

**Apple Canyon Lake  
Property Owners Association**



**Articles of Incorporation**

OCTOBER 2017

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[www.applecanyonlake.org/operations/governing\\_docs](http://www.applecanyonlake.org/operations/governing_docs)

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# Amended and Restated Articles of Incorporation Effective November 2011

Article 1. Name. The name of the corporation is the “Apple Canyon Lake Property Owners’ Association.”

Article 2. Registered Agent. The registered agent of the corporation in the State of Illinois is Keay and Costello, located at 128 S. County Farm Rd., Wheaton, IL 60187.

Article 3. Original Incorporation. The corporation was originally incorporated on May 6, 1969, under the name “Apple Canyon Lake Property Owners’ Association.”

Article 4. Homeowner Association. The corporation is a homeowner association which administers a common-interest community as defined in subsection (c) of Section 9-102 of the Illinois Code of Civil Procedure, and the Illinois Common Interest Community Association Act, as amended.

Article 5. Purposes. The corporation (sometimes also referred to in these Restated Articles as the “Association”) does not contemplate pecuniary gain or profit, direct or indirect, to its members. The purposes for which it is formed are:

To promote the health, safety and welfare of the property owners, residents and guests within all lots and properties (collectively, the “Properties”) in Branigar’s Apple Canyon Lake Subdivision in Jo Daviess County, Illinois, in accordance with plat thereof recorded with the Recorder of Deeds of Jo Daviess County, and such additions thereto as may hereafter be brought within the jurisdiction, functions, duties and membership of the Association by annexation as provided in the Amended and Restated Covenants and Restrictions, effective November 6, 2011, recorded with the Recorder of Deeds of Jo Daviess County, Illinois (as the same may be hereafter amended and supplemented, the “Restated Covenants”), for the purpose to own, acquire, build, operate and maintain a man-made reservoir and recreational waterway, recreation parks, playgrounds, swimming pools, golf courses, commons, streets, footways, including buildings, structures and personal properties incident thereto (the “Common Properties and Facilities”), pay any taxes assessed with respect thereto, provide any services normally provided by municipalities such as fire and police protection, enforce any and all covenants and restrictions applicable to the Properties and the Common Properties and Facilities and, insofar as permitted by law, do any other thing that, in the opinion of the Board of Directors, will promote the common benefit and enjoyment of the owners, residents and guests of the Properties and the Common Properties and Facilities.

Article 6. Members. The Association shall have members whose qualifications, rights and privileges shall be as provided for in the Bylaws of the Association.

Article 7. Board of Directors. The affairs of the Association shall be managed by a Board of Directors as provided for in the Restated Covenants and Bylaws of the Association.

Article 8. Mergers and Consolidations. Subject to the provisions of the Restated Covenants, and to the extent permitted by law, the Association may participate in mergers and consolidations, provided that any such merger or consolidation shall be subject to approval in the manner provided in the Bylaws.

Article 10. Amendments. These Restated Articles may be amended upon a resolution adopted by the Board of Directors and approved by at least two thirds (2/3) of the votes cast (in the manner provided for in the Bylaws) by the members voting at a meeting of the Association duly called for such purpose, written notice of which shall be sent not less than fourteen (14) nor more than thirty (30) days in advance to all members eligible to vote. At any such meeting a quorum shall consist of at least one hundred twenty five (125) members eligible to vote. Notwithstanding the foregoing, no amendment to these Restated Articles shall be effective to impair or dilute any rights of members that are governed by the Restated Covenants unless also authorized or approved in accordance therewith.