

# The State of South Carolina

377-KING STREET HOA

# 54-215-9643

*Office of Secretary of State Mark Hammond*

## Certificate of Incorporation, Nonprofit Corporation

I, Mark Hammond, Secretary of State of South Carolina Hereby certify that:

377 KING STREET HOMEOWNERS ASSOCIATION, INC.,  
a nonprofit corporation duly organized under the laws of the State of South Carolina on September 8th, 2004, and having a perpetual duration unless otherwise indicated below, has as of the date hereof filed a Declaration and Petition for Incorporation of a nonprofit corporation for Religious, Educational, Social, Fraternal, Charitable, or other eleemosynary purpose.

Now, therefore, I Mark Hammond, Secretary of State, by virtue of the authority in me vested by Chapter 31, Title 33, Code of 1976 and Acts amendatory thereto, do hereby declare the organization to be a body politic and corporate, with all the rights, powers, privileges and immunities, and subject to all the limitations and liabilities, conferred by Chapter 31, Title 33, Code of 1976 and Acts amendatory thereto.

Given under my Hand and the Great Seal of the State of South Carolina this 10th day of September, 2004.



Mark Hammond, Secretary of State

**Exhibit A**  
*to Articles of Incorporation*  
**for**

**377 King Street Homeowners Association, Inc.**

The optional provisions, which the nonprofit corporation elects to include in the articles of incorporation are as follows (See 33-31-202(c) of the 1976 South Carolina Code of Laws, as amended, the applicable comments thereto, and the instructions to this form).

- a. **Words.** Any capitalized words herein shall have the same meanings attributable to them in the Master Deed for 377 King Street Horizontal Property Regime dated July 8, 2004 and recorded in the Office of the Register Mesne Conveyances for Charleston County, South Carolina on July 21, 2004 at Book U-502, at page 39.
- b. **Purpose.** This Association does not contemplate pecuniary gain or profit and the specific, primary purposes for which it is formed are to provide for the management, administration, maintenance and preservation of the 377 King Street development and the Common Areas thereof, all according to the Master Deed. No part of the net earnings of the Association shall inure to the benefit of any person, other than for acquiring, constructing or providing management, maintenance and care of Association Property and other than by a rebate of excess of Association fees, if any.
- c. **Rights of Declarant.** The Declarant, under the Master Deed, has extensive control and rights and the specifics and details of the same are clearly set forth in the Master Deed.
- d. **Membership.** Every Owner of a Lot is subject to the Master Deed and must be a member of the Association. The membership of each Co-Owner or Unit Owner shall be appurtenant to and may not be separated from ownership of a Unit and Ownership of a Unit shall be the sole qualification for such membership. In the event that fee title to a Unit is transferred or otherwise conveyed, the Membership in the Association, which is appurtenant thereto shall automatically pass to such transferee notwithstanding any failure of the transferor to endorse to his transferee any certificates or other evidences of such membership. Any person or entity who holds an interest in a Unit merely as security for the performance of an obligation shall not be a member of the Association.

377 King Street Homeowners Association, Inc.

Name of Corporation

exclusively for such purposes.

- b.  Upon dissolution of the corporation, consistent with the law, the remaining assets of the corporation shall be distributed to

7. If the corporation is a mutual benefit corporation (when box "c" of paragraph 3 is checked), complete either "a" or "b", whichever is applicable, to describe how the (remaining) assets of the corporation will be distributed upon dissolution of the corporation.

- a.  Upon dissolution of the mutual benefit corporation, the (remaining) assets shall be distributed to its members, or if it has no members, to those persons to whom the corporation holds itself out as benefiting or serving.
- b.  Upon dissolution of the mutual benefit corporation, the (remaining) assets, consistent with the law, shall be distributed to

8. The optional provisions which the nonprofit corporation elects to include in the articles of incorporation are as follows (See 33-31-202(c) of the 1976 South Carolina Code of Laws, as amended, the applicable comments thereto, and the instructions to this form)

See Exhibit A

9. The name and address of each incorporator is as follows (only one is required)

Name	Address	Zip Code
William H. Hilburn, III	201 Old Hickory Crossing, Johns Island, SC	29455

10. Each original director of the nonprofit corporation must sign the articles but only if the directors are named in these articles:

Name (Only if named in articles)	Signature of director
Name (Only if named in articles)	Signature of director
Name (Only if named in articles)	Signature of director

11. Each incorporator must sign the articles.

*William H. Hilburn, III* 9/7/04  
 Signature of Incorporator

\_\_\_\_\_  
 Signature of Incorporator

\_\_\_\_\_  
 Signature of Incorporator

STATE OF SOUTH CAROLINA  
SECRETARY OF STATE  
NONPROFIT CORPORATION  
ARTICLES OF INCORPORATION

SEP 09 2004

*Mark Hammond*  
SECRETARY OF STATE OF SOUTH CAROLINA

TYPE OR PRINT CLEARLY IN BLACK INK

Pursuant to Section 33-31-202 of the South Carolina Code of Laws, as amended, the undersigned corporation submits the following information:

- 1. The name of the nonprofit corporation is 377 King Street Homeowners Association, Inc
- 2. The initial registered office of the nonprofit corporation is 201 Old Hickory Crossing  

	<small>Street Address</small>		
<u>Johns Island, South Carolina 29455</u>			
<small>City</small>	<small>County</small>	<small>State</small>	<small>Zip Code</small>

The name of the registered agent of the nonprofit corporation at that office is

William B. Hilburn, III

Print Name

I hereby consent to the appointment as registered agent of the corporation.

*William B. Hilburn, III*  
Agent's Signature

- 3. Check "a", "b", or "c" whichever is applicable. Check only one box:
  - a.  The nonprofit corporation is a public benefit corporation
  - b.  The nonprofit corporation is a religious corporation.
  - c.  The nonprofit corporation is a mutual benefit corporation
- 4. Check "a" or "b", whichever is applicable:
  - a.  This corporation will have members.
  - b.  This corporation will not have members.
- 5. The address of the principal office of the nonprofit corporation is  
201 Old Hickory Crossing, Johns Island, South Carolina 29455  

<small>Street Address</small>	<small>City</small>	<small>County</small>	<small>State</small>	<small>Zip Code</small>
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- 6. If this nonprofit corporation is either a public benefit or religious corporation (when box "a" or "b" of paragraph 3 is checked), complete either "a" or "b", whichever is applicable, to describe how the remaining assets of the corporation will be distributed upon dissolution of the corporation.
  - a.  Upon dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future Federal tax code, or shall be distributed to the Federal government, or to a state or local government, for a public purpose. Any such asset not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated

040909-0016 FILED: 09/09/2004  
377 KING STREET HOMEOWNERS ASSOCIATION, INC.  
Filing Fee: \$25.00 ORIG



Mark Hammond South Carolina Secretary of State

(157 Calhoun)

~~843-722-9014~~  
~~843-723-9587~~  
377 KING STREET HOMEOWNERS Assoc.  
% WILLIAM R HILLBURN III  
201 OLD HICKORY CROSSING  
JOHNS ISLAND SC 29456

Case done  
Hook  
RBIX  
JACKS IN

Date of this notice: 09-17-2004

Employer Identification Number:  
54-2159643

Form: SS-4

Number of this notice: CP 575 C

For assistance you may call us at:  
1-800-829-4933

IF YOU WRITE, ATTACH THE  
STUB OF THIS NOTICE.



01572

**WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER**

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 54-2159643. This EIN will identify your business account, tax returns, and documents even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, please use the label IRS provided. If that isn't possible, you should use your EIN and complete name and address shown above on all federal tax forms, payments and related correspondence. If this information isn't correct, please correct it using the tear off stub from this notice. Return it to us so we can correct your account. If you use any variation of your name or EIN, it may cause a delay in processing and may result in incorrect information in your account. It also could cause you to be assigned more than one EIN.

Based on the information from you or your representative, you must file the following form(s) by the date shown next to it.

Form 1120H

03/15/2005

If you have questions about the form(s) or the due date(s) shown, you can call us at 1-800-829-4933 or write to us at the address at the top of the first page of this letter. If you need help in determining what your tax year is, you can get Publication 538, Accounting Periods and Methods, at your local IRS office.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a determination of your tax classification, you may seek a private letter ruling from the IRS under the procedures set forth in Revenue Procedure 98-01, 1998-1 I.R.B.7 (or the superceding revenue procedure for the year at issue).

Building

54-2159643

INTERNAL REVENUE SERVICE  
HOLTSVILLE NY 11742-9003  
|||||

377 KING STREET HOMEOWNERS  
ASSOCIATION INC  
% WILLIAM R HILLBURN III  
201 OLD HICKORY CROSSING  
JOHNS ISLAND SC 29456

Your Telephone Number \_\_\_\_\_  
( ) \_\_\_\_\_  
Best Time to Call \_\_\_\_\_

DATE OF THIS NOTICE: 09-17-2004  
EMPLOYER IDENTIFICATION NUMBER: 54-2159643  
FORM: SS-4  
NOBOD

Return this part with any correspondence  
so we may identify your account. Please  
correct any errors in your name or address.  
0134355975  
CP 575 C

Keep this part for your records. CP 575 C (Rev. 1-2004)

001572

