

ARTICLE \_\_\_\_\_ OF INCORPORATION  
OF  
PELICAN WATCH MASTER OWNERS' ASSOCIATION, INC.

DOCUMENT #424534  
DATE 03/03/88 TIME 12:22  
FILED  
THOMAS  
SECRETARY OF STATE  
NORTH CAROLINA

I, the undersigned, natural person of the age of eighteen years or more, do hereby form a non-profit corporation under the laws of the State of North Carolina, as contained in Chapter 55A of the General Statutes of North Carolina, entitled "Non-Profit Corporation Act" and the several amendments thereto, and to achieve that end do hereby set forth:

1. The name of the non-profit corporation is Pelican Watch Master Owners' Association, Inc.

2. The duration of the non-profit corporation should be perpetual.

3. The purpose or purposes for which the Non-Profit Corporation is organized are:

A. To govern, manage and operate portions of Pelican Watch, a planned residential development established, or to be established, in the Town of Southern Shores, Dare County, North Carolina, and to achieve that objective:

i. To make and collect assessments against members to defray and pay costs, expenses and losses of the Association.

ii. To use the proceeds of assessments in the exercise of its powers and duties.

iii. To own, maintain, repair, replace and operate the property of the Association.

iv. To purchase insurance upon the property of the Association and insurance for the protection of the Association and its members.

v. To reconstruct improvements after damage or casualty thereto and to further improve the property.

vi. To make, amend and rescind reasonable regulations respecting the use of the property in the Pelican Watch development.

vii. To enforce by lawful means the provisions of these Articles, the Bylaws of the Association, and the regulations for the use of the property, and all Declarations of

Condominium, Restrictive Covenants, or other instruments governing the planned residential development of Pelican Watch in the Town of Southern Shores, Dare County, North Carolina.

viii. To contract for the management of the property and to delegate to such manager all powers and duties of the Association except such as are specifically required to have approval of the Board of Directors or the membership of the Association.

ix. To contract for the management or operation of portions of the property of the Association susceptible to separate management or operation, and to lease such portions.

x. To employ personnel to perform the services required for proper operation of the property of the Association.

B. To perform and do any and all other acts permitted by the Non-Profit Corporation Act of the North Carolina General Statutes, Chapter 55A, necessary or desirable for the conduct and continuation of the management, operation and development of a comprehensive property owners' association under the laws of the State of North Carolina.

4. The members of the Non-Profit Corporation shall consist of one class of membership:

A. Class A members shall consist of all of the record owners of a single-family residential unit in Pelican Watch, whether that single-family residential unit be a condominium unit or a single-family residential lot in the subdivision. A person, firm, corporation or any entity capable of holding title to real estate in North Carolina automatically becomes a Class A member of the Corporation upon the delivery of a deed of conveyance conveying one of the single-family residential units in Pelican Watch to such person, firm, corporation or entity; or upon the probate of the will of a deceased owner, the devisee named therein becomes a member; or upon the death of an owner intestate, his heirs at law automatically become members. The Class A membership of a record owner is immediately terminated upon the recordation of a deed of conveyance to his or their single-family residential unit, or is automatically terminated upon his death or upon the record title to his or their single-family residential unit being transferred out of him in any manner, whether by voluntary conveyance, or foreclosure for taxes due any governmental authority, a foreclosure of a mortgage or deed of trust or by execution against the real property to satisfy any lien or judgment. Outer Banks Associates, its successors or assigns shall be allocated a Class A membership for each single-family residential unit owned and remaining unsold in Pelican Watch by Outer Banks Associates.

5. The Class A members shall have one vote in the affairs of the Non-Profit Corporation for each condominium unit owned, and two votes for each single-family residential lot owned. Such votes may be suspended should the Class A member fail to timely pay common assessments to the Association.

6. The number of directors and the method of election of directors shall be fixed by the Bylaws, but the number of directors shall not be less than three (3). The number of directors constituting the initial Board of Directors shall be three (3) and the names and addresses of the persons who are to serve as directors until the first meeting of the members, or until their successors are elected and shall qualify are:

<u>Name</u>	<u>Address</u>
R. J. McGinnis	1023 Laskin Road, Suite 101 Virginia Beach, VA 23451
Arthur O. Adkins	1212 Crystal Lake Circle Virginia Beach, VA 23451
W. Taylor Johnson, Jr.	1252 Crystal Lake Circle Virginia Beach, VA 23451

7. The address of the initial registered office of the Corporation is: Southern Shores Law Building, 9 Juniper Trail, Kitty Hawk, North Carolina, 27949, and the name of the initial registered agent at such address is: Norman W. Shearin, Jr.. (Dare County)

8. The name and address of the incorporator is:

<u>Name</u>	<u>Address</u>
David R. Parsons	Southern Shores Law Building 9 Juniper Trail Post Office Box 269 Kitty Hawk, NC 27949

IN TESTIMONY WHEREOF, I have hereunto set my hand this 2<sup>nd</sup> day of March, 1988.

  
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DAVID R. PARSONS

NORTH CAROLINA

DARE COUNTY

I, the undersigned Notary Public, do hereby certify that David R. Parsons personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notarial seal this the 2nd day of March, 1988.

Patricia A. Loughry  
Notary Public

My commission expires:

10-5-90.

