

FILED
SECRETARY OF STATE
NOV 09 2006
STATE OF WASHINGTON



**ARTICLES OF INCORPORATION
OF
EVERGREEN HEIGHTS OWNERS' ASSOCIATION
A Washington Nonprofit Corporation**

602667447

In compliance with the requirements of the Washington Nonprofit Corporation Act, Chapter 24.03 of the Revised Code of Washington, the undersigned, all of whom are residents of Washington and 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 OF CORPORATION

The name of the corporation is Evergreen Heights Owners' Association, hereafter called the "Association".

ARTICLE II

OFFICE/REGISTERED AGENT

The principal office of the Association is located at 1868 State Avenue N.E., Olympia, Washington 98506, which shall also serve as the office of Roy C. Rice, Jr, who shall act as the Registered Agent.

ARTICLE III

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 residence Lots and Common Area within that certain tract of property described in Attachment "A" 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 Association for 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 Covenants, Conditions and Restrictions, hereinafter called the "Declaration," applicable to the property and recorded or to be recorded in the Office of the Thurston County Auditor of Thurston County, Washington 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 each class of 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 each class of members, agreeing to such dedication, sale or transfer;

(f) Participate in mergers and consolidations with other non-profit corporations organized for the same purposes, or annex additional residential property and Common Area, provided that any such merger, consolidation, or annexation shall have the assent of two-thirds (2/3) of each class of members, except as provided 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 Washington by law may now or hereafter have or exercise;

(h) Maintenance of open spaces and common improvements.

ARTICLE IV

MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest in an Lot which is subject by covenants of record to assessment by the Association, including the contract purchaser, 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 Lot which is subject to assessment by the Association.

ARTICLE V

VOTING RIGHTS

The Association shall have two classes of voting membership:

Class A: Class A members shall be all Owners, with the exception of the Declarant, and shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members. The vote for such Lot may be exercised as they determine, but in no event shall more than one vote be cast with respect to any Lot.

Class B: The Class B member shall be the Declarant (as defined in the By-Laws), and shall be entitled to three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

(a) When the total votes outstanding in the Class A membership equals the total votes outstanding in the Class B membership; or

(b) On January 1, 2015.

Annexation of adjacent properties must be recorded prior to the conversion date of Class B membership in order to retain Class B status of previous phases. All phases shall vote as a whole rather than as individual phases.

ARTICLE VI

BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of two (2) Directors until the second annual meeting, at which time three (3) Directors shall be elected who need not be members of the Association. The number of Directors may be changed by amendment of the By-Laws of the Association. The names and addresses of the persons who are to act in the capacity of Directors until the election of their successors are:

NAME	ADDRESS
Roy C. Rice, Jr.	1868 State Avenue N.E., Olympia, WA 98506
Kimberly A. Showalter	1868 State Avenue N.E., Olympia, WA 98506

Of the directors who are elected, the two (2) directors who received the highest number of votes shall be elected to serve two (2) year terms and the remaining director that was elected shall be elected to serve a one (1) year term. Upon the expiration of such terms, all successor directors shall be elected to two (2) year staggered terms.

Election of directors shall be by secret written ballot. All directors shall hold office until their respective successors are elected.

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 each class of 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 non-profit corporation, association, trust or other organization to be devoted to such similar purposes.

ARTICLE VIII

DURATION

The Corporation shall exist perpetually.

ARTICLE IX

AMENDMENTS

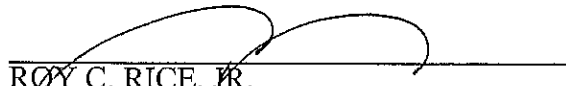
Amendment of these Articles shall require the assent of seventy-five percent (75%) of the entire membership.

ARTICLE X

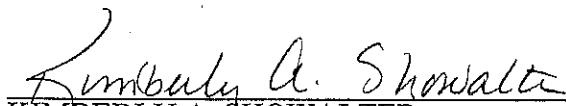
FHA/VA APPROVAL

As long as there is a Class B membership, the following actions will require the prior approval of the Federal Housing Administration or the Veterans Administration: annexation of additional properties, mergers and consolidations, mortgaging of Common Area, dedication of Common Area, dissolution and amendment of these Articles.

IN WITNESS WHEREOF, for the purposes of forming this corporation under the laws of the State of Washington, we, the undersigned, constituting the incorporators of this Association, have executed these Articles of Incorporation this 9th day of Nov, 2006.



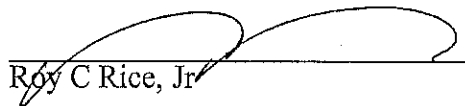
ROY C. RICE, JR.
1868 State Avenue N.E.,
Olympia, WA 98506



KIMBERLY A. SHOWALTER
1868 State Avenue N.E.,
Olympia, WA 98506

CONSENT TO APPOINTMENT AS REGISTERED AGENT

I, Roy C. Rice, Jr, hereby consent to serve as Registered Agent, in the State of Washington, for the corporation herein named. I understand that as agent for the corporation, it will be my responsibility to receive Service of Process in the name of the corporation; to forward all mail to the corporation; and to immediately notify the Office of the Secretary of State in the event of my resignation or of any change in the Registered Office address of the corporation for which I am agent.



Roy C Rice, Jr

Registered Agent

PLAT CERTIFICATE
SCHEDULE A

(Continued)

Order No.: 2049336

LEGAL DESCRIPTION

EVERGREEN HEIGHTS - DIVISION 1

THAT PORTION OF PARCEL "B" OF BOUNDARY LINE ADJUSTMENT NO. 04 103187TC, AS RECORDED MAY 27, 2004 UNDER AUDITOR'S FILE NO.S 3644827 AND 3644828 LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE NORTH LINE OF SAID PARCEL "B" A DISTANCE OF 1359.21 FEET SOUTH 88 10'08" EAST OF THE NORTHWEST CORNER THEREOF; THENCE SOUTH 01 49'52" WEST 132.59 FEET; THENCE SOUTH 83 41'11" EAST 27.26 FEET; THENCE SOUTH 06 18'49" WEST 54.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS SOUTH 06 18'49" WEST 25.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 94 28'57" AN ARC LENGTH OF 41.23 FEET; THENCE SOUTH 01 49'52" WEST 23.30 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS SOUTH 88 10'08" EAST 248.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01 58'07" AN ARC LENGTH 8.52 FEET; THENCE SOUTH 88 10'08 " EAST 125.07 FEET; THENCE SOUTH 01 49'52" WEST 50.00 FEET; THENCE SOUTH 88 10'08" EAST 17.38 FEET; THENCE SOUTH 01 49'52" WEST 50.00 FEET; THENCE SOUTH 88 10'08" EAST 17.51 FEET; THENCE SOUTH 01 49'52" WEST 50.00 FEET; THENCE SOUTH 88 10'08" EAST 9.90 FEET; THENCE SOUTH 01 49'52" WEST 50.00 FEET; THENCE NORTH 88 10'08" WEST 111.45 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS SOUTH 83 11'38" WEST 304.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06 46'46" AN ARC LENGTH OF 35.97 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH 89 58'24" EAST 25.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 92 45'32" AN ARC LENGTH OF 40.47 FEET; THENCE SOUTH 03 31'00" EAST 54.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH 02 55'02" WEST 300.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04 44'53" AN ARC LENGTH OF 24.86 FEET: THENCE NORTH 88 10'08" WEST 72.04 FEET; THENCE SOUTH 01 49'52" WEST 102.15 FEET TO THE SOUTH LINE OF SAID PARCEL "B" AND THE TERMINUS OF THIS DESCRIBED LINE.

IN THURSTON COUNTY, WASHINGTON