

**ARTICLES OF INCORPORATION OF  
FOREST CREEK NORTH HOMEOWNERS ASSOCIATION**

FILED  
In the Office of the  
Secretary of State of Texas  
NOV 12 1996  
Corporations Section

I, the undersigned and natural person, am a citizen of the State of Texas, and am of the age of 18 years or more, acting as incorporator of a corporation under the Texas Nonprofit Corporation Act, do hereby adopt the following Articles of Incorporation for such corporation:

**ARTICLE I. NAME**

The name of this corporation is Plano Forest Creek North Homeowners Association (the "Corporation").

**ARTICLE II.**

The Corporation is a nonprofit corporation.

**ARTICLE III. DURATION**

The period of its duration is perpetual.

**ARTICLE IV.**

The purpose or purposes for which the Corporation is organized are as follows, including, but not limited:

1. To exercise all of the power and privileges and to perform all of the duties and obligations of the Corporation as set forth in the Declaration of Covenants, Conditions and Restrictions (the "Declaration").
2. To acquire by gift, purchase or otherwise, to own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or to otherwise dispose of real or personal property in connection with the affairs of this Corporation subject to the limitations, if any, set forth in the Covenants.
3. To borrow money, to mortgage, pledge or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred subject to the limitations, if any, set forth in the Declaration.
4. To provide general sanitation, cleanliness, upkeep and maintenance of Common Areas, as provided in the Declaration.

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HOMEOWNERS ASSOCIATION

5. To enter into and perform any contract and to exercise all powers which may be necessary or convenient to the operation, management, maintenance and administration of the affairs of Forest Creek North in accordance with the Declaration.
6. To have and to exercise any and all powers, rights and privileges a corporation organized under the Non-Profit Corporation Law of the State of Texas, may now or hereafter exercise.
7. No part of the net earnings of the Corporation shall inure to the benefit of any director of the Corporation, officer of the Corporation, or any private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation affecting one or more of its purposes), and no director or officer of the Corporation, or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the Corporation. No substantial part of the activities of the Corporation shall be carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office.
8. The Corporation shall distribute its income for each taxable year at such time and in such manner as not to become subject to tax on undistributed income imposed by applicable provisions of the Internal Revenue Code of 1986, or corresponding provisions of any subsequent federal tax laws.
9. The Corporation shall not engage in any act of self-dealing as defined in Section 4941(d) of the Internal Revenue Code or corresponding provisions of any subsequent provisions of any subsequent federal tax laws.
10. The Corporation shall not retain any excess business holdings as defined in Section 4943(c) of the Internal Revenue Code or corresponding provisions of any subsequent federal tax laws.
11. The Corporation shall not make any investments in such manner as to subject to tax under Section 4944 of the Internal Revenue Code or corresponding provisions of any subsequent federal tax laws.

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12. The Corporation shall not make any taxable expenditures as defined in Section 4945(d) of the Internal Revenue Code or corresponding provisions of any subsequent federal tax laws.
13. Notwithstanding any other provision of these Articles of Incorporation, the Corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt from taxation under Section 501 of the Internal Revenue Code and its Regulations as they now exist or as they may be amended.
14. Upon dissolution of the Corporation or the winding up of its affairs, the assets of the Corporation shall be distributed exclusively to charitable, religious, scientific, testing for public safety, literary, or educational organizations which would then qualify under the provisions of Section 501 of the Internal Revenue Code and its Regulations as they now exist or as they may hereafter be amended.

ARTICLE V.

No part of the net earnings of the nonprofit corporation shall inure to the benefit of or be distributed to its members, trustees, directors, officers or other private persons with the exception that the Corporation is empowered to pay necessary and reasonable compensation and expenses for services rendered and to make payments and distributions in furtherance of the Corporation's purposes as set forth in Article IV. The Corporation's primary purpose shall not be used for the promotion of propaganda including, but not limited to, lobbying or influencing legislation and the Corporation, however, may engage in legislative activities to the extent permitted by law. Furthermore, the Corporation shall not engage in activities which are disallowed under Section 501(c)(4) of the Internal Revenue Code and its regulations as they now exist or may be hereinafter amended. The Corporation is organized pursuant to the Texas Non-Profit Corporation Act and does not contemplate pecuniary gain or profit and is organized solely for nonprofit purposes.

Upon the dissolution of the Corporation or the winding up of its affairs, the assets of the Corporation shall be distributed to another nonprofit organization engaged in similar activities and with similar purposes after all liabilities and obligations have been paid in full and are discharged and all assets subject to a condition upon transfer are conveyed according to said condition.

ARTICLE VI. INITIAL REGISTERED OFFICE AND AGENT

The street address of the initial registered office of the corporation is 1445 Ross Avenue, Suite 5300, LB 152, Dallas, Texas 75202-2883, and the name of its initial registered agent as such address is Dave B. Marshall.

ARTICLE VII. BOARD OF DIRECTORS

The number of directors constituting the initial board of directors of the corporation is three (3), and the names and addresses of the persons who are to serve as the initial directors are: Dave B. Marshall, Robert J. Penksa and Edward P. Behnke of Murchison Properties, Inc., 1445 Ross Avenue, Suite 5300, LB 152, Dallas, Texas, 75202-2883.

ARTICLE VIII. INCORPORATOR

The name and street address of the incorporator is:

Dave B. Marshall  
Murchison Properties, Inc.  
1445 Ross Avenue, Suite 5300, LB 152  
Dallas, Texas 75202-2883

In witness whereof, I have hereunto set my hand, this 31st day of October, 1996.

  
\_\_\_\_\_  
Dave B. Marshall

ARTICLES OF INCORPORATION  
FOREST CREEK NORTH  
HOMEOWNERS ASSOCIATION

STATE OF TEXAS

COUNTY OF DALLAS

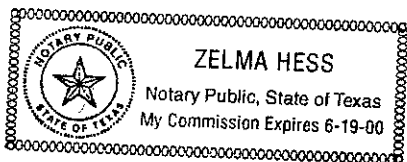
This instrument was acknowledged before me on October 31, 1996 by  
Dave B. Marshall.

Zelma Hess  
Notary Public's Signature

Zelma Hess  
[Notary's typed or printed

name]

(Seal)





# The State of Texas

Secretary of State  
NOV. 14, 1996

DAVE B. MARSHALL/J.D. MURCHISON INTERESTS  
1445 ROSS AVE STE 5300  
DALLAS ,TX 75202-2883

RE:  
PLANO FOREST CREEK NORTH HOMEOWNERS ASSOCIATION  
CHARTER NUMBER 01422033-01

IT HAS BEEN OUR PLEASURE TO APPROVE AND PLACE ON RECORD THE ARTICLES OF INCORPORATION THAT CREATED YOUR CORPORATION. WE EXTEND OUR BEST WISHES FOR SUCCESS IN YOUR NEW VENTURE.

AS A CORPORATION, YOU ARE SUBJECT TO STATE TAX LAWS. SOME NON-PROFIT CORPORATIONS ARE EXEMPT FROM THE PAYMENT OF FRANCHISE TAXES AND MAY ALSO BE EXEMPT FROM THE PAYMENT OF SALES AND USE TAX ON THE PURCHASE OF TAXABLE ITEMS. IF YOU FEEL THAT UNDER THE LAW YOUR CORPORATION IS ENTITLED TO BE EXEMPT YOU MUST APPLY TO THE COMPTROLLER OF PUBLIC ACCOUNTS FOR THE EXEMPTION. THE SECRETARY OF STATE CANNOT MAKE SUCH DETERMINATION FOR YOUR CORPORATION.

IF WE CAN BE OF FURTHER SERVICE AT ANY TIME, PLEASE LET US KNOW.

VERY TRULY YOURS,

Antonio O. Garza, Jr., Secretary of State





# The State of Texas

## Secretary of State

### CERTIFICATE OF INCORPORATION

OF

PLANO FOREST CREEK NORTH HOMEOWNERS ASSOCIATION  
CHARTER NUMBER 01422033

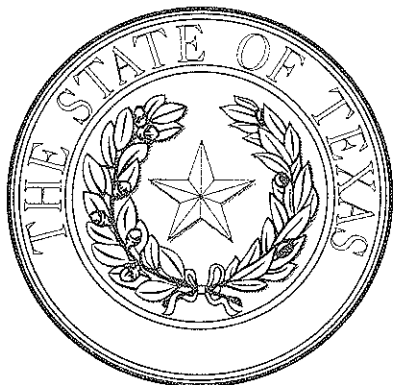
THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS,  
HEREBY CERTIFIES THAT THE ATTACHED ARTICLES OF INCORPORATION FOR THE  
ABOVE NAMED CORPORATION HAVE BEEN RECEIVED IN THIS OFFICE AND ARE  
FOUND TO CONFORM TO LAW.

ACCORDINGLY, THE UNDERSIGNED, AS SECRETARY OF STATE, AND BY VIRTUE  
OF THE AUTHORITY VESTED IN THE SECRETARY BY LAW, HEREBY ISSUES THIS  
CERTIFICATE OF INCORPORATION.

ISSUANCE OF THIS CERTIFICATE OF INCORPORATION DOES NOT AUTHORIZE  
THE USE OF A CORPORATE NAME IN THIS STATE IN VIOLATION OF THE RIGHTS OF  
ANOTHER UNDER THE FEDERAL TRADEMARK ACT OF 1946, THE TEXAS TRADEMARK LAW,  
THE ASSUMED BUSINESS OR PROFESSIONAL NAME ACT OR THE COMMON LAW.

DATED NOV. 12, 1996

EFFECTIVE NOV. 12, 1996



A handwritten signature in black ink, appearing to read "A. Garza, Jr.", written over a horizontal line.

Antonio O. Garza, Jr., Secretary of State