

NORTH CAROLINA

Department of The Secretary of State

To all whom these presents shall come, Greetings:

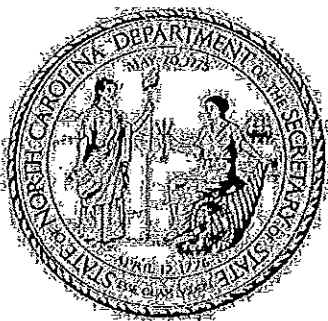
I, **ELAINE F. MARSHALL**, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF INCORPORATION

OF

ELK CREEK MOUNTAIN PROPERTY OWNERS' ASSOCIATION, INC.

the original of which was filed in this office on the 2nd day of February, 2007.



IN WITNESS WHEREOF, I have hereunto
set my hand and affixed my official seal at the
City of Raleigh, this 2nd day of February, 2007

Elaine F. Marshall

Secretary of State

State of North Carolina
Department of the Secretary of State

ARTICLES OF INCORPORATION
NONPROFIT CORPORATION

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: Elk Creek Mountain Property Owners' Association, Inc.
2. (Check only if applicable.) The corporation is a charitable or religious corporation as defined in NCGS §55A-1-40(4).
3. The street address and county of the initial registered office of the corporation is:
Number and Street 151 Mr. Bish Road
City, State, Zip Code Boone, NC 28607 County Watauga
4. The mailing address *if different from the street address* of the initial registered office is:
(same as above)
5. The name of the initial registered agent is:
Mark Harrill
6. The name and address of each incorporator is as follows: _____
Allen C. Moseley, Attorney at Law 770 W. King Street, PO Box 311 Boone, NC 28607-0311
7. (Check either a or b below.)
a. The corporation will have members.
b. The corporation will not have members.
8. Attached are provisions regarding the distribution of the corporation's assets upon its dissolution.
9. Any other provisions which the corporation elects to include are attached.
10. The street address and county of the principal office of the corporation is:
Number and Street 151 Mr. Bish Road
City, State, Zip Code Boone, NC 28607 County Watauga
11. The mailing address *if different from the street address* of the principal office is:

12. These articles will be effective upon filing, unless a later time and/or date is specified: _____

This is the 22 day of January, 2007.

Allen C. Moseley

A. C. Moseley
Signature of Incorporator

Allen C. Moseley, Attorney at Law

Type or print Incorporator's name and title, if any

8. Upon the dissolution of the corporation, the Board of Directors shall, after paying or making provision for the payment of all the liabilities of the corporation, dispose of all of the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for religious, charitable, educational, scientific or literary purposes as shall at the time qualify as an exempt organization or organizations under Section 501 (c)(3) of the Code as the Boards of Directors shall determine, or to federal, state or local governments to be used exclusively for public purposes. Any such assets not so disposed of shall be disposed of by the Superior Court of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organizations, such as court shall determine, which are organized and operate exclusively for such purposes, or to such purposes, or to such governments for such purposes.