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**JAN 21 1992**

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ARTICLES OF INCORPORATION  
OF  
BREEZEWOOD CONDOMINIUM ASSOCIATION OF GREENVILLE

9:01 AM  
RUFUS L. EDMISTEN  
SECRETARY OF STATE  
NORTH CAROLINA

In compliance with the requirements of Chapter 55 A of the General Statutes of North Carolina, the undersigned, all of whom are residents of Pitt County, North Carolina, all of whom are of full age, have this day voluntarily associated themselves together for the purpose of forming a corporation not for profit and do hereby certify:

ARTICLE I

NAME

The name of the corporation is BREEZEWOOD CONDOMINIUM ASSOCIATION OF GREENVILLE, INC., hereinafter called the "Association".

ARTICLE II

LOCATION OF REGISTERED OFFICE

The principal and registered office of the Association is located at 1212 Bramblewood Drive, P. O. Box 1208, Greenville, Pitt County, North Carolina, 27835.

ARTICLE III

REGISTERED AGENT AND ADDRESS

Frank A. Wood, whose address is 1212 Bramblewood Drive, P. O. Box 1208, Greenville, North Carolina, 27835, is hereby appointed the initial registered agent of the Association.

ARTICLE IV

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 condominium units and Common Elements within that certain tract or property which includes the first phase of Breezewood and all of the additional real estate which may be added to the condominium by the declarant and described as follows:

**EXHIBIT "A"**  
**LEGAL DESCRIPTION FOR**  
**BREEZEWOOD CONDOMINIUMS**

Lying and being situated in Winterville Township, Pitt County, North Carolina and being more particularly described as follows:

Beginning at a point in the southern right of way of Thackery Road said point being further located S-77-16-36-W-50.00 feet, thence S-82-32-22-W-204.66 feet, thence S-87-48-07-W-364.80 feet, thence S-82-31-51-W-64.31 feet from the intersection of the southern right of way of Thackery Road and the western right of way of NC Hwy 43 as shown on the map for record of Kensington Park as recorded in Map Book 31, Page 167 of the Pitt County Registry, thence from said point of beginning leaving the southern right of way of Thackery Road S-14-51-58-W-72.19 feet to a point, thence S-15-08-02-E-136.64 to a point of curvature, thence along the arc of a curve 110.68 feet, said curve being to the right having a radius of 120.00 feet, a central angle of 52-50-37, and a chord bearing S-11-17-17-W-106.79 to a point of tangency, thence S-37-42-35-W-52.96 feet to a point of curvature, thence along the arc of a curve 67.98 feet, said curve being to the left having a radius of 120.00 feet, a central angle of 32-27-27, and a chord bearing S-21-28-52-W-67.07 feet to a point, thence N-84-44-52-W-40.00 feet to a point, thence along the arc of a curve 6.00 feet, said curve being to the right having a radius of 160.00 feet, a central angle of 02-08-55, and a chord bearing N-06-19-36-E-6.00 feet, thence N-46-38-16-W-244.66 feet to a point in the southern right of way of Thackery Road, thence with the southern right of way of Thacker Road along the arc of a curve 22.00 feet, said curve being to the left having a radius of 530.00 feet, a central angle of 02-22-42 and a chord bearing N-37-20-46-E-22.00 feet to a point of tangency, thence N-36-09-24-E-100.00 feet to a point of curvature, thence along the arc of a curve 251.08 feet, said curve being to the right having a radius of 350.00 feet, a central angle of 41-06-11, and a chord bearing N-56-42-30-E-245.73 feet to the point of beginning containing 1.6216 acres.

**EXHIBIT "1-A"**  
**LEGAL DESCRIPTION**  
**FOR PROPOSED**  
**FUTURE ADDITION TO BREEZEWOOD**

Lying and being situated in Winterville Township, Pitt County, North Carolina and being more particularly described as follows:

Beginning at a point located on the southern right of way of Thackery Road, said point being the northeastern most corner of the private drive easement for Breezewood Drive as recorded in Map Book 40, Page 94 of the Pitt County Registry, thence from said point of Beginning running with the southern right of way of Thackery Road an arc length of 79.87 feet, said curve being to the right, having a radius of 350.00 feet and a chord bearing and distance of N-81-15-51-E-79.70 feet to a point, thence along the southern right of way of Thackery Road N-87-48-07-E-175.00 feet to a point, said point being a common point between Upton Court, the southern right of way of Thackery Road and the property described herein, thence running with the common property line of Upton Court S-02-11-53-E-400.00 feet to a point, said point being a common point between Upton Court, Hyde Park Lot 2-Revised and the property described herein, thence running with the common property line of Hyde Park Lot 2-Revised the following courses and distances: S-02-11-53-E-120.00 feet, S-42-48-07-W-85.00 feet, S-02-11-53-E-114.90 feet, S-87-48-07-W-81.98 feet and S-02-11-53-E-270.00 feet to a point located on the northern right of way of Hyde Drive, said point being a common point between Hyde Park Lot 2-Revised, the northern right of way of Hyde Park Drive and the property described herein, thence running with the northern right of way of Hyde Drive S-87-48-07-W-494.84 feet to a point, said point being located at the intersection of the northern right of way of Hyde Drive with the eastern right of way of a proposed unnamed road, thence running with the eastern right of way of the unnamed road the following courses and distances: an arc length of 115.98 feet, said curve being to the left, having a radius of 400.00 feet and a chord bearing and distance of N-10-30-16-W-115.57 feet to a point, thence N-18-48-39-W-476.07 feet to a point, said point being located at the intersection of the eastern right of way of the unnamed road with the southern right of way of Thackery Road, thence running with the southern right of way of Thackery Road as follows: N-71-11-21-E-14.74 feet to a point, thence along an arc length of 302.06 feet, said curve being to the left, having a radius of 530.00 feet and a chord bearing and distance of N-54-51-44-E-297.98 feet to a point, said point being a common point between the southern right of way of Thackery Road, Breezewood Lot 1 and the property described herein, thence running with the common property line of Breezewood Lot 1 S-46-38-16-E-255.33 feet to a point, thence running with the common property line of Breezewood Drive the following courses and distances: S-83-02-10-E-40.00 feet to a point, thence along an arc length of 64.19 feet, said curve being to the right having a radius of 120.00 feet and a chord bearing and distance of N-22-20-13-E-63.62 feet to a point, thence N-37-42-35-E-45.39 feet to a point, thence along an arc length of 110.68 feet, said curve being to the left having a radius of 120.00 feet and a chord bearing and distance of N-11-17-17-E-106.79 feet to a point, thence N-15-08-02-W-87.90 feet to a point, and N-05-41-59-W-125.82 feet to said point of Beginning, containing 11.0807 Acres more or less and being a portion of the property conveyed to C.J.L. Company as recorded in Deed Book E-52, Page 606 of the Pitt County Registry.

and to promote 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 purpose to:

(a) exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in that certain Declaration of Condominium Under the Provisions of Chapter 47C of the General Statutes of the State of North Carolina, and Covenants, Conditions and Restrictions of Breezewood a Condominium, hereinafter called the "Declaration", applicable to the property and recorded, or to be recorded, in the Office of the Register of Deeds of Pitt County, North Carolina, and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if 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 (by 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 two-thirds (2/3) of the members, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(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 or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of the members, agreeing to such dedication, sale or transfer;

(f) participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and Common Area, provided that any such merger, consolidation or annexation shall be assented to as provided for in the Declaration;

(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 North Carolina, by law may now or hereafter have or exercise.

ARTICLE V

MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest in any Unit 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 Unit which is subject to assessment by the Association.

ARTICLE VI

BOARD OF DIRECTORS

The affairs of the Association shall be managed by a Board of five (5) Directors, who need not be members of the Association. The number of directors may be changed by amendment of the ByLaws 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:

<u>NAME</u>	<u>ADDRESS</u>
Frank A. Wood	1212 Bramblewood Drive P. O. Box 1208 Greenville, N.C. 27835
Robin L. Walker	#14 Thackery Drive Greenville, N. C. 27858
Christina M. Doublet	#15 Thackery Drive Greenville, N. C. 27858
Wendy K. Cox	#1 Thackery Drive Greenville, N. C. 27858
Robyn R. Plummer	#2 Thackery Drive Greenville, N. C. 27858
Edward H. Johnson, Jr.	#16 Thackery Drive Greenville, N. C. 27858

ARTICLE VII

DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of the 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 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 nonprofit corporation, association, 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 two-thirds (2/3) of the entire membership.

ARTICLE X

VA/FHA APPROVAL

As long as the declarant controls the Association, the following actions will require the prior approval of the Veterans

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Administration and/or the Federal Housing Administration; annexation of additional properties, mergers and consolidations, mortgaging the common elements, dedication of common elements, dissolution and amendment of the Articles of Incorporation.

**ARTICLE XI**

**INCORPORATORS**

The name and address of the incorporator is:

<b>NAME</b>	<b>ADDRESS</b>
Robert R. Browning	200 East Fourth Street Greenville, N.C. 27834

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of North Carolina, I, the undersigned, constituting the incorporator of this Association, have executed these Articles of Incorporation, this the 10<sup>th</sup> day of February, 1992.

  
Robert R. Browning (SEAL)



NORTH CAROLINA

COUNTY OF

I, Lynn B. Bryan, a Notary Public in and for the aforesaid County and State do hereby certify that Robert R. Browning personally appeared before me this day and, after being duly sworn, acknowledged the due execution of the foregoing Articles of Incorporation of BREEZEWOOD CONDOMINIUM ASSOCIATION OF GREENVILLE, INC., and certified that the same is true.

Witness my hand and seal this the 13<sup>th</sup> day of January, 1992.

Lynn B. Bryan  
Notary Public

My Commission Expires: <sup>LAD</sup> 1-16 6/17/96

