Colorado Secretary of State
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Articles of Incorporation for a Nonprofit Corporation

filed pursuant to § 7-122-101 and § 7-122-102 of the Colorado Revised Statutes (C.R.S.)

The domestic entity name of the nonprofit corporation is Market Street East Homeowners Association, Inc.

The principal office street address is

1873S Bellaire St., Suite 1500
Denver CO 80222
US

The principal office mailing address is

1873S Bellaire St., Suite 1500
Denver CO 80222
US

The name of the registered agent is A.C.C.U.

The registered agent's street address is

1873S Bellaire St., Suite 1500
Denver CO 80222
US

The registered agent's mailing address is

1873S Bellaire St., Suite 1500
Denver CO 80222
US

The person above has agreed to be appointed as the registered agent for this entity.

The name(s) and address(es) of the incorporator(s)

Rebecca Toal
2136 Market St.
Montrose CO 81401
US

Voting members

There are voting members for the nonprofit corporation.

The distribution of assets for the nonprofit corporation:

the assets of the Association shall be distributed in accordance with the Colorado Revised Nonprofit Corporation Act.

Additional information the person(s) forming this entity determined to include is attached.

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the

individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., and, if applicable, the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

Name(s) and address(es) of the individual(s) causing the document to be delivered for filing

David A. Firmin
c/o Altitude Community Law P.C.
555 Zang St., Suite 100
Lakewood Colorado CO 80228
US

ARTICLES OF INCORPORATION
FOR
MARKET STREET EAST HOMEOWNERS ASSOCIATION, INC.
(A Nonprofit Corporation)

The undersigned hereby signs and acknowledges, for delivery to the Secretary of State of Colorado, these Articles of Incorporation for the purpose of forming a nonprofit corporation under the Colorado Revised Nonprofit Corporation Act.

ARTICLE 1.
NAME

The name of the corporation is Market Street East Homeowners Association, Inc. (the "Association").

ARTICLE 2.
DURATION

The duration of the Association shall be perpetual.

ARTICLE 3.
DEFINITIONS

The definitions set forth in the Declaration of Covenants, Conditions, and Restrictions for Market Street East, as amended, ("Declaration") shall apply to all capitalized terms contained in these Articles, unless otherwise noted.

ARTICLE 4.
NONPROFIT

The Association shall be a nonprofit corporation, without shares of stock.

ARTICLE 5.
PURPOSES AND POWERS OF ASSOCIATION

The purposes for which the Association is formed are as follows:

(a) To operate and manage the community known as "Market Street East," a Planned Community, and to operate and manage the Property and the Common Ara included within the Community, situated in Montrose County, State of Colorado, subject to the Declaration, Plats, Maps, Bylaws and such Rules and Regulations as the Board of Directors may from time to time adopt, for the purposes of enhancing and preserving the value of the Property;

(b) To maintain Market Street East as a community of quality and value, and to enhance and protect the Property's value, desirability and attractiveness;

(c) To perform all acts and services and exercise all powers and duties in accordance with the requirements for an association of owners charged with the administration of the Property under the terms of the Colorado Common Interest Ownership Act, as amended (the "Act");

(d) To provide for administration, maintenance, preservation, improvement, and architectural review as contained in the Declaration; and

(e) To do any and all permitted acts suitable or incidental to any of the foregoing purposes and objects to the fullest extent permitted by law, and do any and all acts that, in the opinion of the Board, will promote the common benefit and enjoyment of the residents within the Market Street East Community, and to have and to exercise any and all powers, rights, and privileges which are granted in the Declaration, Bylaws, and the laws applicable to a nonprofit corporation of the State of Colorado.

The purposes and powers stated in each clause shall not be limited or restricted by reference to or inference from the terms or provisions of any other clause, but shall be broadly construed as independent purposes and powers.

ARTICLE 6.
ELIMINATION OF CERTAIN LIABILITIES OF DIRECTORS

There shall be no liability, either direct or indirect, of any Director acting within the scope of their duties as a Director, or any other person serving the Association at the direction of the Board of Directors without compensation, to the Association or to its Members for monetary damages for breaches of fiduciary duties arising out of such services. Notwithstanding the foregoing, this provision shall not eliminate the liability of a Director to the Association or its Members for any breach, act, omission, or transaction for which the Act or the Colorado Revised Nonprofit Corporation Act expressly prohibits elimination of liability.

ARTICLE 7.
MEMBERSHIP RIGHTS AND QUALIFICATIONS

There shall be one membership for each Lot owned within the Community. This membership shall be automatically transferred upon the conveyance of that Lot. The authorized number and qualifications of Members of the Association, the voting and other rights and privileges of Members, Members' liability for Assessments, and the method of collection of Assessments shall be contained in the Declaration, the Articles of Incorporation, and Bylaws of the Association.

ARTICLE 8.
PRINCIPAL OFFICE AND REGISTERED AGENT

The current principal office of the Association is 1873 S Bellaire Street, Suite 1500, Denver, CO 80222. The current registered agent of the Association is A.C.C.U. at the registered address of 1873 S Bellaire Street, Suite 1500, Denver, CO 80222. The principal office and the registered agent and office of the Association may change from time to time, by action of the Board of Directors.

ARTICLE 9.
BOARD OF DIRECTORS

The business and affairs of the Association shall be conducted, managed and controlled by a Board of Directors. The Board of Directors may consist of any number between three and five persons. The specific number is set forth in the Bylaws.

ARTICLE 10.
AMENDMENT

Amendment of these Articles shall require the affirmative vote of Members holding at least a majority of the total votes entitled to be cast who are present and voting, in person or by proxy, at a regular or special meeting of the Members at which a quorum is present; *provided, however,* that no amendment to these Articles of Incorporation shall be contrary to or inconsistent with the provisions of the Declaration.

ARTICLE 11.
DISTRIBUTION OF ASSETS UPON DISSOLUTION

In the event of the dissolution of the Association as a corporation, either voluntarily or involuntarily by the Members, by operation of law, or otherwise, the assets of the Association shall be distributed in accordance with the Colorado Revised Nonprofit Corporation Act.

ARTICLE 12.
INTERPRETATION

The terms and provisions of the Declaration are incorporated by reference when necessary to interpret, construe or clarify the provisions of these Articles. In the event of conflict, the terms and provisions of the Declaration shall control over these Articles of Incorporation.

IN WITNESS WHEREOF, the undersigned has signed these Articles of Incorporation on this 25 day of April, 2024.

MARKET STREET EAST HOMEOWNERS ASSOCIATION, INC., a Colorado nonprofit corporation

Rebecca Joal
Incorporator

Incorporator

The name and mailing address of the individual who causes this document to be delivered for filing, and to whom the Secretary of State may deliver notice if filing of this document is refused is: David A. Firmin, Altitude Community Law P.C., 555 Zang St., Suite 100, Lakewood, CO 80228.