

Form C&S- 273

STATE OF MICHIGAN
DEPARTMENT OF COMMERCE
CORPORATION AND SECURITIES BUREAU
CORPORATION DIVISION
LANSING, MICHIGAN

(THIS IS A PART OF THE ATTACHED CORPORATE DOCUMENT AND SHOULD NOT BE DETACHED)

DO NOT WRITE IN SPACES BELOW - FOR DEPARTMENT USE	
Date Received: MAR 10 1977	<p>FILED</p> <p>MAR 11 1977</p> <p><i>Richard K. Hendricks</i> DIRECTOR Michigan Department of Commerce</p>
NAME OF CORPORATION: Farmington Green Homeowner's Association, Inc.	
CORPORATE DOCUMENT: Articles of Incorporation	

ARTICLES OF INCORPORATION

OF

FARMINGTON GREEN HOMEOWNER'S

ASSOCIATION, INC.

In compliance with the requirements of The Michigan Nonprofit Corporation
Statutes, Act No. 327 of the Public Acts of 1931 as amended and Act No. 284 of the
Public Acts of 1972, (reference to statute under
the undersigned, all of whom are
which incorporation is sought)

residents of the State of Michigan and all of whom
are of full age, have this day voluntarily associated themselves together for the
purpose of forming a corporation not for profit and do hereby certify:

ARTICLE I

The name of the corporation is FARMINGTON GREEN HOMEOWNER'S ASSOCIATION, INC.
, hereafter called the "Association".

ARTICLE II

The principal office of the Association is located at 6400 Farmington Road,
West Bloomfield, Michigan 48033

ARTICLE III

William J. Pulte, whose address is
6400 Farmington Road, West Bloomfield, Michigan 48033, is hereby appointed
the initial registered agent of this Association.

ARTICLE IV

PURPOSE AND POWERS OF THE ASSOCIATION

This Association does not contemplate pecuniary gain or profit to the members
thereof, and the specific purposes for which it is formed are to provide for
and of the Common Areas
maintenance, preservation and architectural control of the residence Lots and Common
Area within that certain tract of property described as:

Farmington Green No. 1, part of the Southwest 1/4 of Section 9, T.1N., R.9E., City of
Farmington Hills, Oakland County, Michigan, comprising of Lots 1 through 52, both
inclusive, and two Private Parks; commencing at the Southwest corner of said Section 9,
thence along the West line of said Section 9, N.00°04'56"W., 466.37 feet to the Point of
Beginning; thence continuing along the west line of said Section 9, N.00°04'56"W., 290.00
feet; thence S.89°50'38"E., 320.58 feet; thence S.71°24'32"E., 63.24 feet; thence S.89°
50'38"E., 120.00; thence N.00°09'22"E., 300.00 feet; thence N.24°18'49"E., 104.15 feet;
thence N.58°48'32"E., 52.91 feet; thence N.82°00'00"E., 195.73 feet; thence S.09°40'00"E.,
122.53 feet; thence S.52°50'05"E., 82.26 feet; thence S.09°40'00"E., 110.00 feet; thence
S.56°45'33"E., 331.32 feet; thence S.30°28'40"E., 110.00 feet; thence S.29°10'56"E.,
60.02 feet; thence S.37°08'14"E., 113.42 feet; thence S.00°04'51"E., 490.00 feet to the
south line of said Section 9; thence along the south line of said Section 9, N.89°50'38"
W., 851.16 feet; thence N.00°04'56"W., 466.38 feet; thence N.89°50'38"W., 467.00 feet to
the West line of said Section 9 and the Point of Beginning and contains 20.936 acres.

and to promote the health, safety and welfare of the residents within the above-described property and any additions thereto as may hereafter be brought within the jurisdiction of this Association 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, hereinafter called the "Declaration", applicable to the property and recorded or to be recorded in the Office of the Register of Deeds for the County of Oakland, State of Michigan, 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) 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;

(c) acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;

(d) borrow money, and with the assent of two-thirds (2/3) of each class of members mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(e) dedicate, sell or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of each class of members, agreeing to such dedication, sale or transfer;

(f) participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and Common Area, provided that any such merger, consolidation or annexation shall have the assent of two-thirds (2/3) of each class of members;**

(g) have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Michigan by law may now or hereafter have or exercise.

**Except that the Property described in Article VI Section 4 of the Declaration may be annexed until December 31, 1984 by the Declarant without the consent of Members.

ARTICLE V
MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest in any Lot which is subject by covenants of record to assessment by the Association, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment by the Association.

ARTICLE VI

VOTING RIGHTS

The Association is organized on a nonstock basis and shall have two classes of voting membership:

Class A. Class A members shall be all Owners, with the exception of the Declarant, and shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members. The vote for such Lot shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any Lot.

Class B. The Class B member(s) shall be the Declarant (as defined in the Declaration), and shall be entitled to three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

- (a) when the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership; or
- (b) on December 31, _____, 19 80.

Section 2. Voting Rights and Limitations. (As per attachment hereto)

ARTICLE VII

BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of ~~five (5)~~ ^{from five (5) to} ~~nine (9)~~ Directors, who need not be members of the Association. The number of directors may be changed by amendment of the By-Laws of the Association. The names and addresses of the persons who are to act in the capacity of ~~Directors until the selection of their successors are~~ an initial Board of Five (5) directors until the selection of their successors are:

<u>NAME</u>	<u>ADDRESS</u>
<u>William J. Pulte</u>	<u>6400 Farmington Road,</u> <u>West Bloomfield, Michigan 48033</u>
<u>Ronald G. Smith</u>	<u>" "</u>
<u>Maureen E. Smith</u>	<u>" "</u>
<u>Robert M. Richardson</u>	<u>" "</u>
<u>George C. Geal</u>	<u>" "</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

At the first annual meeting the members shall elect three directors for a term of one year, three directors for a term of two years and three directors for a term of three years; and at each annual meeting thereafter the members shall elect three directors for a term of three years.

ARTICLE VIII

DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each class of members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. 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 such similar purposes.

ARTICLE IX

DURATION

The corporation shall exist perpetually.

ARTICLE X

AMENDMENTS

Amendment of these Articles shall require the assent of 75 percent (75%) of the entire membership.

ARTICLE XI

BYLAWS

The Bylaws of this Association may be altered, amended or new Bylaws adopted, at any regular or special meeting of the Members, by a vote of seventy-five percent (75%) of a quorum of Members present in person or by proxy, except that the Federal Housing Administration or the Veterans Administration shall have the right to veto amendments while there is a Class B membership.

Rev. October 1973

ARTICLE XII

FHA/VA APPROVAL

As long as there is a Class B membership, the following actions will require the prior approval of the Federal Housing Administration or the Veterans Administration: annexation of additional properties, mergers and consolidations, mortgaging of Common Area, dedication of Common Area, dissolution and amendment of these Articles.

ARTICLE XIII (as per attachment hereto)

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Michigan, we, the undersigned, constituting the incorporators of this Association, have executed these Articles of Incorporation this 3rd day of February, 1977.

Robert M. Richardson
Robert M. Richardson
6400 Farmington Road
West Bloomfield, Michigan 48033

William J. Pulte
William J. Pulte
6400 Farmington Road
West Bloomfield, Michigan 48033

Ronald G. Smith
Ronald G. Smith
6400 Farmington Road
West Bloomfield, Michigan 48033

STATE OF MICHIGAN) ss.
COUNTY OF OAKLAND)

The foregoing Articles of Incorporation of Farmington Green Homeowner's Association, Inc. were acknowledged before me by Robert M. Richardson, as incorporator, on February 3, 1977.

Witness my hand and official seal.
My Commission Expires: 11/12/80
STATE OF MICHIGAN) ss.
COUNTY OF OAKLAND)

Patti A. Balliet
Patti A. Balliet
Notary Public, Oakland County, MI

The foregoing Articles of Incorporation of Farmington Green Homeowner's Association, Inc. were acknowledged before me by William J. Pulte, as incorporator, on February 3, 1977.

Witness my hand and official seal.
My Commission Expires: 11/12/80

Patti A. Balliet
Patti A. Balliet
Notary Public, Oakland County, Michigan

STATE OF MICHIGAN) ss.
COUNTY OF OAKLAND)

The foregoing Articles of Incorporation of Farmington Green Homeowner's Association, Inc. were acknowledged before me by Ronald G. Smith, as incorporator, on February 3, 1977.

Witness my hand and official seal.
My Commission Expires: 11/12/80

Patti A. Balliet
Patti A. Balliet
Notary Public, Oakland County, Michigan

ARTICLE VI

Section 2. Voting Rights and Limitations.

(a) Suspension of Voting Rights. If any Owner, his family, or any licensee, lessee or invitee violates the Farmington Green No. 1 Rules once adopted by the Board after Notice and Hearing, the Board may suspend the right of such person to vote his membership interest, under such conditions as the Board may specify, for a period not to exceed Thirty (30) days for each violation. Before invoking any such suspension of voting rights, the Board shall give such person Notice and Hearing.

(b) Limitation of Amendment. The provisions of Article V and this Article VI of these Articles shall not be amended without the approval of Seventy-Five Percent (75%) of the Members, plus (until completion of the Farmington Green Development) the written consent thereto of Declarant.

(c) Additional Voting Requirements. Prior to the completion of the Farmington Green Development any reduction in the amount of regular annual assessments (exclusive of special assessments, if any) levied in any year upon the owner of each Lot in Farmington Green No. 1 under Fifty Dollars (\$50.00) per owner, shall require the consent of Declarant in addition to any other vote, consent or approval required.

ARTICLE XIII

ASSETS AND FINANCING

The amount of assets which said Association possesses is: Real property - None; Personal property - None.

Said Association is to be financed by levying assessments against its members.