

ARTICLES OF INCORPORATION

OF

**3 CHERRY WAY HOMEOWNERS ASSOCIATION, INC.**  
**A Non-Profit Corporation**

The undersigned natural person of the age of eighteen (18) years or more does hereby make and acknowledge these Articles of Incorporation for the purpose of forming a non-profit corporation under and by virtue of the laws of the State of North Carolina, as contained in Chapter 55A of the General Statutes of North Carolina, entitled "Non-Profit Corporation Act," and the several amendments thereto, and to that end does hereby set forth:

1. All capitalized terms not otherwise defined herein shall have the same meaning as set forth in the Declaration of Covenants, Conditions, and Restrictions for 3 CHERRY WAY, together with all supplements or amendments thereto (the "Declaration"), which Declaration shall be recorded in the Office of the Register of Deeds for Lincoln County, North Carolina.

2. The name of the corporation is 3 CHERRY WAY HOMEOWNERS ASSOCIATION, INC. (the "Association").

3. The period of duration of the Association shall be perpetual.

4. The purpose for which the Association is organized are:

(a) to manage, maintain, operate, care for and administer the Development, including, but not limited to, the Common Areas and Public Roads as more particularly set forth in the Declaration;

(b) to enforce the covenants, restrictions, easements, charges and liens as provided in the Declaration and to fix, levy, assess, collect, enforce and disburse the charges and assessments created under the Declaration, all in the manner set forth in and subject to the provisions of the Declaration;

(c) to exercise all powers and privileges and perform all duties and obligations of the Association as set forth in the Declaration;

(d) to do any and all other lawful things and acts that the Association from time to time, in its discretion, may deem to be for the benefit of the Development and the Owners and inhabitants thereof or advisable, proper or convenient for the promotion of the peace, health, comfort, safety, and general welfare of the owners and inhabitants thereof; and

(e) to exercise all powers provided in Chapter 55A of the General Statutes of North Carolina in furtherance of the above-stated purposes.

5. The Association is not organized for pecuniary profit, nor shall it have any power to issue certificates of stock or pay dividends. No part of the net assets or earnings of the Association shall inure to the benefit of any private individual, firm or corporation.

6. The Association shall have members, which may be divided into such classes as shall be provided in the Bylaws. All members shall be accepted, appointed, elected or designated in the manner provided in the Bylaws.

7. The address of the initial/principal registered office of the Association is 8151 Webbs Road, Denver, North Carolina 28037, and the name of the initial registered agent at such address is Gary G. Dellinger. The county of the registered office is Lincoln.

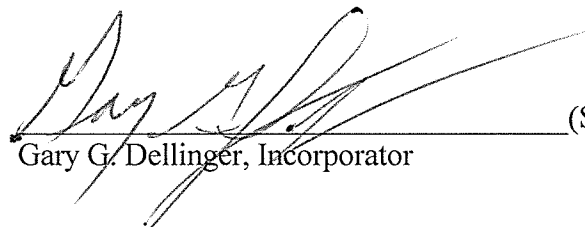
8. The business and conduct of the Association shall be regulated by a Board of Directors who shall be elected in the manner and for the terms provided in the Bylaws. The number of directors constituting the initial Board of Directors shall be three, and the names and addresses of the persons who are to serve as initial directors are:

<u>Name</u>	<u>Address</u>
Gary G. Dellinger	8151 Webbs Road Denver, North Carolina 28037
Neeley D. Robinson	8151 Webbs Road Denver, North Carolina 28037
Cammie M. Burns	8151 Webbs Road Denver, North Carolina 28037

9. The incorporator of this Association is Gary G. Dellinger, and his address is 8151 Webbs Road, Denver, Lincoln County, North Carolina 28037.

10. In the event of a dissolution and/or liquidation of the Association, all of the residual assets of the Association shall be distributed to such organizations that are exempt under Section 501(c)(3) of the Internal Revenue Code of 1986 or corresponding sections of any prior or future Internal Revenue Code at the time of dissolution as shall in the judgment of the directors, be most likely to fulfill the purposes of the Association.

IN TESTIMONY WHEREOF, the undersigned has set his hand and seal this 8<sup>th</sup> day of June, 2015.

  
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Gary G. Dellinger, Incorporator (SEAL)