APP

197942
FILE NUMBER

DOMESTIC

197942

STATE OF WASHINGTON | DEPARTMENT OF STATE

I, **A. LUDLOW KRAMER,** Secretary of State of the State of Washington and custodian of its seal, hereby certify that

ARTICLES OF INCORPORATION

of EVERGREEN SHORES BEACH CLUB

a domestic corporation of Tumwater, Washington,

was filed for record in this office on this date, and I further certify that such Articles remain on file in this office.

Filed at request of
Oberquell and Ahlf
4515 Lacey Blvd.
Lacey, Washington 98501
Attn: Argal D. Oberquell

NON MICRO

Filing and recording fee . . . $ 25.00

License to June 30, 19..... $.....

.....Excess pages @ 25¢ $.....

Microfilmed, Roll No. 1165

Page 148-159

In witness whereof I have signed and have affixed the seal of the State of Washington to this certificate at Olympia, the State Capitol,

May 15, 1969

A. LUDLOW KRAMER
SECRETARY OF STATE

SSF-57

APPROVED
AS TO FORM
MAY 15 1969
A. LUDLOW KRAMER
SECRETARY OF STATE

ARTICLES OF INCORPORATION

of

EVERGREEN SHORES BEACH CLUB
(a non-profit corporation)

KNOW ALL MEN BY THESE PRESENTS: That we, SUNDOWN, INC., a corporation, EUGENE F. MARELIUS, LONNIE C. HOGUE, PAUL WEITZEL and GEORGE FOSTER, desiring to form a non-profit corporation under and by virtue of the provisions of the laws of the State of Washington relating to the incorporation of non-profit, non-stock corporations, do hereby associate ourselves together and make, execute and adopt, in triplicate, the following Articles of Incorporation, to-wit:

I

That the name used by this corporation and by which it shall be known is EVERGREEN SHORES BEACH CLUB and its duration shall be perpetual, subject to dissolution as provided by law.

II

The purposes for which this corporation is formed are as follows:

1. To assume ownership of and the operation of and the governing of a tract of land for recreation and park area

of that certain platted area known as EVERGREEN SHORES, which tract of land shall be located on Division Three of EVERGREEN SHORES and contains approximately three hundred front feet on Black Lake, and which tract consists of that certain park and recreation area as shown on the plat of EVERGREEN SHORES in Thurston County.

2. To enforce the conditions, restrictions, charges and restrictive covenants at any time created for the benefit of said property and all other property in the plat of EVERGREEN SHORES and for the owners thereof, or to which said property or any part thereof may at any time be subject, and to pay the expenses incident to the enforcement of the same and the collection of said charges, and the enforcement of all the restrictive covenants applicable to the plat of EVERGREEN SHORES (all Divisions) of which the park and recreation area shall be an integral part.

3. To approve plans and specifications for the construction of or material alteration of dwelling houses, garages, fences, walls or other structures erected or altered upon real property known and platted as EVERGREEN SHORES in Thurston County, State of Washington, now owned by SUNDOWN, INC., a Washington corporation, or which may hereafter be acquired and so known and platted by SUNDOWN, INC., and said real property is hereafter referred to as "said property".

4. To provide for the appointment and to appoint three persons to constitute a review board to assist this corporation in all things relating to the approval of said

plans and specifications and of such other matters as this corporation by Board of Trustees may from time to time assign to such review board. The members of said review board need not be members of this corporation and shall hold office from time to time as this corporation by resolution of its Board of Trustees may provide, and shall receive such compensation as the Board of Trustees may from time to time determine.

5. To pay all real and personal property taxes and assessments which may be levied by any municipal or other governmental authority upon the streets and parks now or hereafter opened, laid out or established and other open spaces maintained and acquired for the general use of the owners of lots or building sites within said property or any improvements thereon.

6. To improve and maintain such streets, parks and other open spaces, including all grass plots, parking strips, and other planted areas within the lines of said streets, situated in said property, as shall be maintained for public use or for the general use of the owners of lots or building sites within said property and their successors in interest insofar as such costs are not adequately provided for by any municipal authority and to plan and maintain shrubs, trees, flowers and grass in such parks, open spaces, grass plots, parking strips and other planted areas.

7. To provide for the sweeping, cleaning, sprinkling and lighting of the streets within or bordering upon said property, collection and disposal of street sweepings therefrom

and rubbish, ashes and garbage and the like from said property, and providing community police and/or watchmen service therefor, but only until such time as such costs are adequately provided for by any municipal authority, including the maintaining of all streets and sidewalks thereon.

8. To care for vacant, unimproved or unkept lots and plots removing grass and weeds therefrom and any other things necessary or desirable in the judgment of this corporation, and to keep said property and the plots contiguous thereto in a neat and good order.

9. To erect and maintain adequate signs and sign posts for the marking of streets within and adjoining said property.

10. To pay the expenses incident to the conduct of the business of this corporation and all licenses, franchises, or other taxes or assessments levied against this corporation or payable by it.

11. To construct, improve, maintain and operate on said park and recreation area or on adjacent property, parks and parkways, statues, fountains and other ornamental features, tennis courts schools, churches, playgrounds, a community clubhouse, green belts and walkways, and in addition acquire any additional land needed therefor.

12. To fix the rate per square foot of the annual charges or assessments to which said property may be made subject in accordance with any declaration of restrictions applicable thereto, and to receive and collect such annual charges or assessments or enforce any liens which may be

provided to secure the payment of the same.

13. To expend the money so collected, received, or derived from said annual charges or assessments in paying and discharging the cost, expenses and obligations incurred by this corporation in carrying out any or all of the purposes of this corporation.

14. To exercise such powers of control, interpretation, construction, consent, decisions, determination, modification, amendment, cancellation, and annulment with reference to the conditions, restrictions and charges now or hereafter imposed upon said property as may be vested in, delegated or assigned to this corporation, and such duties with respect thereto as may be assigned to and assumed by this corporation.

15. To purchase, acquire, own, hold, use, enjoy, mortgage, sell, convey and deal in such real and personal property as may be necessary or convenient to carry out the objects of this corporation.

16. To receive gifts, donations, bequests and devises of real and personal property.

17. To incur indebtedness and as evidence thereof, to issue notes, bonds, debentures, or other evidence of indebtedness and to secure the payment of the same by the mortgaging, pledging or hypothecation of any real or personal property of the corporation.

18. To do and perform any and all other acts which may be necessary for, or proper, or incidental to the fulfillment of any of the foregoing purposes.

19. To enjoy all the rights, powers and privileges now conferred upon, or hereafter granted to, non-profit, non-stock corporations, organized under the laws of the State of Washington, it being expressly provided that the foregoing enumeration of powers shall not limit in any manner the rights, powers and privileges of this corporation otherwise conferred, permitted, or granted by law.

III

The number of trustees of this corporation shall be such number, not less than five nor more than eleven, as shall be elected by the members. The names and post office addresses of the first trustees who shall manage the affairs of the corporation for a period of six (6) months after the date of these Articles, at the end of which time the trustees shall be elected by the members, are as follows:

SUNDOWN, INC.	5301 Littlerock Road Tumwater, Washington 98501
EUGENE F. MARELIUS	Route 4 Olympia, Washington 98501
LONNIE C. HOGUE	Route 12, Box 760 Olympia, Washington 98501
PAUL WEITZEL	5201 University Way NE Seattle, Washington 98105
GEORGE FOSTER	13814 116th Place NE Kirkland, Washington

IV

The members of the corporation shall be SUNDOWN, INC., a Washington corporation, the incorporators hereinabove named and all others who are the owners of record of one or more building sites on said property, or who, while holding a

contract for the purchase of any building site in said property, shall reside upon the building site described in such contract. Such ownership or such holding of a contract to purchase and residence shall be the sole qualification for membership in this corporation, and certificates of membership shall be issued to the members of this corporation accordingly. When such qualification shall cease as to a member, membership of such member shall lapse and the certificate therefor be void. Membership shall be inseparably appurtenant to the lot owned or being purchased by the members and upon the transfer of ownership or the making of a contract for the sale of such lot, the membership appurtenant thereto shall be deemed to be transferred to the contract purchaser or grantee. No membership may be conveyed or transferred in any other way inter vivos. In the event of the death of a member, his membership passes in the same manner and to the same persons as does the property itself. The original incorporators shall be members at least until all lots in EVERGREEN SHORES have been sold by SUNDOWN, INC.

The voting power of each member of this corporation shall be equal and upon all matters that come before the members of the corporation, each of such members shall have one vote; provided, however, that in the case of joint ownership of a building site or building sites, the joint owners shall be considered as a single voting unit and entitled to one vote only for such building site or sites so jointly owned.

The property rights and interest of each member of this corporation shall likewise be equal; provided, however,

that such interest is and shall be appurtenant to the building sites within said property of which said member is the owner.

For the purpose of determining membership in this corporation and the existence of the rights incident thereto, a building site shall be taken to be either a numbered lot forming a part of said property or contiguous portions of any two or more contiguous lots (other than corner lots) permitted by the restrictions applicable thereto and thereby allowed to be used as a site for a dwelling house or such other structure as is permitted by such restrictions.

This corporation is not organized for and does not contemplate pecuniary gain or profit to the members thereof.

V

The location of the principal place of business of this corporation shall be 5301 Littlerock Road, Tumwater, Washington.

VI

The authority to make by-laws for the corporation is hereby vested in the trustees.

VII

The corporation reserves the right to amend, alter, change or repeal any provisions contained in these Articles of Incorporation in the manner now or hereafter prescribed by statute and all rights conferred upon the members of the corporation herein are granted subject to this reservation.

IN WITNESS WHEREOF, we, SUNDOWN, INC., EUGENE F. MARELIUS, LONNIE C. HOGUE, PAUL WEITZEL and GEORGE FOSTER, the aforementioned incorporators, have hereunto set our respective hands and seals this 10 day of May, 1969.

SUNDOWN, INC.

By Eugene F. Marelius
President

By Lonnie C. Hogue
Secretary

Eugene F. Marelius
EUGENE F. MARELIUS

Lonnie C. Hogue
LONNIE C. HOGUE

Paul Weitzel
PAUL WEITZEL

George Foster
GEORGE FOSTER

STATE OF WASHINGTON)
ss
COUNTY OF THURSTON)

On this day personally appeared before me EUGENE F. MARELIUS and LONNIE C. HOGUE, to me known to be the President and Secretary, respectively of SUNDOWN, INC., the corporation that executed the foregoing instrument, and acknowledged to me that they signed the same as their free and voluntary act and deed, and on oath stated that they were authorized so to do, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 10 day of May, 1969.

Notary Public in and for the State of Washington, residing at Olympia

STATE OF WASHINGTON)
) ss
COUNTY OF THURSTON)

On this day personally appeared before me EUGENE F. MARELIUS, to me known to be the individual described in and who executed the foregoing instrument and acknowledged to me that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 10 day of May, 1969.

Notary Public in and for the State of Washington, residing at Olympia

STATE OF WASHINGTON)
) ss
COUNTY OF THURSTON)

On this day personally appeared before me LONNIE C. HOGUE to me known to be the individual described in and who executed the foregoing instrument and acknowledged to me that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 10 day of May, 1969.

Notary Public in and for the State of Washington, residing at Olympia

STATE OF WASHINGTON)
) ss
COUNTY OF THURSTON)

On this day personally appeared before me PAUL WEITZEL, to me known to be the individual described in and who executed the foregoing instrument and acknowledged to me that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 12th day of May, 1969.

Lonnie Hogue
Notary Public in and for the State of Washington, residing at Olympia

STATE OF WASHINGTON)
) ss
COUNTY OF THURSTON)

On this day personally appeared before me GEORGE FOSTER, to me known to be the individual described in and who executed the foregoing instrument and acknowledged to me that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 12th day of May, 1969.

Lonnie Hogue
Notary Public in and for the State of Washington, residing at Olympia