# ARTICLES OF INCORPORATION

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# PHEASANT POINT I HOMEOWNERS ASSOCIATION, INC. (A Nonstock, Nonprofit Corporation)

OF

V31865P 15

This instrument is executed by the undersigned for the purpose of forming a Nonstock, Nonprofit Corporation under Chapter 181 of the Wisconsin Statutes (hereinafter "The Wisconsin Nonstock Corporation Law").

# ARTICLE I

#### DEFINITIONS

"Association" shall mean Pheasant Point I Homeowners Association, Inc.

"Bylaws" shall mean the Bylaws of the Association.

"Developer" shall mean Michael F. Simon Builders, Inc. and GWS Dev., Inc.

"Development" shall mean the Pheasant Point I Development which is comprised of all Lots and the adjoining streets and improvements located within the Pheasant Point I Plat.

"Lot" shall mean any lot or outlot in the Pheasant Point I Plat, which is or will be subject to recorded Covenants and Restrictions requiring the owner thereof to become a member of the Association.

"Lot Owner" shall mean one or more persons, corporations, partnerships, associations, or a combination thereof, who hold title in fee to a Lot or have equitable ownership of a Lot as a land contract vendee.

# ARTICLE II

#### NAME

The name of this corporation shall be Pheasant Point I Homeowners Association, Inc.

# ARTICLE III

#### PERIOD OF EXISTENCE

The period of existence of the Association shall be perpetual.

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#### ARTICLE IV

#### PURPOSES

The Developer has organized this Association to (a) acquire Outlot 2 of Pheasant Point I Plat and maintain and control it; (b) maintain and control the entrance sign easements and any ponds located within the development; and (c) maintain a high standard of quality with respect to the development and maintenance of the Lots in accordance with the recorded covenants and restrictions through the creation of an Architectural Control Committee appointed by and serving under the supervision of the Board of Directors.

Without limiting the generality of the foregoing, the Association shall have power to administer and enforce covenants, conditions, restrictions, reservations, easements, liens or charges for the support and benefit of the Development; to construct, install, extend, operate, maintain, repair, and replace such systems or facilities on property owned or maintained by it and to manage, regulate and control its common use and enjoyment.

The Association shall not be organized nor operated for profit and shall not serve any purposes other than those specified above.

## ARTICLE V

# PRINCIPAL OFFICE AND REGISTERED AGENT AND OFFICE

The mailing address and location of the principal office of this Association is 817 South Division Street, Waunakee, WI 53597. The initial registered agent is Michael P. Simon, whose address is 817 South Division Street, Waunakee, WI 53597. The principal office is located in Dane County, Wisconsin.

#### ARTICLE VI

#### MEMBERSHIP

Every Lot Owner shall be a member of the Association. For the purpose of determining membership, ownership will be deemed to have vested upon delivery of a duly-executed deed or land contract to the Lot Owner as grantee or vendee. The legal title retained by a vendor selling under a land contract shall not qualify for membership. Foreclosure of a land contract or repossession for any reason of a Lot sold under land contract shall terminate the vendee's membership, whereupon all rights to such membership shall revest in the vendor. If a Lot Owner's ownership interest passes to his personal representative or to a trustee upon the Lot Owner's death, such personal representative or trustee shall be a member of the Association.

# V31865P 17

No Lot Owner may voluntarily withdraw or be expelled from membership in the Association. Membership certificates shall not be issued.

# ARTICLE VII

## VOTING

Members, including the Developer, shall be entitled to one vote for each Lot owned as shown by the records of the Association as of the last day of the month preceding the meeting or vote at issue. When more than one person holds an interest in any Lot, the vote for that Lot shall be exercised as the co-owners may among themselves determine, but in no event shall more than one vote be cast with respect to any Lot.

## ARTICLE VIII

#### DIRECTORS

The affairs of this Association shall be governed by a Board of Directors. The number of directors shall be fixed in the Bylaws but in no event shall be less than three. Director qualifications, terms of office, and the manner in which the directors shall be elected, appointed and removed shall be provided for in the Bylaws.

# ARTICLE IX

## INITIAL BOARD OF DIRECTORS

The number of directors constituting the initial Board of Directors shall be three, and their names and addresses are as follows:

> Michael P. Simon 817 South Division Street Waunakee, WI 53597

Waunakee, WI 53597

Philip R. Simon

817 South Division Street

Gary W. Stolen 6425 Odana Road Madison, WI 53719

The directors herein named shall serve until their successors are duly elected and qualified.

# V31865P 18

# ARTICLE X

## INCORPORATOR

The name and address of the incorporator of this Association is:

Arthur W. Jorgensen, Jr. 7818 Big Sky Drive P. O. Box 56190 Madison, WI 53705

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this day of December, 1995.

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|--------------------------|-----------------------------|--|
| Arthur W. Jorgensen, Jr. |                             |  |
|                          | STATE OF WISCONSIN<br>FILED |  |
| ACKNOWLEDGMENT           | JAN 1 9 1996                |  |

DOUGLAS L SECRETARY

STATE OF WISCONSIN ) ) ss. COUNTY OF DANE )

Personally came before me this  $\underline{\ell}^{\not m}$  day of December, 1995, the abovenamed Arthur W. Jorgensen, Jr., to me known to be the person who executed the foregoing instrument and acknowledged the same.

Nancy L. Goplin Notary Public, State of Wisconsin My Commission Expires: 6/22/97

This Instrument Drafted By: Arthur W. Jorgensen, Jr.

<u>MAIL RETURNED COPY TO:</u> Jorgensen Law Office, S.C. P. O. Box 56190 Madison, WI 53705

Articles of Incorporation

Title of Document

| DANE COU<br>REGISTER OF<br>Doc No 27                       | DEEDS                                       |
|--|---|
| 1996-01-24<br>Trans. Fee<br>Rec. Fee<br>Pages<br>V 31865 P | 04:41 PM<br>0.00<br>18.00<br>5<br><b>14</b> |
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Name and return address

Parcel Identification Number