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New York State  
Department of State  
Division of Corporations, State Records and Uniform Commercial Code  
One Commerce Plaza, 99 Washington Avenue  
Albany, NY 12231  
www.dos.state.ny.us

**CERTIFICATE OF INCORPORATION**  
**OF**  
**HICKORY GROVE VILLAGE CONDOMINIUM ASSOCIATION, INC.**

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Under Section 402 of the Not-for-Profit Corporation Law

The undersigned, for purposes of forming a corporation pursuant to Section 402 of the Not-for-Profit Corporation law hereby certifies:

**FIRST:** The name of the Corporation is Hickory Grove Village Condominium Association, Inc.

**SECOND:** The Corporation is a corporation as defined in subparagraph (a)(5) of Section 102 of the Not-for-Profit Corporation Law.

**THIRD:** The purposes for which this Corporation is formed are as follows:

(a) To promote and protect the interest of the residents of Hickory Grove Village, particularly the health, safety and welfare of the community; to acquire, own, improve, lease and transfer real and personal property; to build, maintain and operate facilities for recreational, cultural and community use in general; and to enforce any and all covenants, easements, restrictions and agreements applicable to Hickory Grove Village, including the collection of charges and assessments.

(b) To do any other act or thing incidental to or connected with the above purposes or in their advancement, but not for the pecuniary profit or financial gain of its members, directors or officers except as permitted under Article 5 of the Not-for-Profit Corporation Law.

**FOURTH:** The Corporation shall have and exercise all of the general powers set forth in Section 202 of the Not-for-Profit Corporation Law, together with the power to solicit and receive grants, bequests and contributions for any corporate purpose.

**FIFTH:** The Corporation is a Type A corporation as defined in Section 201 of the Not-for-Profit Corporation Law.

**SIXTH:** The office of the Corporation shall be located in the County of Erie, State of New York.

**SEVENTH:** The names and addresses of the persons constituting the initial Board of Directors of the Corporation are:

David A. DePaolo	2730 Transit Road West Seneca, New York 14224
Michael J. Kreamer	2730 Transit Road West Seneca, New York 14224
John Manns	2730 Transit Road West Seneca, New York 14224

**EIGHTH:** Notwithstanding any other provision of these articles, the Corporation is organized exclusively for one or more of the purposes, as specified in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and shall not carry on any activities not permitted to be carried on by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code or corresponding provisions of any subsequent Federal tax laws.

**NINTH:** No part of the income of the Corporation shall inure to the benefit of any member, trustee, director or officer of the Corporation, or any private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation effecting one or more of its purposes), and no member, trustee, director or officer, or any private individual shall be entitled to share in the distribution of any of the corporate assets upon dissolution of the Corporation.

**TENTH:** No substantial part of the activities of the Corporation shall be carrying on propaganda, or otherwise attempting to influence legislation (except as otherwise provided by

Section 501(h) of the Internal Revenue Code), or participating in, or intervening in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office.

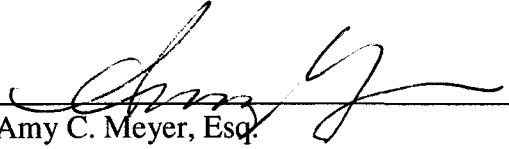
**ELEVENTH:** In the event of dissolution, all of the remaining assets and property of the Corporation shall, after necessary expenses thereof, be distributed to such organizations as shall qualify under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any subsequent Federal tax laws, or to the Federal government or state or local government for a public purpose, subject to an Order of a Justice of the Supreme Court of the State of New York.

**TWELFTH:** The Secretary of State of the State of New York is designated as the agent of the Corporation upon whom process against the Corporation may be served. The post office address within this State to which the Secretary of the State shall mail a copy of any process against the Corporation served upon it is:

Colucci & Gallaher, P.C.  
2000 Liberty Building  
424 Main Street  
Buffalo, New York 14202

**THIRTEENTH:** The duration of the Corporation shall be perpetual.

**IN WITNESS WHEREOF,** the undersigned Incorporator has executed this Certificate this 27th day of July, 2010, and affirms the statements herein as true under penalties of perjury.

  
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Amy C. Meyer, Esq.  
COLUCCI & GALLAHER, P.C.  
2000 Liberty Building  
424 Main Street  
Buffalo, New York 14202

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Filed by: Amy C. Meyer, Esq.  
COLUCCI & GALLAHER, P.C.  
2000 Liberty Building  
424 Main Street  
Buffalo, NY 14202

FILED RECEIVED

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DEPARTMENT OF STATE  
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