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JO DAVIESS CTY. RECORDER  
STATE OF ILLINOIS

'91 MAY 1 AM 11 02

BOOK \_\_\_\_\_  
*Tom Miller Rd*

**Whereas,**

ARTICLES OF INCORPORATION OF  
SPRING CREEK TOWNHOUSE ASSOCIATION, INC.  
INCORPORATED UNDER THE LAWS OF THE STATE OF ILLINOIS HAVE BEEN  
FILED IN THE OFFICE OF THE SECRETARY OF STATE AS PROVIDED BY THE  
GENERAL NOT FOR PROFIT CORPORATION ACT OF ILLINOIS, IN FORCE  
JANUARY 1, A.D. 1987.

*Now Therefore, I, George H. Ryan, Secretary of State of the  
State of Illinois, by virtue of the powers vested in me by law, do  
hereby issue this certificate and attach hereto a copy of the  
Application of the aforesaid corporation.*

**In Testimony Whereof,** *I hereto set my hand and cause to  
be affixed the Great Seal of the State of Illinois,  
at the City of Springfield, this 22ND  
day of APRIL A.D. 1991 and  
of the Independence of the United States  
the two hundred and 15TH.*



*George H Ryan*  
SECRETARY OF STATE

ARTICLES OF INCORPORATION

(Do Not Write in This Space)

SUBMIT IN DUPLICATE  
Payment must be made by Certified Check, Cashiers' Check, Illinois Attorney's Check, Illinois C.P.A.'s Check or Money Order, payable to "Secretary of State."  
DO NOT SEND CASH!

Date Paid 1-22-91  
Filing Fee \$50  
Clerk al

TO: ~~GEORGE H. RYAN~~  
~~JIM EDGAR, Secretary of State~~

Pursuant to the provisions of "The General Not For Profit Corporation Act of 1986", the undersigned incorporator(s) hereby adopt the following Articles of Incorporation.

Article 1. The name of the corporation is: Spring Creek Townhouse Assn., Inc.

Article 2. The name and address of the initial registered agent and registered office are:

Registered Agent David Frank Jansen  
First Name Middle Name Last Name

Registered Office 2000 Territory Drive  
Number Street (Do Not Use P.O. Box)

Galena IL 61036 JoDaviess  
City Zip Code County

Article 3. The first Board of ~~Directors~~ shall be five (5) in number, their names and addresses being as follows:  
(Not less than three)

Managers' Names	Number	Street	Address City	State
Joseph Zerbian	Box 133		Galena	Illinois
Diane M. Henley	7720 W. Peterson		Chicago	Illinois
Robert C. Canapary	907 Thatcher		River Forest	Illinois
Robert L. Smialek	48 Duxbury Lane		Cary	Illinois
Karen Shine	2606 Laurel Lane		Wilmette	Illinois

Article 4. The purposes for which the corporation is organized are:

To maintain, operate and manage townhouse residential buildings and improvements situated at The Galena Territory, Galena, Illinois, and legally described in the Spring Creek Townhouse Declaration of Covenants, Conditions and Restrictions, as amended from time to time (the "Property") for the benefit and on behalf of its members.

Is this corporation a Condominium Association as established under the Condominium Property Act?  Yes  No (Check one)

Is this corporation a Cooperative Housing Corporation as defined in Section 216 of the Internal Revenue Code of 1954?  Yes  No (Check one)

Is this a Homeowner's Association which administers a common-interest community as defined in subsection (c) of Section 9-102 of the Code of Civil Procedure?  Yes  No

Article 5. Other provisions (please use separate page):

**NAMES & ADDRESSES OF INCORPORATORS**

The undersigned incorporator(s) hereby declare(s), under penalties of perjury, that the statements made in the foregoing Articles of Incorporation are true.  
 Dated April 10, 1991.

Signatures and Names	
1. <u>Joseph Zerbian</u> Signature <u>JOSEPH ZERBIAN</u> Name (please print)	
2. <u>[Signature]</u> Signature <u>[Name]</u> Name (please print)	
3. <u>Robert C. Canapary</u> Signature <u>ROBERT C. CANAPARY</u> Name (please print)	
4. <u>Robert L. Smialek</u> Signature <u>ROBERT L. SMIALEK</u> Name (please print)	
5. <u>Karen E. Shine</u> Signature <u>Karen E. Shine</u> Name (please print)	

Post Office Address		
1. <u>Box B3</u> Street <u>GALENA</u> <u>IL</u> <u>61036</u> City/Town State Zip		
2. <u>[Address]</u> Street <u>[Address]</u> <u>IL</u> <u>60431</u> City/Town State Zip		
3. <u>907 THATCHER</u> Street <u>RIVER FOREST</u> <u>IL</u> <u>60305</u> City/Town State Zip		
4. <u>48 DUXBURY LN.</u> Street <u>CARY</u> <u>IL</u> <u>60013</u> City/Town State Zip		
5. <u>2606 Laurel Lane</u> Street <u>Wilmette</u> <u>IL</u> <u>60091</u> City/Town State Zip		

*(Signatures must be in ink on original document. Carbon copy, xerox or rubber stamp signatures may only be used on the true copy.)*  
 NOTE: If a corporation acts as incorporator, the name of the corporation and the state of incorporation shall be shown and the execution shall be by its President or Vice-President and verified by him, and attested by its Secretary or an Assistant Secretary.

The registered agent cannot be the corporation itself.  
 The registered agent may be an individual, resident in this State, or a domestic or foreign corporation, authorized to act as a registered agent.  
 The registered office may be, but need not be, the same as its principal office.  
 A corporation which is to function as a club, as defined in Section 1-3.24 of the "Liquor Control Act" of 1934, must insert in its purpose clause a statement that **it will comply with the State and local laws and ordinances relating to alcoholic liquors.**  
**FOR INSERTS - USE WHITE PAPER - SIZE 8 1/2 x 11**

# \_\_\_\_\_  
 Form NP-102.10  
**ARTICLES OF INCORPORATION**  
 under the  
**GENERAL NOT FOR PROFIT**  
**CORPORATION ACT**  
 of

**FILED**  
 APR 22 1991  
 GEORGE H. RYAN  
 SECRETARY OF STATE

**SECRETARY OF STATE**  
**DEPARTMENT OF BUSINESS SERVICES**  
**CORPORATION DIVISION**  
 SPRINGFIELD, ILLINOIS 62756  
 TELEPHONE (217) 782-6961

(These Articles Must Be Executed and Filed in Duplicate)  
 Filing Fee \$50



# SPRING CREEK TOWNHOUSE ASSOCIATION (the "Association")

OTHER PROVISIONS:

5. The members of the Association shall consist of the record Owners of a fee or undivided fee interest in any unit in the Association, known as and located at The Galena Territory, Galena, Illinois. The members' interest in the Association shall be in accordance with the respective percentages of ownership interest in the Common Elements of the Property owned by the respective Unit Owners, as said terms are defined in the Spring Creek Townhouse Declaration of Covenants, Conditions and Restrictions, which Declaration has been recorded in the office of the Recorder of Deeds in Jo Daviess County, as Document No. 181240 as modified by any subsequently recorded Amendment to said Declaration (hereinafter, the "Declaration"). If title to a unit is held by more than one (1) person or entity, the membership relating to that unit shall be shared by all such persons as members in the same proportionate interest and in the same type of tenancy by which the title to the unit is held, provided always that there shall be only one (1) membership per unit. No person or entity other than a unit owner may be a member of the Association.
6. No part of the monies received by the corporation shall inure to the benefit of any private individual except in accordance with the Illinois General Not For Profit Corporation Act.
7. The elections of the Board of Directors shall be held in accordance with the provisions of the Declaration.
8. Subject to the limitations set forth in Paragraph 5, each member shall be entitled to vote his percentage ownership in the Common Elements as established in the Declaration and Amendments thereto. The vote for each unit shall be exercised as the Owners, among themselves, shall determine, but in no event shall the number of votes with respect to any unit exceed its percentage ownership in the Common Elements.
9. A membership shall be appurtenant to, and may not be assigned, encumbered, transferred, or separated, in any manner, from ownership of the unit to which the membership pertains; provided, however, that the rights of the membership may be assigned to a mortgagee as further security for a loan secured by a lien on such unit.
10. Subject to the provisions of the Declaration, as amended from time to time, the Association may suspend the voting rights of a member and the right to use the recreational facilities for failure to comply with the rules or regulations of the Association, or with any other obligations of the owners of any units, including the default in the payment of any

assessment duly levied by the Association under the Declaration and Bylaws.

11. The Corporation may be dissolved in accordance with the limitations set out in the Declaration. The Corporation is one which does not contemplate pecuniary gain or profit to the members thereof, and it is organized solely for non-profit purposes. In the event of liquidation, dissolution or winding up of the Corporation, whether voluntarily or involuntarily, the Directors shall dispose of the Property and assets of the Corporation in such manner as they, in the exercise of their discretion (as set out in the Declaration), deem appropriate; provided, however, that such disposition shall be exclusively in the furtherance of the object and purposes for which the Corporation is formed, and shall not accrue to the benefit of any director of the Corporation or any individual having a personal or private interest in the affairs of the Corporation or any organization which engages in any activity in which the Corporation is precluded from engaging.