

The following is the MISTY MEADOWS ARTICLES OF INCORPORATION. On March 31, 2009 they were re-typed. The original format was changed to help with their interpretation. The following does not replace or change the original version Registered with Waukesha County on May third 1972. Any decisions, legal or otherwise, should incorporate the original version.

ARTICLES OF INCORPORATION

Executed by the undersigned for the purpose of forming a Wisconsin corporation under Chapter 181 of the Wisconsin statutes, WITHOUT STOCK AND NOT FOR PROFIT.

Article 1: The name of the corporation shall be **MISTY MEADOWS HOMES ASSOCIATION, INC.**

Article 2. The period of existence shall be perpetual.

Article 3. The purposes shall be (a) To establish and maintain suitable park, parkway, recreational and planting areas and purchase, build, erect, and improve such recreational facilities as the corporation shall deem desirable or necessary upon the land hereinafter described.

(b) To care for vacant, unimproved or un-kept land, lots, or building sites within the land hereinafter described and to remove grass, weeds or any other unsightly growths, structures or objects therefrom, and to do any other things necessary or desirable in the opinion of the Board of Directors of this corporation to keep the lots, trees, shrubs, other vegetation or any other things erected or placed in or upon the land hereinafter described neat and in good order.

Article 3 Continued.

(c) To examine and pass upon plans and specifications for dwelling houses, homes, garages, fences, walls or other structures to be erected or maintained on any land or building sites within the land hereinafter described, to designate what areas of any lot may be occupied by any buildings or structures, to provide the distance that any building or buildings shall be placed from any street, drive or the lot line, subject to the restrictions now created, or which may hereinafter be created for the land hereinafter described. The corporation shall carry out the foregoing through its Architectural Control Committee, as provided in the By-Laws of the corporation.

(d) To determine the annual charges and assessments to which each lot, plot, or building site shall be subject, to levy and collect such annual charges and assessments and such special assessments as the corporation may deem necessary to carry out the purposes of the corporation.

(e) To do and enforce all things that are necessary or proper to enforce, carry out and fulfill the general intent of the CONDITIONS, COVENANTS, RESTRICTIONS AND EASEMENTS which are and may hereafter be recorded affecting the land hereinafter described and to make such rules and regulations and do and perform such acts as may be necessary or incidental to the health, comfort, safety, or general welfare of the persons residing at the property hereinafter described.

(f) To do any and all things in furtherance of its work and which may be necessary, proper or convenient for the carrying on of the purposes of said corporation, and to have all of the rights and powers set forth in Section 289.70 Wisconsin Statutes as the same now provides or as it may be hereafter amended.

The Corporation shall exercise its powers in connection with the land described as follows:

The recorded plat of Misty Meadows recorded in Volume 38 of Plats, Pages 40 and 41, Waukesha County, Wisconsin, and any additions thereto. Together with any and all other real property which may hereafter, through the operation of conditions, covenants, restrictions, easements, reservations pertaining to the same or other documents, be placed under or submitted to the jurisdiction of this corporation, and be accepted as within the jurisdiction of this corporation by resolution of the Board of Directors of this corporation.

Article 4. Location of the principal office:

273D C.T.H. "0", Oconomowoc, Wisconsin 53066

Article 5. Name of the initial registered agent is **LeRoy Gennerman**

Article 6. Address of the initial registered agent is: 273D C.T.H. "0", Oconomowoc, Wisconsin 53066

Article 7. The number of directors may be fixed by the by-law but shall be not less than three.

Article 8. The number of directors constituting the initial board shall be five.

Article 9. Names and addresses of the initial directors:

Leroy Gennerman
273 C.H.T. "O"
Oconomowoc, WI

Lawrence E. Relefsen
4945 Brown Street
Oconomowoc, WI

Donald C. Christansen
292 Lac Labelle Drive
Oconomowoc, WI

Kenneth Bohlen
36160 Mapleton
Oconomowoc, WI

Gerhard F. Moeller
4070 No. 137th Street
Brookfield, WI 53005

Article 10. The members of this Association shall be:

- (a) All persons or corporations who are owners of record of any building site in said property, provided that no person or corporation taking or holding title as security for the payment of money or the performance of any obligation shall thereby become entitled to membership.
- (b) All persons who reside on a building site in said property, and who are purchasing such building site under a contract or agreement of purchase.
- (c) Such ownership, or such residence and the purchasing of such building site under a contract or agreement of purchase, shall be the only qualifications for membership in this Association.

(d) When a building site is owned of record in joint tenancy or tenancy in common, or when two or more residents are purchasing a building site under a contract or agreement of purchase, the membership as to such building site shall be joint and the right of such membership (including the voting power arising therefrom) shall be exercised only by the joint action of all owners of record of such building site, or of all purchasers under said contract or agreement of purchase, respectively.

(e) Membership in this Association shall terminate when any member shall cease to be the owner of record of a building site, or upon any member ceasing to be a resident on a building site in said property and a purchaser thereof under a contract or agreement of purchase.

(f) A building site for the purpose of these Articles shall be taken to be and mean (a) a building site as defined in the protective covenants covering the portion of said property in which the building site is located, and (b) all property owned by Five O's Development, Inc.

(g) The rights, voting, and method of expulsion of members may be established and governed by the By-Laws of the Corporation, except that as long as Five O's Development, Inc. owns any part of this land, it shall be entitled to elect a majority of the Board of Directors, and appoint the Architectural Control Committee, unless it waives this right.

Article 11. (Other provisions) The corporation shall not have or issue shares of stock. No dividend shall be paid and no part of the income of the corporation shall be distributed to its members, directors, or officers. The corporation may pay compensation in a responsible amount to members, directors, or officers for services rendered, and may confer benefits upon its members in conformity with its purposes. The corporation shall not engage in any activity which directly or indirectly shall constitute the carrying out of propaganda or of otherwise attempting to influence legislation.

Article 12. In the event of the dissolution of this Corporation, the assets remaining after the payment of debts shall be divided into as many shares as there are building sites, and each owner of a building site shall receive one share for each building site owned.

Article 13. The name and address of incorporator (or incorporators) is:

NAME	ADDRESS
<u>LeRoy Gennerman</u>	273D C.T.H. "O" Oconomowoc, WI 53066

Article 14. These articles may be amended in the manner authorized by law at the time of amendment.

Executed in duplicate on the 17th day of April, 1972

STATE OF WISCONSIN
DEPARTMENT OF STATE
FILED
April 20, 1972
Robert C. Zimmerman
SECRETARY OF STATE

Signed by :
LeRoy Gennerman