obligations of the Association, of whatsoever kind and nature, together with all other Association assets, shall be used and distributed by the Board of Directors in its sole discretion to one or more tax exempt organizations which have been formed exclusively for charitable, scientific, educational or literary purposes, or to such other organizations (except religious organizations) as may now or hereafter be exempt from federal taxation.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 7th day of September, 1965.

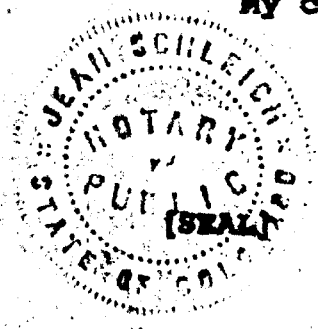
Robert S. Gast, Jr.  
David H. Dellinger  
J. F. House

STATE OF COLORADO )  
: ss.  
CITY AND COUNTY OF DENVER)

I, Jean Schleich, a notary public in  
and for said City and County and State aforesaid, do hereby  
certify that Robert S. Gast, Jr., David H. Dellinger  
and J. F. House, whose names are subscribed to  
the annexed and foregoing Certificate of Incorporation, appeared  
before me this 7th day of September, 1965, in person,  
and acknowledged that they signed, sealed and delivered said  
instrument of writing as their free and voluntary act, for the  
uses and purposes therein set forth.

Given under my hand and notarial seal this 7th day of  
September, 1965.

My commission expires: November 13, 1967.



Jean Schleich  
Notary Public

182153

CERTIFICATE OF INCORPORATION

ELK FALLS PROPERTY OWNERS' ASSOCIATION, INC.

DOMESTIC

NOT FOR PROFIT

FILED in the office of the Secretary of State of the State of Colorado on the 7th day of September A.D. 19 65

MYRON A. ANDERSON

Secretary of State

Filing Fee: June \$5.00

Off. Age Register Fee: \_\_\_\_\_

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This document has been filed  
with the Secretary of State  
of the State of Colorado  
and is a part of the public records.

*Myron A. Anderson*  
*Secretary of State*

# STATE OF COLORADO

DEPARTMENT OF  
STATE



NONPROFIT  
CERTIFICATE OF  
ACCEPTANCE

**J. Byron A. Anderson,**

*Secretary of State of the State of Colorado, hereby certifies that duplicate originals of an Election to Accept the provisions of the Colorado Nonprofit Corporation Act, have been received in this office and are found to conform to law.*

*Accordingly the undersigned, by virtue of the authority vested in me by law, hereby issues this Certificate of Acceptance to*

-----Elk Falls Property Owners Association-----

(a Colorado corporation )

*and attaches hereto a duplicate original of the Election to Accept.*

*Dated this --Twenty-Eighth-- day of -----September-----, A. D. 19 72*

*Byron A. Anderson*  
SECRETARY OF STATE

*Jeremiah J. Connolly*  
DEPUTY

ELIGIBILITY TO ACCEPT  
the Colorado Nonprofit Corporation Act

1044

Pursuant to the provisions of the Colorado Nonprofit Corporation Act, the undersigned corporation elects to adopt the provisions of the Colorado Nonprofit Corporation Act and does hereby state that:

1. The name of the corporation is Elk Falls Property Owners Association
2. All required reports have been or will be filed, and all fees, taxes & penalties due to the State of Colorado accruing under any act to which the corporation has been subject have been paid.
3. On the 19th day of August, 19 72, the Directors of the corporation, a quorum being present, voted to accept the Colorado Nonprofit Corporation Act. (the acceptance is authorized, by at least 2/3 of the votes of the members, OR 2/3 of the votes of the stockholders, OR by a majority vote of the directors, which were present at such meeting)
4. The corporation followed the requirements of the law under which it was organized.
5. The address of the registered office in Colorado is Elk Falls Ranch Pine, Colo. 80409 Jefferson County and the name of its registered agent at such address is William E. Peavy

6. Following is the name and address of the officers and directors.

NAME	TITLE	ADDRESS
<u>William E. Peavy</u>	<u>President</u>	<u>24 So. Lane, Englewood, CO</u>
<u>Carl Bender</u>	<u>Sec./Treas.</u>	<u>3105 So. Monaco Circle, Denver, CO</u>
<u>R. W. Akerlow</u>	<u>1st Vice Pres.</u>	<u>935 So. Elizabeth, Denver, CO</u>
<u>Finley Robinson</u>	<u>2nd Vice Pres.</u>	<u>Elk Falls Ranch, Pine, CO</u>

7. The attached copy of incorporation is true and correct. Not Applicable

8. Issued shares of stock are not authorized.

NUMBER OF SHARES AUTHORIZED	NUMBER OF SHARES ISSUED AND OUTSTANDING

9. All issued and outstanding shares of stock have been delivered to the corporation to be cancelled.

10. The authority of the corporation to issue shares of stock shall hereby be terminated.

ELK FALLS PROPERTY OWNERS ASSOCIATION

William E. Peavy  
Its president

Carl W. Bender  
Its secretary

STATE OF Colorado  
City of \_\_\_\_\_  
COUNTY OF Denver ss.

The foregoing instrument was acknowledged before me this 12 day of September, 19 72, by William E. Peavy as President and \_\_\_\_\_ as Secretary of Elk Falls Property Owners Association  
(insert names of such officers, as signed above, titles, & correct name of corporation)

In witness whereof I have hereunto set my hand and seal.

My commission expires \_\_\_\_\_ My Commission expires July 24, 1974

W. E. Peavy  
Notary Public

Note: In 7. if the documents of this corporation are on file in the office of the Secretary of State of Colorado, type the words "not applicable" in the space provided.

In 8. if the corporation is formed (and most non-profit are) without authorized capital stock type the word "not" in the space provided. In 31-24-27 the law provides "Except for corporations organized for the acquisition and distribution of water to their stockholders, a corporation shall not have or issue shares of stock."

Submit this Form in the original typed & one carbon copy  
Fee \$5.00



