

547248

ARTICLES OF INCORPORATION
OF
SMIGEL SECOND ADDITION HOMEOWNERS ASSOCIATION

TO THE SECRETARY OF STATE OF THE STATE OF IOWA:

The undersigned, acting as the Incorporator of a corporation under the Iowa Nonprofit Corporations Act, Chapter 504, Code of Iowa, (2017), adopts the following Articles of Incorporation for such corporation:

ARTICLE I.

The name by which this Corporation shall be known is: SMIGEL SECOND ADDITION HOMEOWNERS ASSOCIATION.

ARTICLE II.

The duration of this Corporation shall be perpetual.

ARTICLE III.

This Corporation is organized and shall operate for the purpose of the ownership, control, management, maintenance, upkeep and repair of the common areas of Smigel Second Addition as shown and designated on the plat of Smigel Second Addition, Johnson County, Iowa. The Corporation shall also have the right to enforce any of the Protective Covenants and Restrictions for said subdivision. This Corporation does not contemplate pecuniary gain or profit to the members thereof.

ARTICLE IV.

The initial registered office of this Corporation is 711 S. Gilbert Street, Iowa City, IA 52240, and the registered agent at said address is Michael E. Hodge.

ARTICLE V.

Every person or entity who is a record owner of a fee or undivided fee interest, including contract vendees, in Smigel Second Addition, Johnson County, Iowa, 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 separate from ownership of the lot which is subject to assessment by the Association.

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ARTICLE VI.

The Association shall have one class of voting membership, being all of the subdivided and final platted residential lots in Smigel Second Addition, Johnson County, Iowa, as shown and designated on the plat of Smigel Second Addition, Johnson County, Iowa. Each such lot shall be allocated one vote in the Association. When more than one person or entity holds an interest in any such lot, all such persons or entities 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 VII.

The number of directors constituting the initial Board of Directors of the corporation is two (2), and the names and addresses of the persons who are to serve as the initial directors are:

Name and Address:

Michael E. Hodge	711 S. Gilbert Street	Iowa City, IA 52240
Kevin Digmann	711 S. Gilbert Street	Iowa City, IA 52240

The initial Directors shall be subject to removal only by Michael E. Hodge until their term is expired as provided in the Bylaws, but thereafter a director may be removed from office at a special meeting of the members of the corporation in such manner as may be provided by the Bylaws.

ARTICLE VIII.

The initial bylaws of the Corporation shall be formulated and adopted by its initial Board of Directors, but the power to thereafter alter, amend or repeal the same or adopt new bylaws is reserved to the members of the Corporation.

ARTICLE IX.

The name and address of the incorporator is:

Timothy J. Krumm
122 S. Linn Street
Iowa City, Iowa

ARTICLE X.

The private property of the members of this Corporation shall be exempt from corporate debts.

ARTICLE XI.

This Corporation shall issue no stock nor shall any dividends be paid to any of the members of this Corporation.

ARTICLE XII.

This Corporation shall have no seal.

ARTICLE XIII.

In the event of dissolution of the Corporation, any remaining assets shall be liquidated and distributed to the members of Smigel Second Addition Homeowners Association, in accordance to their proportionate share of ownership as set forth in the Bylaws of the Association.

IN WITNESS WHEREOF, the undersigned has set his hand on this 18th day of MAY, 2017.



Timothy J. Krumm, Incorporator

STATE OF IOWA)
) ss:
JOHNSON COUNTY)

This instrument was acknowledged before me on May 18th, 2017,
by Timothy J. Krumm.





Notary Public in and for the State of Iowa

FILED
IOWA
SECRETARY OF STATE
5/19/17
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