

Rec'd
Sept 16, 2004 @ Mtg
AKH

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August 2, 2004

Travis T. Aronoff
(1905-1987)

*Travis H. Rosen**
of Counsel

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VIA FACSIMILE ONLY

Mr. Joseph M. Allen
Nathaniel Development Co., Inc.
3400 Werk Road
Cincinnati, Ohio 45211

RE: Mount Holly Preserve Community Association

Dear Joe:

Enclosed is a filed copy of the Articles of Incorporation for Mount Holly Preserve Community Association. Pursuant to your Agreement with Joseph Kulifay, you were to incorporate and organize a homeowners association. This completes that requirement.

A Declaration of Covenants, Conditions and Restrictions and Reservations of Easement has been drafted for Phase Two which corresponds to the incorporation of this association. Please advise if there are any further steps I am to take in the preparation of this association.

Thank you for allowing us to assist you in this matter. If you have any questions or comments, please do not hesitate to call.

Sincerely,

ARONOFF, ROSEN & HUNT

Tina M. Donnelly
Tina M. Donnelly

TMD/nc
Enclosure

8/9/04

Randy Evans
2025 Cristata Court
Amelia, Ohio 45102

Attn: Randy Evans

Re: Mount Holly Preserve/
Community Association

Dear Sir,

Enclosed are the Mt. Holly Communication Association Articles of Incorporation. This formally allows a Community Association to be organized and meetings then held to vote to establish trustees. Trustees can then enforce the bylaws and covenants and set budgets. Annual dues can be assessed and maintenance can be performed on the green areas, etc.

Sincerely,



Joseph Kulifay

DATE: 07/15/2004 DOCUMENT ID: 200419602694 DESCRIPTION: DOMESTIC ARTICLES/NON-PROFIT (ARN) FILING: 125.00 EXPED: .00 PENALTY: .00 CERT: .00 COPY: .00

Receipt

This is not a bill. Please do not remit payment.

ARONOFF, ROSEN & HUTN
425 WALNUT ST #2200
CINCINNATI, OH 45202

**STATE OF OHIO
CERTIFICATE**
Ohio Secretary of State, J. Kenneth Blackwell

1476397

It is hereby certified that the Secretary of State of Ohio has custody of the business records for
MOUNT HOLLY PRESERVE COMMUNITY ASSOCIATION
and, that said business records show the filing and recording of:

Document(s)
DOMESTIC ARTICLES/NON-PROFIT

Document No(s):
200419602694



United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of
the Secretary of State at Columbus,
Ohio this 13th day of July, A.D.
2004.

J. Kenneth Blackwell
Ohio Secretary of State



Prescribed by J. Kenneth Blackwell

Ohio Secretary of State

General Ohio: (614) 466-3910

Toll Free: 1-877-SOS-FILE (1-877-767-3453)

www.state.oh.us/sos

e-mail: buskerv@sos.state.oh.us

Expedite this Form: (Select One)	
Mail Form to one of the following:	
<input type="radio"/> Yes	PO Box 1390 Columbus, OH 43216 Requires an additional fee of \$140
<input checked="" type="radio"/> No	PO Box 670 Columbus, OH 43216

INITIAL ARTICLES OF INCORPORATION

(For Domestic Profit or Non-Profit)

Filing Fee \$125.00

RECEIVED

JUL 13 2004

THE UNDERSIGNED HEREBY STATES THE FOLLOWING:

(CHECK ONLY ONE (1) BOX)

(1) <input type="checkbox"/> Articles of Incorporation Profit (113-ARP) ORC 1701	(2) <input checked="" type="checkbox"/> Articles of Incorporation Non-Profit (114-ARN) ORC 1702	(3) <input type="checkbox"/> Articles of Incorporation (115-ARP) Profession ORC 1705
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J. KENNETH BLACKWELL

SECRETARY OF STATE

Complete the general information in this section for the box checked above.

FIRST: Name of Corporation	<u>Mount Holly Preserve Community Association</u>
SECOND: Location	<u>Cincinnati</u> <u>Hamilton</u> (City) (County)
Effective Date (Optional)	Date specified can be no more than 90 days after date of filing. If a date is specified, the date must be a date on or after the date of filing. (mm/dd/yyyy)
<input checked="" type="checkbox"/> Check here if additional provisions are attached	

Complete the information in this section if box (2) or (3) is checked. Completing this section is optional if box (1) is checked.

THIRD: Purpose for which corporation is formed
<u>To provide for the maintenance, preservation and control of</u>
<u>the subdivision and the building and improvements situated</u>
<u>thereon and all other powers, rights and privileges which</u>
<u>a non-profit corporation has under the laws of the State</u>
<u>of Ohio.</u>

Complete the information in this section if box (1) or (3) is checked.

FOURTH: The number of shares which the corporation is authorized to have outstanding (Please state if shares are common or preferred and their par value if any)	(No. of Shares)	(Type)	(Par Value)
(Refer to instructions if needed)			

Completing the information in this section is optional.

FIFTH: The following are the names and addresses of the individuals who are to serve as initial Directors.

(Name) _____

(Street) _____ NOTE: P.O. Box Addresses are NOT acceptable.

(City) _____ (State) _____ (Zip Code) _____

(Name) _____

(Street) _____ NOTE: P.O. Box Addresses are NOT acceptable.


(City) _____ (State) _____ (Zip Code) _____

(Name) _____

(Street) _____ NOTE: P.O. Box Addresses are NOT acceptable.

(City) _____ (State) _____ (Zip Code) _____

REQUIRED
Must be authenticated
(signed) by an authorized
representative
(See Instructions)


Authorized Representative:
Joseph M. Allen, Incorporator
(Print Name)

6/29/04
Date

Authorized Representative
(Print Name)

Date

Authorized Representative
(Print Name)

Date

ORIGINAL APPOINTMENT OF STATUTORY AGENT

The undersigned, being at least a majority of the incorporators of Mt. Holly Preserve Community Association, hereby appoint the following to be statutory agent upon whom any process, notice or demand required or permitted by statute to be served upon the corporation may be served. The complete address of the agent is:

Joseph M. Allen,
 (Name)
3400 Wark Road
 (Street) NOTE: P.O. Box Addresses are NOT acceptable.
Cincinnati, Ohio 45211
 (City) (Zip Code)

Must be authenticated by an authorized representative _____ Date 6/29/04

Authorized Representative _____

 Authorized Representative _____ Date _____

 Authorized Representative _____ Date _____

ACCEPTANCE OF APPOINTMENT

The Undersigned, Joseph M. Allen, named herein as the
 Statutory agent for, Mount Holly Preserve Community Association, hereby acknowledges and accepts the appointment of statutory agent so said entity.

Signature: [Signature]
 (Statutory Agent)

Doc ID --> 200419602694

ADDITIONAL PROVISIONS

MEMBERSHIP

Every Owner of a Lot as described in the Declaration and as created by that Declaration which is subject by covenants of record contained in the Declaration to assessment by the Association, including purchasers on land installment contract as such instrument are defined in Ohio Revised Code Chapter 5313, and including contract sellers on other forms of executory contracts for the sale of a Lot, but excluding those holding record title or a similar interest merely as security for the performance of an obligation, shall automatically on acquisition of such ownership interest in a Lot be a Member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment. Such membership shall terminate upon the sale or other disposition by such Lot Owner of his ownership interest, at which time the new Lot Owners shall automatically become a Member of the Association. Voting rights of the Members shall be set forth in the Declaration and By-Laws for the Corporation.

INDEMNIFICATION OF TRUSTEES, OFFICERS OR EMPLOYEES

The Corporation shall indemnify any and every trustee, officer or employee against expenses, judgments, decrees, fines, penalties or amounts paid in settlement in connection with the defense of any pending or threatened action, suit or proceeding, criminal or civil, to which such trustee, officer or employee is or may be made a party by reason of being or having been such trustee, officer or employee, provided a determination is made by the trustees in the manner set forth in Ohio Revised Code Section 1702.12(E)(1) to the effect (a) that such trustee, officer or employee was not, and has not been adjudicated to have been, negligent or guilty of misconduct in the performance of his duty to the corporation of which he is a trustee, officer or employee, (b) that he acted in good faith in what he reasonably believed to be the best interest of such corporation, and (c) that, in any matter the subject of a criminal action, suit or proceeding, he had no reasonable cause to believe that his conduct was unlawful. Such indemnification shall not be deemed exclusive of any other rights to which such trustee, officer or employee may be entitled under these Articles, the By-Laws of this corporation, any agreement or any insurance purchased by this corporation, or by vote of the Members, or otherwise.