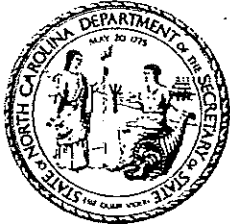


...at Raleigh, North Carolina

State of North Carolina



BOOK 3335 PAGE 500

Department
of the
Secretary of State

PRESENTED
FOR
REGISTRATION
NOV 20 10 56 AM '84
KIMBERLY G. WILKINS
REGISTERED DEEDS
JACKSON COUNTY

To all to whom these presents shall come, Greeting:

I, Thad Eure, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached (6 sheets) to be a true copy of

ARTICLES OF INCORPORATION

OF

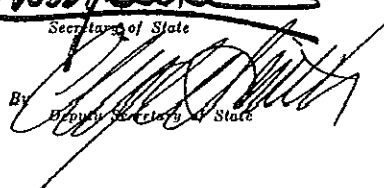
MALLARD CROSSING HOMEOWNERS' ASSOCIATION, INC.

and the probates thereon, the original of which was filed in this office on the 20th day of November 1984, after having been found to conform to law.

In Witness Whereof, I have hereunto set my hand and affixed my official seal.

Done in Office, at Raleigh, this 20th day of November in the year of our Lord 1984.




Secretary of State
By 
Deputy Secretary of State

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ARTICLES OF INCORPORATION
OF
MALLARD CROSSING HOMEOWNERS' ASSOCIATION, INC.

RECEIVED 11/24/24

DATE 11/24/24 TIME 10:18

FILED

7-23 CLURE

In compliance with the requirements of Chapter 55A of the STATE
the North Carolina General Statutes, the undersigned, all of whom
whom are residents of Wake County, North Carolina, 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

The name of the corporation is MALLARD CROSSING HOMEOWNERS'
ASSOCIATION, INC., hereafter called the "Association".

ARTICLE II

The principal registered office of the Association is
located at 7424 Chapel Hill Road, Raleigh, Wake County,
North Carolina, 27607.

ARTICLE III

H. Spencer Barrow, of the address above
Raleigh, Wake County, North Carolina, 27607, is hereby
appointed the initial registered agent of this 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 performance
for which it is formed are to provide for maintenance,
preservation and architectural control of certain recreational

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facilities more particularly described as Common Properties for the benefit of the community as herein described:

BEING all of that 43.500 acre tract of land as described on plat recorded in Book of Maps 1984, Page 1713, Wake 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 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 Register of Deeds of Wake County 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;

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(c) Acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain real or personal property in connection with the affairs of the Association;

(d) 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 nonprofit 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;

(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 Lot which is subject by covenants of record 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

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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 VI
VOTING RIGHTS

The Association shall have two classes of voting membership:

Class A. Class A members shall be all Owners (as defined in the Declaration) with the exception of the Declarant and they shall be entitled to one vote per Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members; and the vote for such Lot shall be exercised as they, among themselves, determine, but in no event may more than one vote be cast with respect to any Lot owned by Class A members.

Class B. The Class B member(s) shall be the Declarant (as defined in the Declaration), and shall be entitled to one vote for each vote held by a Class A member; this right of an additional vote for each vote held by a Class A member shall terminate when the Declarant has sold ninety-eight (98%) percent of all Lots affected by these Covenants. Thereafter, the Declarant shall be entitled to one vote per Lot owned.

ARTICLE VII
BOARD OF DIRECTORS

(a) The affairs of this Association shall be managed by a Board of nine (9) Directors, who need not be members of