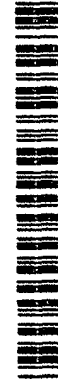


**RESTATED ARTICLES OF INCORPORATION  
OF  
ASHBURY CREEK HOMEOWNERS  
ASSOCIATION, INC.**

duly adopted pursuant to the authority and provisions of Chapter 181 of the Wisconsin Statutes, supercede and take the place of the existing articles of incorporation and any amendments thereto:

17



DOCUMENT

1516344

RECORDED

At Kenosha County, Kenosha, WI 53140  
Louise I. Principe, Register of Deeds  
on 4/05/2007 at 2:28PM \$17.00  
70014349

JANK

REGDEED3

Recording Area

Name and Return Address

Mark S. Bourque  
Alfa Land, LLC  
6040 39<sup>th</sup> Avenue, Suite 4  
Kenosha, WI 53142

Parcel Identification Number (PIN)

**ARTICLE I**

**Name**

The name of the Corporation shall be: Ashbury Creek Homeowners Association, Inc.

**ARTICLE II**

**Period of Existence**

The period of existence of the Corporation shall be perpetual.

**ARTICLE III**

**Purposes**

The purposes of the Corporation are:

- A. To serve as an association of owners who own real estate located in Ashbury Creek Subdivision and any additions thereto situated in the Village of Pleasant Prairie, Kenosha County, State of Wisconsin, subject to the terms and conditions of the recorded Declaration of Restrictions, Covenants and Easements for said subdivision as may be amended and restated from time to time, as recorded in the office of the Register of Deeds for Kenosha County, Wisconsin.

- B. To serve as a means through which the property owners may collectively and efficiently maintain, improve, police, or preserve properties in which its members have rights of usage and enjoyment.
- C. To monitor compliance with and enforce restrictions, covenants and easements of record.
- D. To engage in any lawful activity for which a nonstock, nonprofit corporation may be organized under the Wisconsin Nonstock Corporation Law.

## ARTICLE IV

### Powers

The Corporation shall have all of the powers enumerated in the Wisconsin Nonstock Corporation Law, to the extent not inconsistent with these Articles and the Bylaws of the corporation including, without limitation, the following:

- A. To exercise exclusive management and control of the properties in which its members have common rights of usage and enjoyment including, but without limitation because of specific enumeration, the "Common Areas" described on the Plat of Subdivision and in the recorded Declaration of Conditions, Covenants Restrictions and Easements.
- B. To maintain, improve, police, or preserve properties in which its members have common rights and responsibilities.
- C. To hire, engage, or employ and discharge such persons or entities as it may deem necessary or advisable to assist in the management of its affairs and the maintenance and operation of common properties.
- D. To determine, levy and collect assessments against the property owners pursuant to Section 779.70 of the Wisconsin Statutes and use the proceeds of these assessments in the exercise of its powers and duties.
- E. To purchase insurance on the common properties and insurance for the benefit of the Corporation its members and directors.
- F. To adopt and amend rules and regulations governing the use and operation of the common properties.
- G. To enforce by legal means the provisions of the Declaration of Conditions, Covenants, Restrictions and Easements for Ashbury Creek Subdivision, the Bylaws of the Corporation and rules and regulations governing the use and operation of the "Common Areas".
- H. To establish and maintain one or more bank accounts for deposit and withdrawal of the funds of the Corporation; and

- I. To do all things necessary or convenient to effectuate the purposes of the Corporation.

## ARTICLE V

### Members

There shall be one class of members designated as "Owners". The rights and qualifications of members are set forth in the Bylaws of the Corporation.

## ARTICLE VI

### Principal Office and Registered Agent

The location of the principal office of the Corporation shall be located in Kenosha County at 6040 39<sup>th</sup> Avenue, Suite 4, Kenosha, Wisconsin 53142. The initial registered agent shall be Mark S. Bourque and the address of the initial registered agent is 6040 39<sup>th</sup> Avenue, Suite 4, Kenosha, Wisconsin 53142. This document is to be recorded in Kenosha County, Wisconsin.

## ARTICLE VII

### Directors

The initial Board of Directors shall be the Incorporator until such time the Developer of Ashbury Creek subdivision turns over the Association to the Owners as provided for in Article V of the Declaration of Conditions, Covenants, Restrictions and Easements. The number of directors of the Corporation thereafter shall be fixed in the Bylaws of the Corporation and in no event shall be less than three. The manner in which directors shall be elected, appointed and removed shall be set forth in the Bylaws of the Corporation.

## ARTICLE VIII

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## ARTICLE IX

### Miscellaneous

The corporation shall not have or issue shares of stock. No dividend shall ever be paid, and no part of the net earnings, assets, or surplus of the Corporation shall inure to the benefit of or be distributed to its members, directors, officers, or any other private individual other than by a rebate of excess membership dues, fees, or assessments. The Corporation may pay compensation in reasonable amounts to employees, members, directors, or officers for services rendered and

