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REGISTER OF DEEDS  
NEW HANOVER CO. NC

BOOK PAGE  
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# State of North Carolina

Department  
of the  
Secretary of State

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 ( 10 sheets) to be a true copy of

ARTICLES OF INCORPORATION

OF

12

WRIGHTSVILLE GREEN HOMEOWNERS ASSOCIATION, INC.

and the probates thereon, the original of which was filed in this office on the 9th day of July 1987, 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 9th day of July in the year of our Lord 1987.

RETURNED TO

J. Seay  
P.O. B



Secretary of State

SIGNATURE OMITTED PURSUANT TO  
CHAPTER 349, 1987 SESSION LAWS  
By Deputy Secretary of State

105927

ARTICLES OF INCORPORATION  
OF  
WRIGHTSVILLE GREEN HOMEOWNERS ASSOCIATION, INC.

In compliance with the requirements of Chapter 55A of the North Carolina General Statutes, the undersigned, a natural person of full age, has this day executed these Articles of Incorporation for the purpose of forming a nonprofit corporation and hereby certifies that the same are true and correct.

DOCUMENT #A09057  
DATE 07/09/87 TIME 16:29  
FILED  
JUDY KURE  
SECRETARY OF STATE  
NORTH CAROLINA

ARTICLE I

NAME

The name of the corporation is WRIGHTSVILLE GREEN HOMEOWNERS ASSOCIATION, INC., hereinafter called the "Association".

ARTICLE II

REGISTERED OFFICE

The initial registered office of the Association is located at 264 Greenville Avenue, Wilmington, North Carolina, 28403.

ARTICLE III

REGISTERED AGENT

ROBERT O'NEILL, whose address of 264 Greenville Avenue, Wilmington, North Carolina, 28403, New Hanover County, 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 purposes for which it is formed are to provide for maintenance, preservation and architectural control of the Lots and Common Area within that certain real property described as follows:

All of that land situated in New Hanover County owned by W-G Construction Company Inc., known as WRIGHTSVILLE GREEN as the same is more particularly described in Exhibit "A" attached hereto.

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, and 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 New Hanover County, North Carolina, 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 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;

(c) acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;

(d) borrow money, and with the assent of two-thirds (2/3) of each class of members, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred; provided, however, that all security holders will be subordinate to the rights of the owners.

(e) 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 transfers 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 provided that any such merger or consolidation shall have the interest of two-thirds (2/3) of each class of members;

(g) annex additional residential property and Common Area pursuant to the provisions of the Declaration; and

(h) 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 or which is a recorded owner of a fee or undivided fee interest in any Lot which is subject by covenants of record to assessment by the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Such membership shall be appurtenant to and may not be separated from the 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 with the exception of the Declarant (the Declarant, however, shall become a Class A member upon the conversion of its Class B membership to Class A membership as hereinafter provided). Class A members shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members. The vote or votes for such Lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any Lot.

Class B. The Class B member(s) shall be the Declarant, W-G Construction Company, Inc., and shall be entitled to three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

- (a) When the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership; or
- (b) On January 1, 1999.

ARTICLE VII

BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of Directors who need not be members of the Association. The number of directors may be changed by amendment of the By-Laws of the Association. The names and addresses of the persons who are to act in the capacity of directors until the selection of their successors are:

NAME	ADDRESS
Robert O'Neill	245 N. Lake Park Blvd., Carolina Beach, N.C. 28428
Michael L. Fogle	4637 Sunlea LA, Charlotte, N.C. 28212
J. Michael Batts	1101 Canal Drive, Carolina Beach, N.C. 28428

At the first annual meeting the Members shall elect three directors for a term of two years, and at each annual meeting thereafter, the Members shall elect three directors for a term of three years.

#### ARTICLE VIII

##### DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each class of voting members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to such similar purposes.

#### ARTICLE IX

##### DURATION

The corporation shall exist perpetually.

#### ARTICLE X

##### AMENDMENTS

Amendments to these Articles shall require the assent of seventy-five percent (75%) of the entire membership.

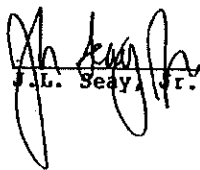
#### ARTICLE XI

##### INCORPORATOR

The name and address of the incorporator is as follows:

J.L. Seay, Jr. 20 South Fifth Avenue, Wilmington, NC, 28402

IN WITNESS WHEREOF, I, the undersigned incorporator, have hereunto set my hand and seal, this 26<sup>th</sup> day of JUNE, 1987.

  
J.L. Seay, Jr.

(SEAL)

NORTH CAROLINA,  
NEW HANOVER COUNTY.

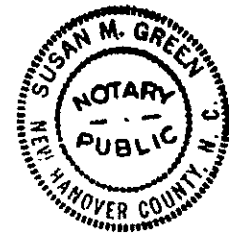
This is to certify that on the 26 day of June, 1987, before me, Susan M. Green, a Notary Public, personally appeared J.L. Seay, Jr., who I am satisfied is the person named in and who executed the foregoing Articles of Incorporation of Wrightsville Green Homeowners Association, Inc., and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.

Witness my hand and notarial seal, this 26 day of June 1987.

Susan M. Green  
Notary Public

My commission expires: \_\_\_\_\_

My Commission Expires April 21, 1988



## EXHIBIT "A"

TRACT 1:

BEGINNING at a new iron pipe in the northerly line of Greenville Avenue, also known as S.R. No. 1421 (30 foot right of way). Said iron pipe being North 60 degrees 00 minutes 00 seconds West 207.67 feet and as measured along said northerly line of Greenville Avenue from a point that is North 30 degrees 00 minutes 00 seconds East 13.53 feet from an old railroad spike. Said old railroad spike being North 30 degrees 00 minutes 00 seconds East 1.47 feet from the intersection of the centerline of said Greenville Avenue and the westerly right of way line of White Avenue, S.R. No. 1422, if said westerly right of way line were extended northwardly. Said beginning pipe also being the southwesterly corner of a tract conveyed to A.F. Capps, Jr. by Deed dated October 24, 1964. Running thence from said beginning point:

1. North 60 degrees 00 minutes 00 seconds West 188.95 feet along said northerly line of Greenville Avenue to an old iron pipe, a corner of a tract conveyed to Larson by Deed recorded in Book 596, at Page 33, of the New Hanover County Registry; thence
2. North 29 degrees 37 minutes 18 seconds East 280.55 feet along said Larson line to an old iron pipe in the dividing line between said Larson tract recorded in Book 596, at Page 33, and a tract conveyed to A.F. Capps, Jr. by Deed recorded in Book 872, at Page 407, of said Registry; thence
3. North 59 degrees 48 minutes 26 seconds East 188.74 feet along said Capps tract recorded in Book 872, at Page 407, of said Registry, to a new iron pipe in said Capps line conveyed by said Deed dated October 24, 1964; thence
4. South 29 degrees 34 minutes 47 seconds West 281.18 feet along last said Capps tract line to the point of beginning.

The above described tract contains 1.22 acres and is a portion of that tract conveyed to W.G. Butler by Deed recorded in Book 110, at Page 274, of said Registry, and is subject to a 15 foot access easement described in a Deed recorded in Book 690, at Page 64, of said Registry, and is subject to a 40 foot wide sanitary sewer easement, the centerline of which is described as follows: Beginning at a point in the northerly right of way line of Greenville Avenue (30 foot right of way) that is North 60 degrees 00 minutes 00 seconds West 13.24 feet from the beginning corner of the above

described tract. Running thence from said beginning point:

1. North 31 degrees 48 minutes East 126.50 feet; thence
2. North 19 degrees 46 minutes 18 seconds East 156.62 feet to a point in the northeasterly line of the above described tract that is North 59 degrees 48 minutes 26 seconds West 35.00 feet from the easternmost corner of the above described tract.

TRACT 2:

Beginning at an old iron pipe at the northwestern corner of a tract conveyed to Robert Knowles by Deed recorded in Book 1337 at Page 1446 of the New Hanover County Registry. Said beginning pipe being located North 29 degrees 37 minutes 18 seconds East 280.55 feet from an old iron pipe in the northerly right-of-way line of Greenville Avenue, also known as S.R. No. 1421. Said old pipe in said northerly line being North 60 degrees 00 minutes West 397.10 feet from an old iron pipe in said northerly line that is North 31 degrees 19 minutes 39 seconds East 14.08 feet from an old railroad spike on the westerly line of White Avenue (S.R. 1422), if said westerly line were extended northwardly. Running thence from said beginning point:

1. North 60 degrees 13 minutes 26 seconds West 162.46 feet to an old iron pipe at the westerly corner of a tract conveyed to Andrew F. Capps, Jr. by Deed recorded in Book 690 at Page 64 of said Registry; thence
2. North 29 degrees 10 minutes 02 seconds East 274.85 feet to a new iron pipe in a ditch; thence
3. North 33 degrees 33 minutes 35 seconds East 487.68 feet along said ditch to a new iron pipe in the highwater line of Bradley Creek; thence
4. Continuing North 33 degrees 33 minutes 35 seconds East about 6 feet to the run of said creek; thence
5. Down the run of Bradley Creek in a southeasterly direction to a point that is North 29 degrees 56 minutes 42 seconds East about 12 feet from a point in the low water line of said creek. Said point in the low water line of said creek being

South 68 degrees 42 minutes 20 seconds East 35.82 feet  
North 71 degrees 43 minutes 25 seconds East 83.02 feet  
North 37 degrees 00 minutes 43 seconds East 86.36 feet



South 78 degrees 16 minutes 24 seconds East 32.99 feet  
 South 14 degrees 41 minutes 39 seconds East 56.19 feet  
 South 38 degrees 04 minutes 39 seconds West 83.51 feet  
 South 4 degrees 02 minutes 18 seconds West 59.30 feet  
 South 87 degrees 29 minutes 34 seconds East 124.65 feet  
 North 75 degrees 45 minutes 23 seconds East 100.90 feet  
 South 34 degrees 21 minutes 14 seconds West 88.55 feet  
 South 34 degrees 20 minutes 04 seconds East 24.45 feet  
 South 76 degrees 48 minutes 12 seconds East 46.33 feet  
 South 69 degrees 58 minutes 42 seconds East 13.49 feet  
 South 31 degrees 44 minutes 28 seconds East 14.53 feet  
 South 24 degrees 34 minutes 28 seconds East 22.97 feet  
 South 67 degrees 13 minutes 45 seconds East 32.40 feet  
 North 48 degrees 05 minutes 51 seconds East 52.89 feet  
 South 87 degrees 36 minutes 33 seconds East 49.80 feet  
 South 62 degrees 26 minutes 29 seconds East 57.19 feet  
 and

South 25 degrees 40 minutes 14 seconds East 124.80 feet  
 from the previously mentioned iron pipe in the high water  
 line of Bradley Creek; thence

6. South 29 degrees 56 minutes 42 seconds West 17.91 feet to a new iron pipe replacing an old rusted iron pipe in said high water line; thence
7. South 29 degrees 56 minutes 42 seconds West 327.05 feet along the easterly line of a tract conveyed to Andrew F. Capps, Jr. by Deed dated January, 1967 to a fence post corner; thence
8. North 60 degrees 54 minutes 33 seconds West 172.20 feet along the southerly line of said tract conveyed to Capps by Deed recorded in January, 1967 to a fence post corner; thence
9. South 31 degrees 37 minutes 18 seconds West 361.65 feet along the easternmost line of a tract conveyed to Andrew F. Capps, Jr. by Deed recorded in Book 1259 at Page 450 of said Registry and along the westerly line of a tract now or formerly owned by Tart to an iron pipe at the northeasterly corner of Lot 1 as shown on a map recorded in Map Book 26 at Page 73 of said Registry; thence
10. North 60 degrees 50 minutes 11 seconds West 74.20 feet along the northerly line of said Lot 1 to an iron pipe; thence
11. South 31 degrees 37 minutes 18 seconds West 133.68 feet along the westerly line of said Lot 1 to a new iron pipe; thence

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12. North 60 degrees 58 minutes 16 seconds West 142.36 feet to a new iron pipe in the easterly line of said tract conveyed to Robert Knowles by Deed recorded in Book 1337 at Page 1446 of said Registry; thence
13. North 29 degrees 34 minutes 47 seconds East 64.32 feet along the easterly line of said Knowles tract to a new iron pipe; thence
14. North 59 degrees 48 minutes 26 seconds West 188.74 feet along the northerly line of said tract conveyed to Robert Knowles to the point of beginning.

The above described tract contains 12.64 acres, including 1.0 acres, more or less, below the apparent high water line of Bradley Creek. Together with a 15 foot wide access easement crossing said tract conveyed to Robert Knowles by Deed recorded in Book 1337 at Page 1446 of said Registry. Said 15 foot access easement being described in a Deed recorded in Book 690 at Page 64 of said Registry. The above described tract is subject to a 40 foot wide sanitary sewer right-of-way. The center-line of which is described as follows: Beginning at a point in the dividing line between the above described tract and the northerly line of a tract conveyed to Robert Knowles by Deed recorded in Book 1337 at Page 1446 of the New Hanover County Registry. Said point being South 59 degrees 48 minutes 26 seconds East 153.74 feet from the northwesterly corner of said Knowles tract. Running thence from said beginning point;

1. North 19 degrees 46 minutes 18 seconds East 15.04 feet; thence
2. North 11 degrees 23 minutes 42 seconds East 441.85 feet; thence
3. North 8 degrees 56 minutes 57 seconds East 190.46 feet; thence
4. South 56 degrees 16 minutes 57 seconds East 342.99 feet; thence
5. South 52 degrees 13 minutes 15 seconds East 307.99 feet to a point in the easterly line of a tract conveyed to Andrew F. Capps, Jr. by Deed dated January, 1967. Said point in said easterly line being South 29 degrees 56 minutes 42 seconds West 184.72 feet from an iron pipe in said easterly line and in the high water line of Bradley Creek.

Subject, also, to a 45 foot wide utility right-of-way. The center-line of which is described as follows: Beginning at the end of the third call of the above described 40 foot utility right-of-way center-line. Running thence from said beginning point;

1. North 18 degrees 32 minutes 18 seconds West 109.91 feet to a point in the westerly line of the above described tract and in the westerly line of a tract conveyed to Andrew F. Capps, Jr. by Deed recorded in Book 690 at Page 64 of the New Hanover County Registry. Said point being located South 33 degrees 33 minutes 35 seconds West 76.48 feet from an iron pipe at the intersection of said westerly lines with the high water line of Bradley Creek.

BOOK PAGE  
2398 0184 Notice of Representation

'98 JUL 10 AM 11 57

Grantor: Wrightsville Green HOA, Inc.  
2002 Eastwood Road, Suite 202

RECORDED & VERIFIED  
MAY SUE OOTS  
REGISTER OF DEEDS  
NEW HAMOVER CO. NC

TAKE NOTICE THAT the above named Grantor has entered into a management agreement with:

Community Association Management Specialists, Inc.  
2002 Eastwood Road, Suite 202  
Wilmington, NC 28403  
Telephone: (910) 256-3792

Pursuant to said management agreement, all inquiries regarding the status of assessments should be directed to Community Associations Management Specialists, Inc. at the address shown above.

This ~~10th~~ 15<sup>th</sup> day of June 1998

000077

Wrightsville Green HOA, Inc.  
By: Donald S. Hayes  
President

Attest:

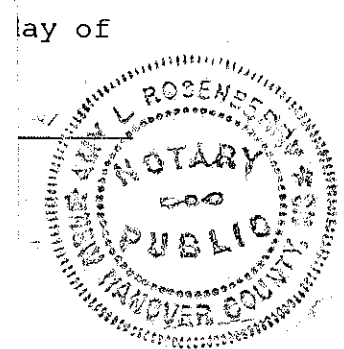
Mary D. Hagedorn  
Secretary  
[Corporate Seal]  
WRIGHTSVILLE GREEN HOA, INC.

State of North Carolina

County of New Hanover

I, Amy D. Rosenberry, a Notary Public in and for the County and State aforesaid do hereby certify that Francis Helfford personally appeared before me this day and acknowledged that he/she is Secretary of Wrightsville Green HOA, Inc. and that, by authorities duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by himself/herself as its Secretary.

Witness my hand and notary  
June, 1998



My commission expires:  
March 15, 2003

RETURNED TO Amy Rosenberry 256-3792