

20120307000234170 1/5
Bk: LR201211 Pg:20178
Jefferson County, Alabama
I certify this instrument filed on
03/07/2012 11:16:24 AM INC
Judge of Probate- Alan L. King

ARTICLES OF INCORPORATION

OF

TIMBERLEAF HOMEOWNER'S ASSOCIATION, INC.

A NONPROFIT CORPORATION

The undersigned, acting as incorporator of a corporation under the Alabama Nonprofit Corporation Law, adopts the following Articles of Incorporation for such corporation:

ARTICLE I

The name of the corporation is Timberleaf Homeowner's Association, Inc. , hereafter called the "Association".

ARTICLE II

The period of duration of the Association shall be perpetual.

ARTICLE III

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 areas, if any, located in the subdivision, within that certain tract of property described as:

All lots located in the subdivision known as Timberleaf, including all sectors, phases, Resurveys and amendments of said subdivision, which said sectors, phases, Resurveys and Amendments are recorded in the Office of the Judge of Probate of Jefferson County, Alabama, in the following map books and pages:

- (1) Map Book 43, Page 14
- (2) Map Book 46, Page 31 (Resurvey of Lots 47-49)

and to promote the health, safety and welfare of the residents within the described property and any additions thereto as may hereafter be brought within the jurisdiction of the 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 those certain protective covenants, hereinafter called the "Declaration" applicable to the property and recorded or to be recorded in the Office of the

Judge of Probate, Jefferson County, Alabama 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 the members mortgage, pledge, deed in trust, or hypothecate any or all of its real property as security for money borrowed or debts incurred;
- (e) Dedicate, sell or transfer all or part of the common area, if any, 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 the 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 the members;
- (g) Have and to exercise any and all powers, rights, and privilege which a corporation organized under the Alabama Nonprofit Corporation Law may now or hereafter have or exercise.

ARTICLE IV

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 V
VOTING RIGHTS

The Association shall have one class of voting membership:

Class A: Class A members shall be all owners, 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

ARTICLE VI
BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of three (3) Directors, who must be members of the Association. The number of Directors may be changed by amendment of the By-Laws of the Association. The names and address 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>
John H. Street, Jr.	5800 Feldspar Way, Hoover, AL 35244
Charles G. Canter	5800 Feldspar Way, Hoover, AL 35244
Edith Johnson	5513 Timberleaf Trail, McCalla, AL 35022

ARTICLE VII
DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two thirds (2/3) of the 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 VIII

The location and mailing address of the initial registered office of the Association, and the name of its initial registered agent at such address are as follows:

John H. Street Jr.
5800 Feldspar Way, Hoover, 35244

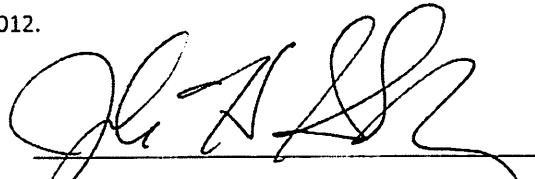
ARTICLE IX

INCORPORATOR

The name and address of each of the incorporators are as follows:

<u>Name</u>	<u>Address</u>
John H. Street Jr.	5800 Feldspar Way, Hoover, 35244

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Alabama, I, the undersigned, being the incorporator of this Association, have executed these Articles of Incorporation this 6th day of MARCH, 2012.



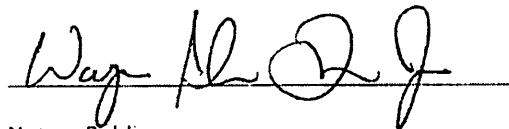
John H. Street Jr.

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned, A Notary Public in and for said county, in said State, hereby certify that John H. Street Jr whose name is signed to the foregoing documents, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the document he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 6th day of March, 2012.



Notary Public

My commission expires: 2-16-16

Beth Chapman
Secretary of State

P. O. Box 5616
Montgomery, AL 36103-5616

STATE OF ALABAMA

I, Beth Chapman, Secretary of State of Alabama, having custody of the
Great and Principal Seal of said State, do hereby certify that

pursuant to the provisions of Title 10A, Chapter 1, Article 5, *Code of Alabama*
1975, and upon an examination of the entity records on file in this office, the
following entity name is reserved as available:

Timberleaf Homeowner's Association Inc.

This domestic nonprofit corporation is proposed to be formed in Alabama and is
for the exclusive use of John H. Street Jr, 5800 Feldspar Way, Hoover, AL 35244
for a period of one hundred twenty days beginning March 6, 2012 and expiring
July 4, 2012.

20120307000234170 5/5
Bk: LR201211 Pg:20178
Jefferson County, Alabama
03/07/2012 11:16:24 AM INC
Fee - \$52.00

Total of Fees and Taxes-\$52.00
LYNN

In Testimony Whereof, I have hereunto set my
hand and affixed the Great Seal of the State, at the
Capitol, in the city of Montgomery, on this day.

March 6, 2012

Date



598-585

Beth Chapman

Secretary of State