ARTICLES OF INCORPORATION
OF
BELLA VISTA OF PUEBLO HOMEOWNERS ASSOCIATION, INC.

TARBAD Development Co., Inc., acting as incorporator delivers to the Secretary of State of Colorado, these Articles of Incorporation for the purpose of forming a nonprofit corporation under the Colorado Nonprofit Corporation Act and adopts the following articles of incorporation. Any capitalized terms used in these articles that are not defined in them shall have the meanings given to them in the Declaration of Covenants, Conditions and Restrictions for Bella Vista of Pueblo LLC, (Declaration).

ARTICLE 1
NAME

The name of this corporation shall be **BELLA VISTA OF PUEBLO HOMEOWNERS ASSOCIATION, INC.**

ARTICLE II
DURATION

The period of its duration is perpetual.

ARTICLE III
PURPOSES

The business, objects and purposes for which the Corporation is formed are as follows:

1. To be and constitute the Association to which reference is made in the Declaration and any supplements and amendments thereto, recorded or to be recorded in the records of the Clerk and Recorder of Pueblo County, Colorado, and to perform all obligations and duties of the Association and to exercise all rights and powers of the Association as specified therein.

2. To provide an entity for the furtherance of the interest of all of the Owners as is referred to in the Declaration, including the Declarant, of Lots in **BELLA VISTA OF PUEBLO, A PLANNED COMMUNITY FILINGS #1 & #2 PLUS ANY FUTURE FILINGS** with the objective of establishing and maintaining it as a prime residential development of the highest possible quality and value and enhancing and protecting it's value, desirability and attractiveness.

ARTICLE IV
POWERS

In furtherance of its purposes the Corporation shall have all of the powers conferred by the Colorado Nonprofit Corporation Act, including all of the powers necessary or desirable to perform the obligations and duties and exercise the rights and powers of the Association under the Declaration, which will include, but shall not be limited to, the following:

1. To make and collect assessments against members of the Association for the purposes of payment of the common expenses (including the expenses incurred in exercising its powers or of performing its functions).

2. To manage, control, operate, maintain, repair, improve and enlarge the general common elements and any annexations made subject to the Declaration.

3. To enforce the terms, covenants, restrictions, conditions, uses, limitations and obligations set forth under the Declaration and By-Laws and to make and enforce rules and regulations as provided therein.

4. To engage in activities which will actively foster, promote and advance the interest of all of the owners of Lots, including the interest of the Declarant during its development of the project and its ownership of Lots in the development.

ARTICLE V
MEMBERSHIPS

1. This Corporation shall be a membership corporation without certificates or shares of stock. There shall be one class of membership, and there shall be one membership in the Corporation for each Lot, as defined in the Declaration and supplements and amendments thereto. The Owner or Owners of a Lot shall hold and share the membership related to that Lot to the same proportionate interest and by the same type of tenancy in which the title to a Lot is held, provided always that there shall be only one membership per Lot. No person or entity other than an Owner of a Lot may be a member of the Corporation.

2. Each membership shall have the percentage vote as is set forth in the Declaration, and any supplements thereto on all matters in which members are entitled to vote.

3. A membership in the Corporation and the share of a member in the assets of the Corporation shall not be assigned, encumbered or transferred in any manner except as appurtenant to the transfer of title to the Lot to which the membership pertains.

4. A transfer of membership shall occur automatically upon the transfer of title to the Lot to which the membership pertains.

5. Members shall have the right to purchase other Lots and the memberships appurtenant thereto as provided in the Declaration.

6. The Corporation may suspend the voting rights of a member for failure to comply with the rules or regulations of the Corporation or with any other obligations of the Owners of any Lot under the Declaration and By-Laws.

7. The By-Laws may contain provisions setting forth the rights, privileges, duties and responsibilities of the members.

ARTICLE VI
BOARD OF DIRECTORS

1. The business and affairs of the Corporation shall be conducted, managed and controlled by a Board of Directors (Board). The Board shall consist of not less than three nor more than six members, the specific number to be set forth from time to time in the By-Laws of the Corporation. Members of the Board shall be members of the Corporation as defined in the Declaration.

2. Members of the Board shall be elected at the annual meeting of the members in the manner determined by the By-Laws and the Declaration.

3. Members of the Board may be removed and vacancies of the Board shall be filled in the manner to be provided by the By-Laws.

ARTICLE VII
OFFICERS

The Board may appoint a President, one or more Vice Presidents, a Secretary, a Treasurer and such other officers as the Board believes will be in the best interest of the Corporation. The officers shall have such duties as may be prescribed in the By-Laws of the Corporation and shall serve at the pleasure of the Board members.

ARTICLE VIII
CONVEYANCES AND ENCUMBRANCES

Corporation property may be conveyed or encumbered by authority of the Board or by such person or persons to whom such authority may be delegated by resolution of the Board. Conveyances or encumbrances shall be by an instrument executed by the President or a Vice President and by the Secretary or an Assistant Secretary, or executed by such other person or persons to whom such authority may be delegated by the Board.

ARTICLE XI
INITIAL REGISTERED OFFICE AND AGENT

The principal office and the initial registered office of the Corporation shall be 1700 Fortino Blvd., Pueblo. Colorado 81008. The name of the its initial Registered Agent at such address is Roger Fonda.

ARTICLE X
DISSOLUTION

The Corporation may be dissolved in the manner provided by the Colorado Nonprofit Corporation Act and by the Colorado Common Interest Ownership Act in accordance with a plan assented to in writing by not less than 80% of the members. Any assets of the corporation will be distributed in accordance with these Acts.

ARTICLE XI
AMENDMENTS

These Articles of Incorporation may be amended in the manner set forth in the By-Laws, provided that no Amendment shall be contrary to or inconsistent with the provisions of the Declaration or the Colorado Nonprofit Corporation Act.

ARTICLE XII
PERSON FILING

The name and mailing address of the individual who causes this document to be delivered for filing, and to whom the Secretary of State may deliver notice if filing of this document is refused is: Thomas J. Mullans, Esq., Mullans, Piersel & Reed, P.C., 1311 N. Greenwood Street, Pueblo, CO 81003, Telephone No. (719) 543-2040.

Document must be filed electronically.
Paper documents will not be accepted.
Document processing fee $50.00
Fees & forms/cover sheets are subject to change.
To access other information or print copies of filed documents, visit www.sos.state.co.us and select Business Center.

E-Filed

Colorado Secretary of State
Date and Time: 04/09/2009 10:02 AM
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ABOVE SPACE FOR OFFICE USE ONLY

Articles of Incorporation for a Nonprofit Corporation

filed pursuant to § 7-122-101 and § 7-122-102 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name for the nonprofit corporation is
BELLA VISTA OF PUEBLO HOMEOWNERS ASSOCIATION, INC.

*(**Caution:** The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)*

2. The principal office address of the nonprofit corporation's initial principal office is

Street address
1700 Fortino Blvd.
(Street number and name)

Pueblo | CO | 81008
(City) | *(State)* | *(ZIP/Postal Code)*

(Province – if applicable) | United States *(Country)*

Mailing address
(**leave blank** if same as street address)
(Street number and name or Post Office Box information)

(City) | *(State)* | *(ZIP/Postal Code)*

(Province – if applicable) | *(Country)*

3. The registered agent name and registered agent address of the nonprofit corporation's initial registered agent are

Name
(if an individual)
Fonda | Roger | | |
(Last) | *(First)* | *(Middle)* | *(Suffix)*

OR

(if an entity)
*(**Caution:** Do not provide both an individual and an entity name.)*

Street address
1700 Fortino Blvd.
(Street number and name)

Pueblo | CO | 81008
(City) | *(State)* | *(ZIP Code)*

Mailing address
(**leave blank** if same as street address) _____
(Street number and name or Post Office Box information)

_____

_____ CO _____.
(City) *(State)* *(ZIP Code)*

(The following statement is adopted by marking the box.)

☑ The person appointed as registered agent above has consented to being so appointed.

4. The true name and mailing address of the incorporator are

Name
(if an individual) _____
(Last) *(First)* *(Middle)* *(Suffix)*

OR

(if an entity) TARBAD Development Co., Inc.
*(**Caution:** Do not provide both an individual and an entity name.)*

Mailing address 1700 Fortino Blvd.
(Street number and name or Post Office Box information)

Pueblo CO 81008
(City) *(State)* *(ZIP/Postal Code)*

_____ United States.
(Province – if applicable) *(Country)*

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

☐ The corporation has one or more additional incorporators and the name and mailing address of each additional incorporator are stated in an attachment.

5. *(If the following statement applies, adopt the statement by marking the box.)*

☑ The nonprofit corporation will have voting members.

6. *(The following statement is adopted by marking the box.)*

☑ Provisions regarding the distribution of assets on dissolution are included in an attachment.

7. *(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

☐ This document contains additional information as provided by law.

8. *(**Caution:** Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)*

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are _____.
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

Mullans	Thomas	J.	
(Last)	*(First)*	*(Middle)*	*(Suffix)*

1311 N. Greenwood St.
(Street number and name or Post Office Box information)

Pueblo	CO	81003
(City)	*(State)*	*(ZIP/Postal Code)*

	United States.
(Province – if applicable)	*(Country)*

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

☐ This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

Disclaimer:

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

Click the following links to view attachments

Attachment 1
ARTICLES OF INCORPORATION