

APPROVED
AS TO FORM AND FILED

SEP 14 1964

VICTOR A. MEYERS
SECRETARY OF STATE
BY *Wm. Harry James Moore*
SUPERVISOR OF CORPORATIONS

ARTICLES OF INCORPORATION
OF
HOLMES HARBOR WATER CO. INC.

KNOW ALL MEN BY THESE PRESENTS: That we, Al D. Fredriksen, Carl Johnson, Robert Syster, John W. Wold and Wilhelmina Slaughenhaupt, residing in the State of Washington, and being citizens of the United States, each being over the age of 21 years, and being desirous of forming a corporation, under Title 24.04 Revised Code of Washington, relating to non-profit corporation, do hereby associate ourselves together for the purpose of forming a non-profit corporation and make, subscribe, execute and adept, in triplicate, the following Articles of Incorporation, and certify as follows:

ARTICLE I

The name of the corporation shall be Holmes Harbor Water Co. Inc.

The purposes for which this corporation is formed are:

1. to purchase or otherwise acquire, construct, improve, develop, repair, maintain, operate, care for and/or dispose of parkways, playgrounds, open spaces and recreational areas, tennis courts, beaches, piers, clubhouses, swimming pools and/or swimming areas, bathhouses, places of amusement, community buildings, community clubhouses and in general, community facilities appropriate for the use and benefit of its members, and/or for the improvement and development of the property hereinafter referred to.
2. To build, improve and maintain roadways, culverts, bridges and drainage areas and to provide for the improving, cleaning and sprinkling of streets, and for collection and disposing of the street sweepings, garbage, ashes, rubbish and the like; to prevent and suppress fires, to provide police protection, and to make and collect charges to cover the costs and expenses therefor; all for the purpose of maintaining and/or improving the property hereinafter described.
3. To improve, light and/or maintain streets, roads, alleys, courts, walks, gateways, fences and ornamental features now existing or hereafter to be erected or created, and shelters, comfort stations and/or buildings and improvements ordinarily appurtenant to any of the foregoing; to improve, plant and maintain grass plots and other areas, trees and plantings within the lines of the street immediately adjoining or within the property hereinafter described or referred to.
4. So far as it can legally do so, to grant franchises, rights of way and easements for public utilities or other purposes upon, over, and/or under any corporate property.
5. To acquire by gift, purchase, lease or otherwise, and to own, hold, enjoy, operate, maintain and to convey, sell, lease, transfer, mortgage and otherwise encumber, dedicate for public use and/or otherwise dispose of, real and/or personal property wherever situate and to apply for and hold franchises.
6. To keep records of building permits and/or other approvals or disapprovals made or issued by said corporation, to keep books and records showing all charges, levies, and assessments made; to furnish certified copies of any record which the board of trustees may authorize to be furnished.

1 7. To enforce charges, restrictions, conditions and covenants existing
2 upon and/or created for the benefit of parcels of real property over which said
3 corporation has jurisdiction and to which said parcels may be subject to the extent
4 that said corporation has the legal right to enforce the same, and to pay all
5 expenses incidental thereto.

6 8. To appropriate, purchase, divert, acquire and store water from
7 streams, water courses, wells or any other source, and to distribute the water
8 so appropriated and acquired to its members for use upon the lands of said mem-
9 bers and for domestic purposes; to acquire, own, construct, hold, possess, use and
10 maintain such pumping plants, tanks, pipe lines, reservoirs, ditches, buildings,
11 roads, trails, and appliances, and such other property, including water rights and
12 shares of stock in other corporation as said corporation may from time to time
13 desire to acquire or purchase for furnishing and supplying water to its members;
14 provided that this corporation shall not use or dispose of such water as a public
15 utility, but solely for the use and benefit of its members and for the irrigation of
16 lands and domestic and other useful and beneficial purposes.

17 9. To fix, establish, levy and collect such charges and/or assessments
18 as may be necessary, in the judgment of the board of trustees to carry out any or
19 all of the purposes for which this corporation is formed, but not in excess of the
20 maximum from time to time fixed by the By-Laws.

21 10. To spend moneys collected by said corporation from assessments
22 and charges and other sums received for the payment and discharge of costs,
23 expenses, and obligations incurred by said corporation in carrying out any or all
24 of the purposes for which said corporation is formed.

25 11. Generally, to do any and all lawful things which may be advisable,
26 proper, authorized and/or permitted to be done by said corporation under or by vir-
27 tue of any restrictions, conditions, and/or covenants or laws affecting said property,
28 or any portion thereof (including areas now or hereafter dedicated to public use);
29 and to do and perform any and all acts which may be either necessary for, or in-
30 cidental to, the exercise of any of the foregoing powers and such powers granted
31 by the provisions of Title 24.04, Revised Code of Washington and other laws of the
32 State of Washington relating to nonprofit corporations.

12 12. Nothing contained in these Articles of Incorporation shall be con-
13 strued as authorizing or permitting said corporation to own, manage or operate
14 any real or personal property for profit. It is the intention and purpose that the
15 business of said corporation shall not be carried on for profit either to itself or for
16 the benefit of its members, and wherever it is authorized to collect charges or
17 assessments it shall have no power or authority to use said charges or assess-
18 ments except as necessary to cover the actual cost or expense of the act, duty,
19 power or transaction performed.

20 13. To have one or more offices at such place or places, either within
21 or without the State of Washington as the board of trustees may from time to
22 time determine or the business of the corporation require.

23 14. All of the foregoing purposes and powers are to be exercised and
24 carried into effect for the purpose of doing, serving and applying the things above
25 set forth for the benefit of all property, including, but without in any way limiting
26 the foregoing, any portion or portions of certain real property situate in Island
27 County, Washington. Holmes Harbor Nat. Division No. 1.

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ARTICLE II

This corporation shall at all times hereafter be a joint and mutual association of the above named incorporators, and such other persons as may hereafter be admitted to membership in accordance with the by-laws of the corporation. Membership and certificates evidencing the same shall be inseparably appurtenant to tracts owned by the members, and upon transfer of ownership or contract for sale of any such tract, membership and certificate of membership shall ipso facto be deemed to be transferred to the grantee or contract purchaser. No membership or certificate of membership may be transferred, assigned, or conveyed in any manner other than in the manner herein set forth. In the event of the death of a member, the membership or certificate of membership of such deceased member shall be and become the property of the personal representative of such deceased member upon appointment and qualification as such in a judicial proceeding and such personal representative shall have all of the rights, privileges and liabilities of such member until title shall be transferred or contracted to be transferred. The property in possession of this corporation shall be managed by the board of trustees hereinafter mentioned and only alienated and disposed of in accordance with the by-laws of the corporation. The interest of each incorporator or member shall be equal to that of any other and no incorporator or member can acquire any interest which will entitle him to any greater voice, vote, authority or interest in the corporation than any other member.

ARTICLE III

The number of trustees of this corporation shall not be less than (3) nor more than seven (7). The names of the trustees who shall manage the affairs of the corporation for not more than six (6) months until the trustees are elected by the members are:

Name	Residence
Al D. Fredriksen	Box 141, Greenbank, Washington
Carl Johnson	Coupeville, Washington
Robert Nyter,	Box 100, Greenbank, Washington
John W. Wold	1103 W. Pioneer, Oak Harbor, Washington
Wilhelmina Slaughenhaupt,	Greenbank, Washington

ARTICLE IV

The time of existence of this corporation shall be perpetual.

ARTICLE V

The registered office and post office address of this corporation shall be 1103 W. Pioneer Way, Oak Harbor, Washington.

ARTICLE VI

The qualifications of the members of said corporation, the property, voting and other rights and privileges, and the liabilities to charges and assessments of the members, shall be set forth in the By-Laws of the Corporation.

1 IN WITNESS WHEREOF, we, the undersigned, the incorporators of this
2 corporation have this 19th day of Sept, 1964, hereunto set our hands
and seals in triplicate.

3
4 [Signature]
5 [Signature]
6 Carl S. Johnson
7
8 William H. Hays
9
10 Robert W. Skyles
11

12 STATE OF WASHINGTON)
13 County of:) ss

14 THIS IS TO CERTIFY that on the 19th day of Sept, 1964,
15 before me, the undersigned, a Notary Public in and for the State of Washington,
16 duly commissioned and sworn, personally appeared,

17 to me known to be the individuals described in and who executed the within and
18 foregoing instrument and acknowledged to me that they signed and sealed the same
19 as their free and voluntary act and deed, for the uses and purposes therein
mentioned.

20 WITNES: my hand and official seal the day and year in this certificate
21 first above written.

22 [Signature]
23 Notary Public in and for the State
24 of Washington, residing at:
25 Oak Harbor, Wash.
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