

JUL 2 1962

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FILED

In the office of the Secretary of State  
of the State of California

JUL 10 1962

FRANK H. JORDAN, Secretary of State  
By James A. [Signature]  
Deputy

ARTICLES OF INCORPORATION

OF

THE KIRKWOOD SWIM CLUB, INC.

(A Non-Profit Corporation)

Restriction of right  
to amend articles

33

For

We, the undersigned, do hereby voluntarily associate ourselves for the purpose of forming a non-profit corporation under the laws of the State of California pursuant to the General Non-Profit Corporation Law, Title 1, Division 2, Part 1, of the Corporations Code of the State of California, and we hereby certify:

FIRST: The name of the corporation is:

THE KIRKWOOD SWIM CLUB, INC.

SECOND: This corporation is organized pursuant to the General Non-Profit Corporation Law of the State of California.

THIRD: The purposes for which this corporation is formed are:

(a) To establish, maintain and operate a swim club with pool and recreational facilities for its members.

(b) This corporation may also engage in the promotion and conduct of social events for its members, and other activities of an educational and recreational nature as its Directors may deem appropriate.

(c) In order to carry out the aforesaid specific and primary purposes, this corporation is organized for the following additional purposes and may have the following additional powers:

To acquire property, both real and personal, by purchase, lease, deed, contract of purchase, or otherwise, and to invest, use, lease, operate, improve, develop, sell or otherwise dispose of the said property, and to mortgage or otherwise



encumber and in every way to own, invest and deal in and with personal property and real property, both improved and unimproved for the purposes herein set forth; to incur indebtedness and to issue notes, debentures and other obligations of this corporation from time to time for any of the purposes of this corporation, and to mortgage, pledge, hypothecate and convey in trust any or all of its property to secure the payment thereof, to enter into, make and perform contracts of every kind for the purposes herein set forth with any person, firm, association, or public or private corporation, municipality or government, district or department thereof; and to do any and all things incident thereto or necessary or desirable in connection therewith for the furtherance and attainment of the foregoing purposes of this corporation.

(d) This corporation may not attempt to influence legislation by propaganda or otherwise, or to intervene in any political campaign on behalf of any candidate for public office. The corporation is formed solely and exclusively for the social and recreational purposes of its members and not for pecuniary gain or profit, and no pecuniary gain, profit, or dividend shall inure to any Director or member hereof, except that its assets, in the event of dissolution, after payment of all obligations of the corporation, shall be distributed among its members, share and share alike.

FOURTH; The principal office for the transaction of the business of the corporation shall be located in Santa Clara County, California.

FIFTH: The number of Directors of this corporation, unless and until such number be changed by amendment of these Articles or by a By-Law duly adopted in accordance with the provisions of Section 9400 of the Corporations Code of the



State of California, shall be five (5), and the names and addresses of the persons who are appointed to act as the first Directors of this corporation, until the selection of their successors are:

<u>NAME</u>	<u>ADDRESS</u>
Robert Battey	1729 Lorenzen Drive San Jose 24, California
Charles Capps	1724 Harte Drive San Jose 24, California
Vincent Piccioni	1746 Lorenzen Drive San Jose 24, California
Edgar Vance	1727 Harte Drive San Jose 24, California
Gerard Wilson	1730 Lorenzen Drive San Jose 24, California

SIXTH: The members of this corporation shall consist of the persons named herein as Directors and such other persons as may from time to time hereafter become members in the manner provided by the By-Laws. The authorized number and qualification of members, the proprietary, voting and other rights and privileges of members, and the liability of members to dues and assessments and the method of collection thereof shall be set forth in the By-Laws of the corporation.

SEVENTH: The By-Laws of this corporation shall be adopted by the Directors named herein and may thereafter be amended or repealed by any means provided in the By-Laws.

IN WITNESS WHEREOF, the persons who are to act in the capacity of first Directors of this corporation have executed these Articles of Incorporation this 15 day of June, 1962.

Robert Battey  
Robert Battey

Charles Capps  
Charles Capps

Vincent Piccioni  
Vincent Piccioni

Edgar Vance  
Edgar Vance

Gerard Wilson  
Gerard Wilson

STATE OF CALIFORNIA )  
COUNTY OF SANTA CLARA } ss

On June 25, 1962, before me, \_\_\_\_\_

Laura N. Miller, a Notary Public in and for the County of Santa Clara, State of California, residing therein, duly commissioned and sworn, personally appeared ROBERT BATTEY, CHARLES CAPPS, VINCENT PICCIONI, EDGAR VANCE, and GERARD WILSON, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal in said County of Santa Clara, State of California, the day and year first above written.

Laura N. Miller  
NOTARY PUBLIC  
in and for the County of Santa  
Clara, State of California

My Commission Expires: March 13, 1965