

ARTICLES OF INCORPORATION
OF
CAPE ROYALE
PROPERTY OWNERS ASSOCIATION, INC.

FILED
In the Office of the
Secretary of State of Texas

MAY 10 1985

Clerk I-B
Corporations Section

We, the undersigned natural persons of the age of eighteen (18) years or more, at least two (2) of whom are citizens of the State of Texas, acting as incorporators of a corporation under the Texas Non-Profit Corporation Act, do hereby adopt the following Articles of Incorporation for such corporation:

ARTICLE ONE

NAME

The name of the corporation is Cape Royale Property Owners Association, Inc.

ARTICLE TWO

NONPROFIT CORPORATION

The corporation is a nonprofit corporation.

ARTICLE THREE

DURATION

The period of its duration is perpetual.

ARTICLE FOUR

PURPOSES

The purposes for which the corporation is organized are:

(a) To aid, promote and develop the common good, general welfare, health and safety of the residents and property owners of Cape Royale, a subdivision in Montgomery County, Texas.

(b) To enforce all covenants and restrictions imposed in Cape Royale, and to collect all assessments and charges provided for in such covenants and restrictions and use the proceeds therefrom for the purposes set forth in such covenants and restrictions and in these Articles.

(c) To have and exercise all rights and powers conferred on nonprofit corporations under the laws of Texas, or which may hereinafter be conferred, including the power to contract, rent, buy or sell personal or real property.

(d) To do all other acts necessary or expedient to the administration of the affairs and attainment of the purposes of this corporation.

(e) Notwithstanding any of the above statements of purposes and powers, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purposes of this corporation.

This corporation is organized pursuant to the Texas Non-Profit Corporation Act and does not contemplate pecuniary gain or profit to the members thereof and is organized for non-profit purposes.

ARTICLE FIVE

MEMBERSHIP AND VOTING RIGHTS

Every person or entity who is the owner of any lot within Cape Royale shall be a member of the Corporation. For the purpose of determining membership, such ownership will be deemed to have vested upon delivery of a duly executed Deed or Contract for Purchase to such owner.

Members shall be entitled to one vote for each lot in which they own the interest required for membership. When more than one person holds such interests in any lot, all such persons shall be members and the vote for such lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any such lot.

ARTICLE SIX

INITIAL REGISTERED AGENT AND OFFICE

The corporation's initial registered agent for service of process shall be Edward C. Harry. The street address of the initial registered agent's office shall be: Rt. 2, Box 345, Coldspring, Texas 77331.

ARTICLE SEVEN

BOARD OF DIRECTORS

The number of directors constituting the initial board of directors of the corporation is three, and the names and

addresses of the persons who are to serve as the initial board of directors are:

Alfred Lehtonen
2201 Timberloch Place
The Woodlands, Texas 77380

Sherron Kornegay
2201 Timberloch Place
The Woodlands, Texas 77380

Edward C. Harry
Rt. 2, Box 345
Coldspring, Texas 77331

ARTICLE EIGHT

INCORPORATORS


The name and street address of each incorporator is:

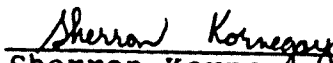
Alfred Lehtonen
2201 Timberloch Place
The Woodlands, Texas 77380

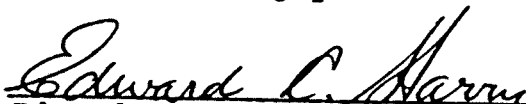
Sherron Kornegay
2201 Timberloch Place
The Woodlands, Texas 77380

Edward C. Harry
Rt. 2, Box 345
Coldspring, Texas 77331

IN WITNESS WHEREOF, we have hereunto set out hands,
this 15th day of April, 1985.


Alfred Lehtonen


Sherron Kornegay


Edward C. Harry

THE STATE OF TEXAS

COUNTY OF Montgomery

I, Kathleen Davidson, a notary public, do hereby certify that on the 15th day of April, 1985, personally appeared Alfred Lehtonen who, being by me first duly sworn, severally declared that he is the person who signed the foregoing document as incorporator, and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year written.

Kathleen Davidson
Notary Public - State of Texas
Printed Name: KATHLEEN DAVIDSON
My Commission Expires: 10-11-87
KATHLEEN DAVIDSON
Notary Public in and for State of Texas
My Commission Expires 10/11/87

THE STATE OF TEXAS

COUNTY OF Montgomery

I, Kathleen Davidson, a notary public, do hereby certify that on the 15th day of April, 1985, personally appeared Sherron Kornegay who, being by me first duly sworn, severally declared that she is the person who signed the foregoing document as incorporator, and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year written.

Kathleen Davidson
Notary Public - State of Texas.
Printed Name: KATHLEEN DAVIDSON
My Commission Expires: 10-11-87
KATHLEEN DAVIDSON
Notary Public in and for State of Texas
My Commission Expires 10/11/87

THE STATE OF TEXAS

COUNTY OF San Jacinto

I, S. Mc Mullen, a notary public, do hereby certify that on the 15th day of April, 1985, personally appeared Edward C. Harry who, being by me first duly sworn, severally declared that he is the person who signed the foregoing document as incorporator, and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year written.

S. Mc Mullen
Notary Public - State of Texas
Printed Name: S. Mc Mullen
My Commission Expires: 5-10-88

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ARTICLE OF AMENDMENT BY THE DIRECTORS
TO THE ARTICLES OF INCORPORATION OF
CAPE ROYALE
PROPERTY OWNERS ASSOCIATION, INC.

Pursuant to the provisions of Article 4.04(A) of the Texas Business Corporation Act, the undersigned directors adopt the following Articles of Amendment to the Articles of Incorporation of the corporation which corrects Article 4(a) to reflect that Cape Royale is in San Jacinto County, Texas.

ARTICLE ONE

The name of the corporation is Cape Royale Property Owners Association, Inc.

ARTICLE TWO

The following amendment to the Articles of Incorporation was adopted by the directors of the corporation on May 30, 1985.

Article 4(a) of the Articles of Incorporation is hereby amended to read as follows:

(a) To aid, promote and develop the common good, general welfare, health and safety of the residents and property owners of Cape Royale, a subdivision in San Jacinto County, Texas.

ARTICLE THREE

None of the shares of the corporation have been issued.

ARTICLE FOUR

The foregoing amendment was adopted by the unanimous written consent of the directors named in the Articles of Incorporation of the corporation.

Dated: May 30, 1985.

By: 
Alfred Lehtonen, President

By: 
A. Karen West, Secretary

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STATE OF TEXAS

COUNTY OF MONTGOMERY

I, Kathleen Davidson, a Notary Public, do hereby certify that on this 25th day of JUNE, 1985, personally appeared before me Alfred Lehtonen, who declared he is President of the corporation executing the foregoing document, being first duly sworn, acknowledged that he signed the foregoing document in the capacity therein set forth and declared that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year before written.

Kathleen Davidson
NOTARY PUBLIC - STATE OF TEXAS
Printed Name: Kathleen Davidson
My Commission Expires: 10-11-87

KATHLEEN DAVIDSON
Notary Public in and for State of Texas
My Commission Expires 10/11/87

STATE OF TEXAS

COUNTY OF MONTGOMERY

I, Sharon Preston, a Notary Public, do hereby certify that on this 1st day of July, 1985, personally appeared before me A. Karen West, who declared she is Secretary of the corporation executing the foregoing document, being first duly sworn, acknowledged that she signed the foregoing document in the capacity therein set forth and declared that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year before written.

Sharon Preston
NOTARY PUBLIC - STATE OF TEXAS
Printed Name: SHARON PRESTON
My Commission Expires: 1-7-89

SHARON PRESTON
Notary Public in and for the State of Texas
My Commission Expires January 7, 1989.

