

**ARTICLES OF INCORPORATION
OF
BILLS ISLAND ASSOCIATION, INC.**

We, the undersigned, natural persons of full age, and citizens of the United States, do hereby voluntarily associate ourselves together for the purpose of forming a on-profit corporation under Section 30-117A, Idaho Code.

ARTICLE I.

The name of this association shall be **BILLS ISLAND ASSOCIATION, INC.**

ARTICLE II.

The place where the principal business of the association is to be transacted is the City of Blackfoot, County of Bingham, State of Idaho, but the association may maintain offices and places of business at such other places in the State of Idaho as the Board of Directors may from time to time determine.

ARTICLE III

The period of existence of this association shall be perpetual.

ARTICLE IV.

The nature of the business of the association and objects and purposes for which, or for any of which, this association is formed are:

- A. To associate its members together for the protection of their real and personal property located on I.P.Bills Island in Fremont County, Idaho, and to that end to construct and maintain a *Security Contractor's cabin, well and sewer facilities, gate and fence.
- B. To secure the services of a *Security Contractor whose duties shall be prescribed by the Board of Directors of this association.
- C. To acquire an interest in real and personal property by lease or purchase.
- D. To levy assessments for the purpose of constructing and maintaining said *Security Contractor's cabin, well and sewer facilities, gate and fence, to pay for the services of a *Security Contractor, and to further promote the objects and purposes of this association. Such assessments to be levied in the manner and amounts as provided in the By-laws of this association.
- E. To buy, lease, hold and exercise all privileges of ownership in and to the real and personal property as may be necessary or convenient for the conduct and operation of the business of the association or which may be incidental thereto.
- F. To have and exercise all powers, privileges and rights conferred on corporations by the laws of the State of Idaho, and all powers and rights

incidental thereto in carrying out the purposes for which this association is formed, except such as may be inconsistent with the express provisions of the act under which this association is incorporated.

- G. The foregoing shall be construed both as objects and powers and the enumeration thereof shall not be held to limit or restrict in any manner the general powers conferred on this association by the laws of the State of Idaho, all of which are hereby expressly claimed.

ARTICLE V.

The private property of the members shall not be subject to payment of association debts to any extent whatsoever.

ARTICLE VI.

The membership of this association shall be composed of property owners on the I. P. Bills Island in Fremont County, Idaho, who desire to join this association or are members through purchase of property in the Welling Addition. This association shall not have capital stock but its capital shall be represented by membership certificates.

ARTICLE VII.

The voting power and property rights and interest of each member in this association who is in good standing shall be as follows:

- A. All property owners of improved lots on said I. P. Bills Island who are members of this association shall be entitled to two votes. All property owners of unimproved lots shall be entitled to one vote. As the unimproved lots are improved, the owners thereof shall become entitled to two votes. The Rexburg Boat Club shall be considered as consisting of seven improved lots and shall be entitled to fourteen votes.

B.I.A. property owner on I.P.Bills Island who desires to become a member of the Bills Island Association, or *is a member through purchase of property in the Welling Addition, will pay an initial membership fee of \$100 and annual assessments as follows:

The initial \$100 membership fee for an unimproved lot will cover the first year annual assessment. Annual assessments are set at *\$175.00 for each improved lot and *\$75.00 for unimproved lots. Owners of more than one unimproved lot will pay only one annual assessment. Owners of both improved and unimproved lots will pay annual assessment for improved lots only.

An improved lot is one on which a permanent building is constructed or brought in to be used for living quarters.

An unimproved lot changes to improved lot status as soon as building a permanent structure begins. This beginning is defined as pouring a foundation for a permanent building to be used for living quarters or moving a unit onto the property to be used for living quarters.

Membership will terminate at the end of the Fiscal Year in which no annual assessment is paid. (Fiscal year is from 7/1 thru 6/30)

C. In the event a property owner on the island who is a member of this association sells his lot, he *will assign or sell his membership to the new purchaser.

*The following information regarding membership through purchase of property in the Welling Addition is taken from:

"DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS DAVE WELLING & ASSOCIATES, A GENERAL PARTNERSHIP

2. There are covenants presently in force and effect which were initiated by the provisions of the deeds from I.P.Bills and wife to the present Bills Island property owners, and said covenants shall apply to all lots on Bills Island, including the property herein described, and as it shall be described when platted and subdivided:

Each of the property owners shall join the Bills Island Property Owners Association.

The present Bills Island property owners also participate in mutual programs of Security, Fire Protection, Road-Maintenance (including the causeway entrance to Bills Island and the Security Gate thereon); and the owners of the property herein described shall be subject to the terms, conditions and assessments presently in effect and which may, in the future, be reasonably made pursuant to said programs, so long as said property owners are given the same right to participate in and vote upon any decisions made in said programs as the present Bills Island property owners are."

ARTICLE VIII.

This association is organized on a non-profit basis for the purposes set forth herein which can only be realized by assessment of the membership. Each member's interest in the assets of the association shall be in proportion to the assessments paid by each member of the association.

ARTICLE IX.

These Articles may be amended in the manner provided by statute.

ARTICLE X.

The Board of Directors shall make and adopt by-laws which may be amended at any annual meeting of the association.

ARTICLE XI.

The names and addresses of those who are to serve as incorporating directors for the first term and until their successors are elected and qualified are:

Roy Stroschein	Sterling, Idaho 83279
Ernest Landvatter	Aberdeen, Idaho 83210
Andrew Christensen	Blackfoot, Idaho 83221
Mary Smith Oldham	Rexburg, Idaho 83440
M. F. Freeman	Blackfoot, Idaho 83221
L. B. Knutson	Idaho Falls, Idaho 83401
Dwain Stufflebeam	Blackfoot, Idaho 83221

The Rexburg Boat Club shall be entitled to one member on the Board of Directors at all times. The remaining directors shall be elected at large from the membership.

IN WITNESS WHEREOF, we have hereunto set our hands this 3rd day of September, 1971.

/s/ Roy Stroschein, Ernest Landvatter, Andrew Christensen, Mary Smith Oldham, M. F. Freeman, L. B. Knutson and Dwain Stufflebeam.

STATE OF IDAHO,)

(ss

County of Fremont.)

On this 3rd day of September, 1971, before me, the undersigned, a Notary Public in and for said state, personally appeared Roy Stroschein, Ernest Landvatter, Andrew Christensen, Mary Smith Oldham, M. F. Freeman, L. B. Knutson and Dwain Stufflebean, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

/s/ Rhea Fulmer, Notary Public, residing at Rexburg, Idaho. My commission expires June 25, 1976

*Incorporates all amendments and/or changes approved by BIA Board of Directors through October 1993.