

ARTICLES OF INCORPORATION  
OF  
CHABOT PARK HIGHLANDS ASSOCIATION

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, have this day voluntarily associated ourselves together for the purpose of forming a non-profit corporation under the laws of the State of California, and we do hereby certify:

First: That the name of this corporation is

CHABOT PARK HIGHLANDS ASSOCIATION

Second: That this corporation is a corporation which does not contemplate pecuniary gain or profit to the members thereof, and that the purposes for which it is formed are:

(a) To operate for the exclusive benefit of the following described real property situated in the County of Alameda, State of California, hereinafter referred to as "said tract", and more particularly described as follows:

All of that real property within the perimeter of and designated by that certain record of survey map of Chabot Park Estates Company recorded and filed June 3, 1947, in Book 2, pages 31 to 36, inclusive, in Book of Surveys of Licensed Surveyors of the County Recorder of the County of Alameda, State of California.

(b) To beautify and maintain rights of way and other open areas upon the said tract as shall be maintained for public use, or for the general use of the owners of homesites in said tract, but only until such time as same are accepted and such costs are adequately provided by public authority.

(c) To care for vacant, unimproved and unkempt lots in said property, remove and destroy grass, weeds and rodents therefrom, and any unsightly and obnoxious thing therefrom, and to do any other things and perform any labor necessary or desirable in the judgment of this corporation to keep the property, and the land contiguous and adjacent thereto neat and in good order.

(d) To insure a harmonious and appropriate tract development by vesting in a committee through the medium of appropriate by-laws the authority to approve or disapprove of plans, specifications, locations and color schemes in the erection, repair or remodeling of any structures in the tract, including the grading of any parcel therein.

(e) To enforce charges, restrictions, conditions and covenants existing upon and created for the benefit of said tract over which this corporation has jurisdiction and to pay all costs of such enforcement whether incurred by the corporation or by another acting in its behalf; and to enforce all decisions and rulings of this corporation having jurisdiction therein and to pay the costs of such enforcement.

(f) To do any and all lawful things and acts which this corporation at any time, and from time to time, shall, in its uncontrolled discretion, deem to be to the best interests of said tract and the owners of the home sites thereon, and to pay all costs and expenses in connection therewith.

(g) To fix and collect the annual charges or assessments to which the tract shall be subject for the purpose of carrying out the powers of this corporation, and the manner of collecting such charges and assessments, by appropriate by-laws.

(h) To acquire by gift, purchase, or otherwise to own, hold, enjoy, lease, operate, maintain, and to convey, sell, lease, transfer, mortgage, or otherwise encumber, dedicate for public use, or otherwise dispose of real or personal property in connection with the business of this corporation.

(i) To borrow money; to mortgage, pledge, deed of trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred, and to do any and all things that a corporation organized under

said laws of the State of California may lawfully do, and generally to do and perform any and all other acts which may be either necessary for, or proper or incidental to the exercise of any of the foregoing powers, and such powers as are granted by the provisions of the laws of the State of California to a non profit corporation.

(j) To do any and all lawful things which may be advisable, proper, authorized or permitted to be done by this corporation under and by virtue of any conditions, covenant, restriction, reservation, charge or assessment affecting said tract, or any portion thereof, and to do and perform any and all acts which may be either necessary for or incidental to the exercise of any of the foregoing powers, or for the peace, health, comfort, safety, or general welfare of the owners of said tract, or any portion thereof, or residents thereon.

Third: That the county in this state where the principal office for the transaction of the business of this corporation is to be located is the County of Alameda, State of California.

Fourth: That the number of directors of this corporation shall be three; that the names and addresses of the persons who are to act in the capacity of directors until the selection of their successors are as follows:

Names	Addresses
Joseph A. Murphy	1400 Financial Center Building, Oakland, California
John Charles Houlihan	1400 Financial Center Building, Oakland, California
Harold C. Holmes, Jr.	1400 Financial Center Building, Oakland, California

That the number of directors, as hereinabove set forth, may be changed by a by-law duly adopted pursuant to authority contained in these Articles of Incorporation, and authority is hereby granted to change the number of directors by an amendment to the by-laws of this corporation.

Fifth: To set forth and fix by by-law the authorized number and qualifications of the members of this corporation, the different classes of membership, if any, the property, voting and other rights and privileges of each class of membership including the liability of such classes of membership for dues or assessments.

Sixth: That this corporation shall have authority to adopt by-laws not inconsistent with the purposes herein contained and for the purpose of carrying out such powers, which may be amended from time to time by the directors of this corporation, subject to the power of the members to change or repeal such by-laws by a vote or written assent of a majority of such members entitled to vote, or by the vote of a majority of a quorum at any duly called meeting for such purpose.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of California, we, the undersigned, constituting the incorporators of this corporation, including the persons hereinabove named as the first directors of this corporation, have executed these Articles of Incorporation this 6th day of June, 1947.

JOSEPH A. MURPHY

JOHN CHARLES HOULIHAN

HAROLD C. HOLMES, JR.

STATE OF CALIFORNIA )  
                          ) ss.  
COUNTY OF ALAMEDA )

On this 6th day of June, 1947, before me LOLA JUSTESON, a Notary Public in and for the County of Alameda, State of California, residing therein, duly commissioned and sworn, personally appeared JOSEPH A. MURPHY, JOHN CHARLES

HOULIHAN and HAROLD C. HOLMES, JR., known to me to be the persons described in and whose names are subscribed to the within instrument, and they acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, the day and year in this certificate first above written.

LOLA JUSTESON  
Notary Public in and for the said County  
and State

ARTICLE XX.  
Amendments

Section 1 -- By-Laws may be adopted, amended or repealed.

(a) By the Board of Directors, subject always to the power of the members to change or repeal such By-Laws; or

(b) By the vote or written assent of a majority of the members entitled to vote, or the vote of a majority of a quorum at a meeting duly called for such purpose.