

# Commonwealth of Virginia



## STATE CORPORATION COMMISSION

Richmond, July 31, 1984

*This is to Certify that the certificate of incorporation of  
OAKVIEW HOMEOWNERS ASSOCIATION OF LEESBURG,  
VIRGINIA, INC.  
was this day issued and admitted to record in this office  
and that the said corporation is authorized to transact its  
business subject to all the laws of the State applicable to the  
corporation and its business.*



*State Corporation Commission*

*William S. Jones*  
*Chief of the Commission*

ARTICLES OF INCORPORATION

OF

OAKVIEW HOMEOWNERS ASSOCIATION OF LEESBURG, VIRGINIA, INC.

We hereby associate to form a non-stock corporation under the provisions of Chapter 2 of Title 13.1 of the Code of Virginia and to that end set forth the following:

ARTICLE I

The name of the corporation is OAKVIEW HOMEOWNERS ASSOCIATION OF LEESBURG, VIRGINIA, INC.

ARTICLE II

The post office address of the initial registered office and agent is 109 Old Waterford Road, Leesburg, Virginia 22075, in the County of Loudoun, State of Virginia. The initial registered agent is Donald E. Nelson, who is a resident of the County of Loudoun, Virginia, and is a member of the Virginia State Bar, whose business address is the same as that of the registered office.

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 Area within that certain tract of property described as:

Oakview Subdivision, as the same is duly dedicated, platted and recorded among the land records of Loudoun County Virginia.

and to provide for 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 and for this purpose to:

a) exercise all 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 Office of the Clerk of Court, Loudoun County, Virginia, and as the same may be amended from time to time, as therein provided, said Declaration being incorporation herein as 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, (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 more than 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 secured;

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 to transfer shall be effective unless an instrument has been ratified by vote by more than two-thirds (2/3) of each class of members agreeing to such dedication, sale or transfer;

f) participate in mergers and consolidations with other non-profit corporations organized for the same purpose or annex additional residential property and Common Area, provided that any such merger, consolidation or annexation shall have the assent of more than 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 Virginia by 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 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 members 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 June 1, 1986.

ARTICLE VI  
BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of three (3) initial Directors, who need not be members 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:

NAME  
Donald E. Nelson  
Robert T. Mays  
Bruce M. Brownell

ADDRESS  
Rt. 1, Box 346N  
Leesburg, Virginia 22075  
127 Hancock Pl.  
Leesburg, Virginia 22075  
Rt. 1, Box 98C  
Paeonian Springs, Va. 22129

ARTICLE VII  
DISSOLUTION

The Association may be dissolved with the assent given by a vote of more than seventy-five percent (75%) 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 the 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 non-profit corporation, association, or trust or other organization to be devoted to such similar purposes.

ARTICLE VIII  
DURATION

The corporation shall exist perpetually.

ARTICLE IX  
AMENDMENTS

Amendment of these Articles shall require the assent of more than seventy-five (75%) of the entire membership.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Virginia, we, the undersigned, constituting the incorporators of this Association, have executed these Articles of Incorporation, this 24<sup>th</sup> day of JULY, 1984.

DN  
Donald E. Nelson (SEAL)

/s/  
Robert T. Mays (SEAL)

/s/  
Bruce M. Brownell (SEAL)

STATE OF VIRGINIA

AT LARGE, to-wit:

The foregoing Articles of Incorporation were executed and acknowledged before me by Donald E. Nelson, Robert T. Mays, and Bruce M. Brownell, whose names are signed thereto, this the 24<sup>TH</sup> day of JULY, 1984.

/s/ DEENA L. BELLAN  
Notary Public

My Commission Expires:

JULY 29, 1987