

**OFFICE OF THE SECRETARY OF STATE**  
**NEW MEXICO**

*Certificate Of Incorporation*

OF

**600 8TH STREET CONDOMINIUM HOMEOWNERS ASSOCIATION, INC.**  
**5140862**

The Office of the Secretary of State certifies that the Articles Of Incorporation, duly signed and verified pursuant to the provisions of the

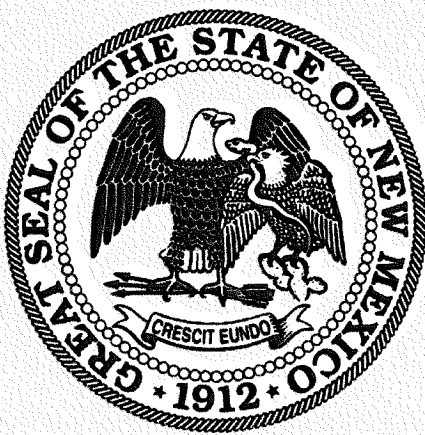
**Nonprofit Corporation Act**

**(53-8-1 To 53-8-99 NMSA 1978)**

have been received and are found to conform to law. Accordingly, by virtue of the authority vested in it by law, the Office of the Secretary of State issues this Certificate Of Incorporation and attaches hereto a duplicate of the Articles Of Incorporation.

Dated : **November 17, 2015**

**In testimony whereof, the Office of the Secretary of State has caused this certificate to be signed on this day in the city of Santa Fe, and the seal of said office to be affixed hereto.**



*Mary Quintana*

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**Mary Quintana**  
**Acting Secretary of State**

**ARTICLES OF INCORPORATION**

**OF**

**600 8<sup>th</sup> STREET CONDOMINIUM**

**HOMEOWNERS ASSOCIATION, INC.**

IN COMPLIANCE with the requirements of N.M.S.A 1978, Sections 53-8-1 to 53-8-99, the Non-profit Corporation Act, the undersigned natural persons, being of full age, and the incorporator for the purpose of forming a corporation not for profit, does hereby certify and adopt the following Articles of Incorporation for such corporation:

**ARTICLE I**

The name of the corporation shall be **600 8<sup>TH</sup> STREET CONDOMINIUM HOMEOWNERS ASSOCIATION, INC.**, a non-profit corporation (the "Association").

**ARTICLE II**

The location of the principal office of the Association in the State of New Mexico shall be in the City of Albuquerque, Bernalillo County, New Mexico, or at such other place as is designated from time to time by the Board of Directors.

**ARTICLE III**

The Association shall not afford pecuniary gain or profit, direct or indirect, incidentally or otherwise, to its members. The purpose for which it is formed are:

To promote the health, safety, community welfare and general welfare of the residents within the property described on Exhibit "A" which is attached hereto and incorporated herein by reference, and such additions thereto as may be brought within the jurisdiction of this Association by annexation, as provided in Article IX herein, hereafter referred to as the "Properties", and 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 Condominium Declaration, hereinafter called the "Declaration", applicable to the property and recorded or to be recorded in the office of the County Clerk of Bernalillo County, 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) Own, acquire, build, operate and maintain common elements and limited common elements, hereinafter referred to as "the common elements";
- (c) 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;
- (d) Enforce any and all covenants, restrictions, and agreements applicable to the Properties;
- (e) Pay taxes, if any, on the common properties and facilities; and
- (f) Insofar as permitted by law, to do any other thing that, in the opinion of the Board of Directors, will promote the common benefit and enjoyment of the residents of the Properties.

#### **ARTICLE IV**

This Association does not and shall not afford pecuniary gain incidental or otherwise to any of its members. Upon dissolution of the Association, the assets, both real and personal, of the Association shall be dedicated to an appropriate public agency or utility to be devoted to purposes as nearly as practicable the same as those to which they were required to be devoted by the Association. 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 purposes as nearly as practicable the same as those which they were required to be devoted by the Association. No such disposition of Association properties shall be effective to divest or diminish any rights or title of any member vested in him under the recorded covenants and deeds applicable to the Properties, unless made in accordance with the provisions of such covenants and deeds.

#### **ARTICLE V**

The period of duration of the Association's existence is perpetual.

#### **ARTICLE VI**

The location of the registered office of the Association shall be 2632 Mesilla Street, N.E., Albuquerque, New Mexico 87110 and the name of the person in charge thereof and the initial agent of the Association for service of process is Kenneth A. Hunt.

## **ARTICLE VII**

The name and address of the incorporator, who is a natural person of adult age, is: Kenneth A. Hunt, 2632 Mesilla Street, N.E., Albuquerque, New Mexico 87110.

## **ARTICLE VIII**

The affairs of the Association shall be managed by a Board of not less than three (3) nor more than seven (7) Directors, who need not be members of the Association. The initial Board of Directors shall consist of three (3) Directors, who shall hold office until the election of their successors for the terms stated in Article XIV. Beginning with the first annual meeting, to be held on November 12, 2016, the members at each annual meeting shall elect Directors for terms of one (1) year.

## **ARTICLE IX**

No additions to the properties may be made, except in accordance with the provisions of the Declaration.

## **ARTICLE X**

Subject to the provisions of the Declaration, and to the extent permitted by law, the Association may participate in mergers and consolidations with other nonprofit corporations organized for the same purposes, provided that any such merger or consolidation shall have the assent of two-thirds (2/3) of the votes of each class of members who are voting in person or proxy at a meeting duly called for this purpose, written notice of which shall be mailed to all members at least thirty (30) days in advance and shall set forth the purpose of the meeting.

## **ARTICLE XI**

The Association shall have power to borrow money and also to mortgage the Properties; however, it may mortgage only to the extent authorized under the Declaration.

## **ARTICLE XII**

The Association shall have the power to dispose of the Properties only as authorized under the Declaration.

## **ARTICLE XIII**

These Articles may be amended in accordance with the law provided that the voting and quorum requirements specified for any action under any provisions of these Articles shall apply also to any amendment of such provision, and provided further that no amendment shall be effective to impair or dilute any rights of members that are governed by the recorded covenants

and restrictions applicable to the properties, as for example membership and voting rights, which are part of the property interest created thereby.

**ARTICLE XIV**

The names and addresses of those persons who are to act as Directors until the election of their successors and their terms of office are:

<u>Name</u>	<u>Address</u>	<u>Term</u>
Greg Lobberegt	8200 Carmel, N.E., Suite 103 Albuquerque, New Mexico 87122	1 year
Roger Cinelli	1716 San Patricio Road, S.W. Albuquerque, New Mexico 87104	1 year
Jason Buchanan	5557 Eakes Road, N.W. Los Rancho, New Mexico 87107	1 year

The initial term of these Directors shall expire at the first annual meeting.

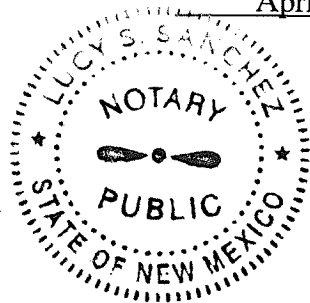


KENNETH A. HUNT, Incorporator

STATE OF NEW MEXICO )  
  )  
COUNTY OF BERNALILLO)

SUBSCRIBED AND SWORN TO before me this 12th day of November, 2015, by KENNETH A. HUNT.

MY COMMISSION EXPIRES:  
April 29, 2019

  
NOTARY PUBLIC

**AFFIDAVIT OF ACCEPTANCE OF APPOINTMENT  
BY DESIGNATED INITIAL REGISTERED AGENT**

To Secretary of State  
State of New Mexico

STATE OF NEW MEXICO )  
  )  
COUNTY OF BERNALILLO)

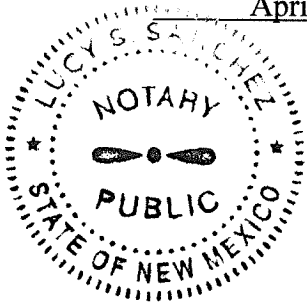
On this 12th day of November, 2015, before me, a Notary Public in the State and County aforesaid, personally appeared Kenneth A. Hunt to be appointed the person and who, being by me duly sworn, acknowledged to me that he does hereby accept appointment as the initial Registered Agent of **600 8<sup>th</sup> STREET CONDOMINIUM HOMEOWNERS ASSOCIATION, INC.**, the Association which is named in the annexed Articles of Incorporation, and which is applying for a Certificate of Incorporation, pursuant to the provisions of the Nonprofit Corporation Act of the State of New Mexico.



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KENNETH A. HUNT, Registered Agent

SUBSCRIBED AND SWORN TO before me this 12th day of November, 2015, by  
Kenneth A. Hunt.

MY COMMISSION EXPIRES:  
April 29, 2019

  
NOTARY PUBLIC

**EXHIBIT "A"**

Legal Description

Lot 1, LANDS OF BUCHANON, as the same is shown and designated on the plat entitled, "Subdivision Plat of Lot 1, LANDS OF BUCHANON, Being a Replat of Lots 1 and 2, Block 12 of Burgs Replat, Perfecto Armijo, Projected Section 17, T 10 N, R 3 E, N.M.P.M., Town of Albuquerque Grant, Albuquerque, Bernalillo County, New Mexico" filed in the office of the County Clerk of Bernalillo County, New Mexico, on December 22, 2014, in Plat Book 2014C, page 140 as Document No. 2014101430.