

**ARTICLES OF INCORPORATION
OF
THE PRESERVE AT LAKE UPCHURCH PROPERTY OWNERS ASSOCIATION, INC.**

The undersigned, being of the age of eighteen years or more, does hereby make and acknowledge these Articles of Incorporation for the purpose of forming a nonprofit corporation under and by virtue of the laws of the State of North Carolina.

1. The name of the corporation is The Preserve At Lake Upchurch Property Owners Association, Inc.
2. The period of duration of the corporation is perpetual.
3. The purposes for which the corporation is organized are as follows:
 - (1) To maintain, repair and replace certain common areas of The Preserve At Lake Upchurch Subdivision, a single-family home subdivision located in Moore County, North Carolina, and shown on that certain plat or plats of The Preserve At Lake Upchurch Subdivision recorded in the Cumberland County, North Carolina Registry;
 - (2) To own, purchase, manage, maintain, repair and replace any or all of the equipment or other property of any type, used in connection with the functions described in Article 3, Section (1) above;
 - (3) To establish an orderly, equitable and efficient system of billing to pay for the expenses incurred in the furtherance of the aforesaid purposes;
 - (4) To promulgate such rules and regulations and perform such deeds and acts as are deemed necessary to achieve the aforesaid objectives and to promote the health, safety and welfare of the members of this corporation; and
 - (5) The transaction of any lawful activity which a corporation organized under the Nonprofit Corporation Act (North Carolina General Statutes, Chapter 55A) of the State of North Carolina by law may now or hereafter have or exercise.
4. The powers of the corporation in furtherance of the purposes set out in Article 3 above are as follows:
 - (1) To exercise all of the powers and privileges and perform all of the duties and obligations of things reasonably necessary or desirable for carrying out the purposes set forth herein and for protecting the lawful rights and interests of its members in connection therewith;
 - (2) To fix, levy, collect and enforce payment, by any lawful means, of all charges or assessments to members and to pay all expenses in connection therewith and all other expenses incident to the conduct of the business of the corporation, including all license fees, taxes or governmental charges

levied thereon;

- (3) To 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 the real property subject to such conditions as may be agreed to by the members as provided in the bylaws;
- (4) To borrow money;
- (5) To dedicate, sell or transfer all or any part of its property to any public agency, authority or utility for such purposes and subject to such conditions as may be agreed to by the members as provided in the bylaws; and
- (6) To have and to exercise any and all powers, rights and privileges which a corporation organized under the Nonprofit Corporation Act (North Carolina General Statutes, Chapter 55A) of the State of North Carolina by law may now or hereafter have or exercise.

5. The corporation shall have members with such designations, rights, powers and privileges as provided in the bylaws of the corporation.

6. The directors of the corporation shall be elected by the members in the manner provided in the bylaws.

7. No part of the net earnings of the corporation shall inure to the benefit of any officer, director or member of the corporation. In the event of dissolution of the corporation, the residual assets of the corporation will be distributed to a nonprofit organization with purposes similar to those of the corporation, or to any other organization eligible under the provisions of Chapter 55A of the General Statutes of North Carolina. However, in no event shall the residual assets of the Association be distributed in a fashion that terminates the corporation's exempt status under Section 528 of the Internal Revenue Code of 1986 or any corresponding sections or provisions of any future United States Internal Revenue law.

8. The corporation may be dissolved only with the assent in writing and signed by all members.

9. The initial registered agent of the corporation is Brian Walker, and the address of the initial registered office of the corporation is 2533 Raeford Road, Fayetteville, Cumberland County, North Carolina 28305.

10. The street address and mailing address of the principal office of the corporation is 2533 Raeford Road, Fayetteville, Cumberland County, North Carolina 28305.

11. The name and address of the incorporator is Richard A. Galt, 2533 Raeford Road, Fayetteville, Cumberland County, North Carolina 28305.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of October, 2014.



Richard A. Galt, Incorporator