

# NORTH CAROLINA

## Department of the Secretary of State

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To all whom these presents shall come, Greetings:

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

### ARTICLES OF INCORPORATION

OF

RIVER BIRCH HOA, INC.

the original of which was filed in this office on the 4th day of April, 2016.



Scan to verify online.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 4th day of April, 2016.

*Elaine F. Marshall*

Secretary of State


**ARTICLES OF INCORPORATION  
OF  
RIVER BIRCH HOA, INC.**

Pursuant to §55A-2-02 of the General Statutes of North Carolina, the undersigned corporation does hereby submit these Articles of Incorporation for the purpose of forming a nonprofit corporation.

1. The name of the corporation is River Birch HOA, Inc. (the "Association").
2. The Association is not a charitable or religious corporation as defined in N.C.G.S. §55A-1-40(4).
3. The street address and county for the registered office for the Association in the State of North Carolina is 512 Lennington Lane, Washington, Beaufort County, NC 27889.
4. The mailing address for the registered office for the Association is 512 Lennington Lane, Washington, Beaufort County, NC 27889.
5. The name of the initial registered agent is Reginald E. Burgess, Jr.
6. The name and address of the incorporator is as follows: Robert B. Hobbs, Jr., 2502 South Croatan Highway, Nags Head, NC 27959.
7. The Association will have members.
8. Upon the dissolution of the Association, the Executive Board shall, after paying or making provision for the payment of all liabilities of the Association, dispose of all of the assets of the Association by transfer to such organization or organizations organized and operated for the same purposes for which the Association was organized and operated at the time of the dissolution. Any assets not so disposed of shall be disposed of by the Superior Court of the county in North Carolina in which the principal office of the Association is then located, exclusively for the purposes set out herein, or to such organization or organizations which are organized and operated exclusively for the purposes as said court shall determine.
9. The street address and county for the principal office of the Association is 512 Lennington Lane, Washington, Beaufort County, NC 27889.

10. The principal office mailing address of the Association is 512 Lennington Lane, Washington, Beaufort County, NC 27889.
11. These articles will be effective upon filing.
12. The period of duration of the Association shall be perpetual.
13. The Association shall have all the powers granted nonprofit corporations under the laws of the State of North Carolina. Notwithstanding any other provisions of these Articles, the Association shall not carry on any activities not permitted to be carried on by a similar nonprofit corporation exempt from federal income tax under the Internal Revenue Code. It is further provided that no part of the net earnings of the Association shall inure to the benefit of or be distributable to, the members, directors or officers of the Association; provided, however, that members of the Association may receive a rebate of any excess dues and assessments.
14. Except as provided by § 55A-2-02 (b)(4) of the North Carolina General Statutes, no director shall be personally liable for monetary damages as a result of any action for breach of his duty as a director, whether by or in the right of the Association or otherwise.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal, this 16  
day of March, 2016.

  
Robert B. Hobbs, Jr., Incorporator