

102072

Examiner

# The Commonwealth of Massachusetts

**MICHAEL JOSEPH CONNOLLY**  
Secretary of State  
ONE ASHBURTON PLACE, BOSTON, MASS. 02108

## ARTICLES OF ORGANIZATION (Under G.L. Ch. 180)

Incorporators

**NAME**

**RESIDENCE**

*Include given name in full in case of natural persons; in case of a corporation, give state of incorporation.*

S. James Boumil

120 Fairmount St., Lowell, MA.

The above-named incorporator(s) do hereby associate (themselves) with the intention of forming a corporation under the provisions of General Laws, Chapter 180 and hereby state(s):

1. The name by which the corporation shall be known is:

Harvard Avenue Owners Association, Inc.

2. The purposes for which the corporation is formed is as follows:

See Continuation Sheet 2-A and 2-B

Name Approved

- C
- P
- M
- R.A.

80-223072

Note: If the space provided under any article or item on this form is insufficient, additions shall be set forth on separate 8 1/2 x 11 sheets of paper leaving a left hand margin of at least 1 inch for binding. Additions to more than one article may be continued on a single sheet so long as each article requiring each such addition is clearly indicated.

P.C.

3. If the corporation has more than one class of members, the designation of such classes, the manner of election or appointment, the duration of membership and the qualification and rights, including voting rights, of the members of each class, are as follows: -

See Continuation Sheet 3-A

- \*4. Other lawful provisions, if any, for the conduct and regulation of the business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining, or regulating the powers of the corporation, or of its directors or members, or of any class of members, are as follows:-

The directors of the Corporation may make, amend, or repeal the By-Laws of the Corporation in whole or in part except with respect to any provisions thereof which by law, these Articles or the By-Laws of the Corporation require action by the Members. The Corporation shall also have the power to be a partner in any enterprise it would have the power to conduct by itself.

CONTINUATION SHEET 2A  
Harvard Avenue Owners Association, Inc.

2. The purposes for which the corporation is formed are as follows:

To administer the Common Areas of the Harvard Avenue Condominium, Harvard Avenue, Medford, MA., including the following:

(a) Operation, care, upkeep, maintenance of the Common Areas including all easements and restrictions held for the benefit of the members.

(b) Determination of the Common Expenses required for conducting the affairs of the Corporation including without limitation, the operation and the maintenance of the Common Areas.

(c) Collection of Assessments from the members and enforcement of all obligations of the members.

(d) Employment and dismissal of personnel necessary or advisable for the maintenance and operation of the Common Areas, including the engagement of a manager or managing agent.

(e) Opening bank accounts on behalf of the corporation designating the signatures required therefore.

(f) Opening, conveying, mortgaging, encumbering and otherwise dealing with Units conveyed to it or acquired by it (or its nominee) as the result of enforcement of the lien for Common Expense, or otherwise.

(g) Leasing, managing and otherwise dealing with the Common Areas including the power to contract.

(h) Organizing corporations or trust to act as nominees of this corporation in acquiring title to or renting units on behalf of its members.

(i) Obtaining insurance for all the units and common areas.

(j) Making of repairs, additions and improvements to or alterations of the common areas, and repairs to or restoration of the common areas.

(k) The power to do all things necessary, suitable, or proper for the accomplishment of any of the purposes, objects, or the furtherance of any of the powers of this Corporation.

All such activities shall serve the end that the corporation shall be a local civic organization which will enhance, beautify, improve, repair, and maintain the Common Areas including the open areas, ways, walks, recreational facilities, and structures for the benefit of the Members and for the general benefit of the

CONTINUATION SHEET 2A, Continued.

City of Medford.

Notwithstanding any other provision of these Articles, the Corporation shall not conduct or carry on any business or activity not permitted to be performed by an organization exempt under Section 501 (c) (4) of the Internal Revenue Code of 1954, or any succession or amendment thereto.

CONTINUATION SHEET 3A

Harvard Avenue Owners Association, Inc.

3. The Corporation shall have Two classes of membership as follows:

(a) CLASS A. Class A Members shall be all those persons or entities which are record owners of a fee or an undivided fee interest in any unit within Harvard Ave. Condominiums, Medford, Massachusetts. Each such person or entity shall be entitled to one vote for each unit in which he holds the interest required for membership. When more than one person holds such interest or interests in any unit, all such persons shall be members and the vote for such unit shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any one unit. Such person or entity shall cease to be a Class A member when he no longer owns such an interest.

(b) CLASS B. David Kulacz, Trustee (and his successor Trustee(s), Harvard Avenue Condominium Voting Realty Trust u/d/t 10/3/80 & recorded in the Middlesex South District Registry of Deeds ~~Book~~ Page \_\_\_\_\_, shall be the sole Class B members. The Class B members shall be entitled to one vote for each unit from time to time existing within Harvard Avenue Condominium, provided that Class B membership shall cease and become converted to Class A membership on the happening of whichever of the following events occurs earlier:

(i) when the total of units owned by Class A members other than Class B members equals 30 or

(ii) ten years from the date of the recording with the Middlesex South Registry of Deeds of the By-Laws of this corporation.

From and after the happening of whichever of these events occurs earlier, the Class B members shall be deemed to be Class A members entitled to one vote for each unit in which they hold the interest required for Class A membership.

5. By-laws of the corporation have been duly adopted and the initial directors, president, treasurer and clerk or other presiding, financial or recording officers whose names are set out below, have been duly elected.
6. The effective date of organization of the corporation shall be the date of filing with the Secretary of the Commonwealth or if later date is desired, specify date, (not more than 30 days after date of filing).
7. The following information shall not for any purpose be treated as a permanent part of the Articles of Organization of the corporation.

a. The post office address of the initial principal office of the corporation in Massachusetts is:

~~21 Emerson Street, Wakefield, MA~~

b. <sup>33 Maple Street, Malden, MA</sup> The name, residence, and post office address of each of the initial directors and following officers of the corporation are as follows:

	NAME	RESIDENCE	POST OFFICE ADDRESS
President:	David Kulacz,	21 Emerson St.,	Wakefield, MA.
Treasurer:	David Kulacz,	21 Emerson St.,	Wakefield, MA.
Clerk	David Kulacz,	21 Emerson St.,	Wakefield, MA.

~~x Clerk~~

Directors: (or officers having the powers of directors)

S. James Boumil, 120 Fairmount St., Lowell, MA.

David Kulacz, 21 Emerson St., Wakefield, MA.

Luray F. Richardson, 9 Dexter, #4, Malden, MA.

c. The date initially adopted on which the corporation's fiscal year ends is:

September 30

d. The date initially fixed in the by-laws for the annual meeting of members of the corporation is:

Saturday in April

e. The name and business address of the resident agent, if any, of the corporation is:

IN WITNESS WHEREOF, and under the penalties of perjury the INCORPORATOR(S) sign(s) these Articles of Organization this 9th day of Oct., 19 80

I/We the below signed INCORPORATORS do hereby certify under the pains and penalties of perjury that I/We have not been convicted of any crimes relating to alcohol or gaming within the past ten years; I/We do hereby further certify that to the best of my/our knowledge the above named principal officers have not been similarly convicted. If so convicted, explain.

*S. James Boumil*

The signature of each incorporator which is not a natural person must be by an individual who shall show the capacity in which he acts and by signing shall represent under the penalties of perjury that he is duly authorized on its behalf to sign these Articles of Organization.

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OCT 8 1980

SECRETARY OF STATE  
CORPORATION DIVISION

THE COMMONWEALTH OF MASSACHUSETTS

ARTICLES OF ORGANIZATION  
GENERAL LAWS, CHAPTER 180

I hereby certify that, upon an examination of the within-written articles of organization, duly submitted to me, it appears that the provisions of the General Laws relative to the organization of corporations have been complied with, and I hereby approve said articles; and the filing fee in the amount of \$30.00 having been paid, said articles are deemed to have been filed with me this 9th day of October 1980

Effective date Michael Joseph Connolly

**MICHAEL JOSEPH CONNOLLY**  
Secretary of State

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TO BE FILLED IN BY CORPORATION  
PHOTO COPY OF ARTICLES OF ORGANIZATION TO BE SENT

TO: S. James Boumil, Esq.  
.....  
100 Summit St.  
.....  
Lowell, MA. 01852  
.....  
Telephone. 458-0507  
.....

Filing Fee \$30.00

Copy Mailed

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