

**Articles of Incorporation  
Bellaire Gardens HOA**

**ARTICLES OF INCORPORATION  
OF  
BELLAIRE GARDENS HOME OWNERS ASSOCIATION**

NOV 21 2000

Corporations Section

In compliance with the requirements of the Texas Non-Profit Corporation Act, articles 1396-3.02 and 1396-3.03, the undersigned, all of whom as residents of Bellaire Gardens and all of whom are of full age, have this day voluntarily associated themselves together for the purpose of forming a non-profit corporation and do hereby certify:

**ARTICLE 1  
NAME**

The name of the corporation is BELLAIRE GARDENS HOME OWNERS ASSOCIATION, hereafter called the "Association".

**ARTICLE 2  
DURATION**

The corporation shall exist perpetually.

**ARTICLE 3  
PRINCIPAL OFFICE**

The principal office of the Association is located at 14614 Falling Creek #205, Houston, Texas 77068.

**ARTICLE 4  
REGISTERED AGENT**

George Kopecky, whose address is 14614 Falling Creek #205, Houston, Texas 77068, is hereby appointed the initial registered agent of this Association.

**ARTICLE 5  
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 maintenance, preservation and architectural control of the residence Lots and Common Area within that certain tract of property described as:

Reserve "B" in Block 1, and Reserve "A" in Block 2 of BELLAIRE GARDENS, a subdivision in Harris County, Texas, according to the map or plat thereof filed in the Map Records of Harris County, Texas under County Clerk's File Number U425094

and to provide 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 Real Property Records of Harris County, Texas, 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 Texas by law may now or hereafter have or exercise.

## ARTICLE 6 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 7  
VOTING RIGHTS**

The Association 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.** 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, 2006.

**ARTICLE 8  
BOARD OF DIRECTORS**

The affairs of this Association shall be managed by a board of three (3) directors who need not be members of the Association. The number of directors may be changed by amendment of the Bylaws 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:

<u>Name</u>	<u>Address</u>
George Kopecky	14614 Falling Creek, #205 Houston, Texas 77068
John Speer	14614 Falling Creek, #205 Houston, Texas 77068
Betty Woodruff	14614 Falling Creek, #205 Houston, Texas 77068

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 9  
INCORPORATOR(S)**

The name and address of the incorporator is:

J. S. Norman, Jr.  
9545 Katy Freeway, Suite 125  
Houston, Texas 77024

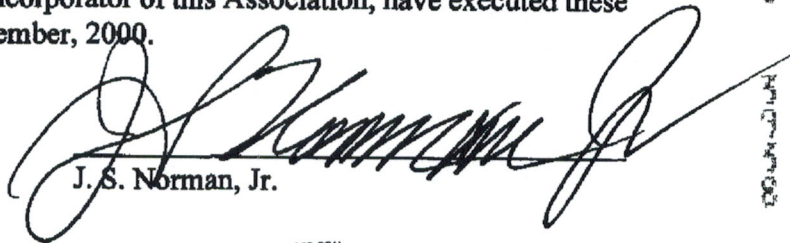
ARTICLE 10  
DISSOLUTION

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 11  
AMENDMENTS

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

In witness whereof, for the purpose of forming this corporation under the laws of the State of Texas, I, the undersigned, constituting the incorporator of this Association, have executed these Articles of Incorporation this 20th day of November, 2000.

  
J. S. Norman, Jr.

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.  
THE STATE OF TEXAS  
COUNTY OF HARRIS  
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas

MAR 14 2012



Stan Stewart  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

Stan Stewart  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

2012 MAR 14 AM 10:38

FILED

ktb  
KATHY ANN TERRY  
ATTORNEY AT LAW  
401 STUDEWOOD, SUITE 201  
HOUSTON, TX 77007