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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.)

1. The domestic entity name for the nonprofit corporation is Eastbrook Condominium Association.
(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)

2. The principal office address of the nonprofit corporation's initial principal office is

Street address 212 E. 4th Street
(Street number and name)

Loveland CO 80537
(City) (State) (ZIP/Postal Code)

United States
(Province – if applicable) (Country)

Mailing address 206 E. 4th Street, Suite 1
(leave blank if same as street address) (Street number and name or Post Office Box information)

Loveland CO 80537
(City) (State) (ZIP/Postal Code)

United States
(Province – if applicable) (Country)

3. The registered agent name and registered agent address of the nonprofit corporation's initial registered agent are

Name
 (if an individual) _____
(Last) (First) (Middle) (Suffix)

OR

(if an entity) Johnson Muffly & Dauster, PC
(Caution: Do not provide both an individual and an entity name.)

Street address 323 S. College Avenue, Suite 1
(Street number and name)

Fort Collins CO 80524
(City) (State) (ZIP Code)

Mailing address
(leave blank if same as street address) _____
(Street number and name or Post Office Box information)

(City) CO _____
(State) (ZIP Code)

(The following statement is adopted by marking the box.)

The person appointed as registered agent above has consented to being so appointed.

4. The true name and mailing address of the incorporator are

Name
(if an individual) _____
(Last) (First) (Middle) (Suffix)

OR

(if an entity) Eastbrook LLC
(Caution: Do not provide both an individual and an entity name.)

Mailing address 206 E. 4th Street, Suite 1
(Street number and name or Post Office Box information)

Loveland CO 80537
(City) (State) (ZIP/Postal Code)

United States
(Province – if applicable) (Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

The corporation has one or more additional incorporators and the name and mailing address of each additional incorporator are stated in an attachment.

5. (If the following statement applies, adopt the statement by marking the box.)

The nonprofit corporation will have voting members.

6. Provisions regarding the distribution of assets on dissolution:

See attachment

7. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

8. (**Caution:** *Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.*)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are _____.
(mm/dd/yyyy hour:minute am/pm)

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9. The true name and mailing address of the individual causing the document to be delivered for filing are

Thorson Ryan S.
(Last) (First) (Middle) (Suffix)
c/o Johnson Muffly & Dauster, PC
(Street number and name or Post Office Box information)
323 S. College Avenue, Suite 1
Fort Collins CO 80524
(City) (State) (ZIP/Postal Code)
United States
(Province – if applicable) (Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

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**ATTACHMENT TO
ARTICLES OF INCORPORATION
FOR
EASTBROOK CONDOMINIUM ASSOCIATION**

ARTICLE 7.1 DEFINITIONS.

Terms appearing in this attachment are as defined in the Condominium Declaration for Eastbrook Condominiums (a Common Interest Community) recorded with the Clerk and Recorder of Larimer County, Colorado on February 28, 2022 at Reception No. 20220013360 or, if not defined in the Declaration, then as defined in the Colorado Revised Nonprofit Corporation Act, as amended.

ARTICLE 7.2 PURPOSES AND POWERS.

7.2.1 The Association shall manage the business and affairs of the Common Interest Community described in the Declaration in accordance with the Declaration, the Colorado Common Interest Ownership Act, as amended, and the Colorado Revised Nonprofit Corporation Act, as amended.

7.2.2 The Association shall do any and all permitted acts, and shall have and exercise any and all powers, rights, and privileges which are granted to a common interest community association under the Colorado Common Interest Ownership Act, as amended, such other Colorado laws as may apply to the Association, the Declaration, Bylaws, Rules and Regulations, and other governing documents of the Association.

7.2.3 The foregoing statements of purposes shall be construed as statements of both purposes and powers. 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 7.3 LIABILITY OF DIRECTORS.

Any Director or officer of the Association shall not be liable, to the fullest extent permitted by law, for monetary damages for breach of fiduciary duty as a Director, or for any other actions or omissions in the performance of such Director's duties, except for wanton and willful acts or omissions.

ARTICLE 7.4 MEMBERSHIP AND VOTING.

7.4.1 All Unit Owners shall be Members of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Unit. Ownership of a Unit shall be the sole qualification for membership. When more than one Person holds an ownership interest in any Unit, all such Persons shall be Members.

7.4.2 Votes shall be allocated among Units based upon the gross square footage (rounded to the nearest square foot) contained within a Unit, with one vote being allocated for each gross square foot contained within a Unit. The number of votes per Unit is set forth on Exhibit B of the Declaration. When more than one Person holds an ownership interest in any Unit, the votes for such Unit shall be cast by a single Owner as the Owners among themselves determine, but in no event shall more votes be cast with respect to any Unit than such Unit's allocation of votes as set forth in the Declaration.

7.4.3 The Members shall have the voting rights described in the Declaration. There shall be one vote per Unit. If a Unit is owned by more than one person, those persons shall agree among themselves how a vote for that Unit's membership is to be cast. Individual co-owners may not cast fractional votes. A vote by a co-owner for the entire Unit's membership interest shall be deemed to be pursuant to a valid proxy, unless another co-owner of the same Unit objects at the time the vote is cast, in which case such membership's vote shall not be counted.

7.4.4 In order to cast the vote allocated to a Unit, the Member(s) must be in good standing. As used in these Articles, the phrase "good standing" means not delinquent in payment of assessments due under the Declaration and not otherwise in violation of the Declaration, these Articles, the Association Bylaws, or any Association Rules and Regulations.

ARTICLE 7.5 DISSOLUTION.

The Association may be dissolved in connection with the termination of the Common Interest Community only by written agreement of the Owners of Units to which at least 67% of the votes in the Association are allocated. In connection with the termination of the Common Interest Community and the dissolution of the Association, the assets of the Association shall be disposed of in accordance with the Colorado Common Interest Ownership Act, as amended.

ARTICLE 7.6 AMENDMENT.

These Articles may be amended (by either (a) modifying or deleting any existing provisions or (b) adding new provisions) in any manner provided by the Colorado Revised Nonprofit Corporation Act, as amended.