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RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
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**Canyon Creek Subdivision**  
*Layton, Utah*  
*A Residential Subdivision Development*

**ADOPTION AND RATIFICATION OF ARTICLES OF INCORPORATION OF  
CANYON CREEK ESTATES OWNERS ASSOCIATION, INC.; CANYON CREEK  
ESTATES SUBDIVISION, LLC'S DECLARATION OF COVENANTS, CONDITIONS,  
AGREEMENTS & RESTRICTIONS AND HOMEOWNERS ASSOCIATION BY-LAWS;**

11-505-0001 → 0004  
11-505-0006  
11-505-0009 → 0013  
11-505-0015

Parcel No. 11-505-0013:

PARCEL A, (COMMON AREA) CANYON CREEK ESTATES SUBDIVISION CONT. 0.27  
ACRES

## ADOPTION AND RATIFICATION

The undersigned, owners of lots within what is recognized as the Canyon Creek Estates Subdivision ("Subdivision") as identified by Plat recorded with the Office of the Davis County Recorder on May 17<sup>th</sup>, 2002, do hereby adopt, incorporate and ratify the following documents to be a part of the governing documents for the Canyon Creek Subdivision, Corp. Home Owner's Association in addition to any amendment of those documents as approved by the owners:

1. Articles of Incorporation of Canyon Creek Estates Owners Association, Inc. recorded on March 5<sup>th</sup>, 2008 with the Office of the Davis County Recorder and executed by Robert C. Miller as the representative of Symphony Development Corp; attached as Exhibit A;
2. Declaration of Covenants, Conditions, Agreements & Restrictions and Homeowners Association By-laws recorded with the Office of the Davis County Recorder on May 13<sup>th</sup>, 2004; attached as Exhibit B;
3. Declaration of Covenants, Conditions, Agreements & Restrictions and Homeowners Association By-laws recorded with the Office of the Davis County Recorder on June 24<sup>th</sup>, 2003; attached as Exhibit C.

## BACKGROUND

The Subdivision was originally created and developed as residential neighborhood organized into a homeowners' association by Canyon Creek Subdivision LLC as a directly owned subsidiary of Symphony Development Corp. Canyon Creek Subdivision, LLC was registered with the State of Utah on April 27<sup>th</sup>, 2001 and was allowed to expire on August 1<sup>st</sup>, 2006. The Subdivision includes certain common areas for benefit of the undersigned who are owners within the Subdivision. These common areas require maintenance and supervision by the owners.

In 2008, when certain owners within the Subdivision discovered the Canyon Creek Subdivision, LLC and Symphony Development Corp. had failed to establish a Board of Directors, organize the HOA, and maintain the registration of the Canyon Creek Subdivision, LLC with the State of Utah, they formed the Canyon Creek Estates Owners Association, Inc. and recorded the Articles of Incorporation for this entity against the Subdivision. That entity was also allowed to expire.

In 2003 and 2004, Canyon Creek Subdivision, LLC, recorded copies of the Declaration of Covenants, Conditions, Agreements, & Restrictions and Homeowners Association By-Laws against the Subdivision. Whereas, the current owners within the Subdivision desire to form an association and to create an entity by which to operate that association for their mutual benefit, the undersigned, as owners within the Subdivision, do hereby intend to incorporate and do hereby ratify the documents identified above as applying to the HOA.

## ADOPTION

The undersigned to hereby adopt and incorporate the above identified documents as the governing documents of their association and do waive any objection or right to dispute their efficacy or enforceability against their individual lots or collectively as they may apply to any portion of the Subdivision.

### RATIFICATION

The undersigned do hereby ratify the actions undertaken by any current or prior owners with respect to the formation of the Canyon Creek Estates Owners Association, Inc. and do ratify the recording of the respective Articles of Incorporation on March 5<sup>th</sup>, 2008 against their individual lots with the Davis County Recorder's Office. By ratifying that recording, the undersigned to release and waive any claim against the incorporators or persons causing the recording to the extent that the recording of that document was not authorized at the time of its recording.

### INCORPORATION

This document shall be incorporated into the organizing documents and records of the HOA.

### ACKNOWLEDGEMENT

Signature of Property Owners

DATED this 17<sup>th</sup> day of November, 2020

<u>Andrew J. Mc Dermott</u> Property Owner Signature	<u>Andrew J. McDERMOTT</u> Print Property Owner
<u>Heidi S. Leininger</u> Property Owner Signature	<u>Jenilee S Leininger</u> Print Property Owner
<u>Daniel R. Leininger</u> Property Owner Signature	<u>DANIEL R. LEININGER</u> Print Property Owner
<u>Catherine Record</u> Property Owner Signature	<u>CATHERINE RECORD</u> Print Property Owner
<u>Chris Record</u> Property Owner Signature	<u>CHRIS RECORD</u> Print Property Owner
<u>Keisi K. Matsumura</u> Property Owner Signature	<u>KEISI K. MATSUMURA, TRUSTEE</u> Print Property Owner
<u>Geraldine Matsumura</u> Property Owner Signature	<u>Geraldine MATSUMURA, Trustee</u> Print Property Owner
<u>Matt Bailey</u> Property Owner Signature	<u>MATT BAILEY</u> Print Property Owner

  
Property Owner Signature

Jennifer Bailey  
Print Property Owner

  
Property Owner Signature

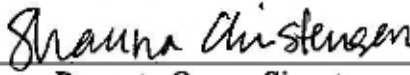
SATT T. SCHULTE  
Print Property Owner

  
Property Owner Signature

Erin Schultz  
Print Property Owner

  
Property Owner Signature

Michelle Jensen  
Print Property Owner

  
Property Owner Signature

Shanna Christensen  
Print Property Owner

  
Property Owner Signature

Cory Christensen  
Print Property Owner

  
Property Owner Signature

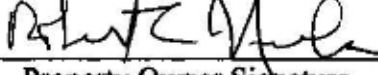
Tracy Potter  
Print Property Owner

  
Property Owner Signature

CALVIN POTTER  
Print Property Owner

  
Property Owner Signature

Hollie Schilleman  
Print Property Owner

  
Property Owner Signature

Robert L Nielsen  
Print Property Owner

  
Property Owner Signature

Haesook Nielsen  
Print Property Owner

Property Owner Signature

Print Property Owner

Property Owner Signature

Print Property Owner

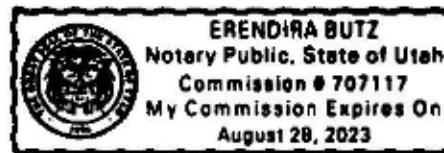
STATE OF UTAH  
County of Wasatch

On the 17<sup>th</sup> day of November, 2020, Hollie Schilleman, Scott Schultz, Erin Schultz, Cory Christensen, Shauna Christensen, Calvin Potter, Tracy Potter, Daniel Leininger, Jenilee Leininger, Matson Bailey, Jennifer Bailey, Michelle Jensen, Chris Record, Catherine Record, Robert Nielsen, Hae Sook Nielson, Andrew McDermont, Keiji Kay Matsumura, Geraldine Matsumura personally appeared before me

ERENDIRA BUTZ the signer(s) of the Agreement set forth above, who duly acknowledged to me that they executed the same.

*Erendida Butz*

NOTARY PUBLIC



HOLLIE ANNE SCHILLEMAN, a single woman

Parcel No. 11-505-0012

ALL OF LOT 12, CANYON CREEK ESTATES SUBDIVISION. CONTAINS 0.35 ACRES

SCOTT THOMAS SCHULTZ AND ERIN SUE SCHULTZ, or their successors in trust, as trustees of the Scott and Erin Schultz living trust, dated July 1, 2016, "grantees"

Parcel No. 11-505-0011

ALL OF LOT 11, CANYON CREEK ESTATES SUBDIVISION. CONT 0.29 ACRES

MATSON H. BAILEY AND JENNIFER A. BAILEY, husband and wife as joint tenants

Parcel No. 11-505-0010

ALL OF LOT 10, CANYON CREEK ESTATES SUBDIVISION. CONTAINS 0.32 ACRES

CHRIS RECORD

Parcel No. 11-505-0009

ALL OF LOT 9, CANYON CREEK ESTATES SUBDIVISION. CONTAINS 0.46 ACRES

CHRIS M. RECORD AND CATHERINE J. RECORD husband and wife as joint tenants of: 389 North Canyon Creek Circle, Layton, UT 84040

Parcel No. 11-505-0004

ALL OF LOT 4, CANYON CREEK ESTATES SUBDIVISION. CONTAINS 0.42 ACRES

CALVIN D. POTTER, JR. AND TRACY M. POTTER, HUSBAND AND WIFE, AS JOINT TENANTS

Parcel No. 11-505-0002

ALL OF LOT 2, CANYON CREEK ESTATES SUBDIVISION CONTAINS 0.33 ACRES

CORY ROBERT CHRISTENSEN AND SHAUNA FORD CHRISTENSEN, husband and wife as joint tenants

Parcel No. 11-505-0001

ALL OF LOT 1, CANYON CREEK ESTATES SUB. CONTAINS 0.32 ACRES

DANIEL R. LEININGER AND JENILEE S. LEININGER, husband and wife as joint tenants

Parcel No. 11-505-0003

ALL OF LOT 3, CANYON CREEK ESTATES SUBDIVISION CONTAINS 0.43 ACRES

ROBERT L. NIELSEN and HAE SOOK NIELSON, as co-Trustees of THE NIELSEN TRUST,  
U/A dated March 28, 2017, and any trustees in succession

Parcel No. 11-505-0006

ALL OF LOT 6, CANYON CREEK ESTATES SUBDIVISION. CONTAINS 0.36 ACRES

ANDREW J. MCDERMONT

Parcel No. 11-505-0015

ALL OF LOT 5, CANYON CREEK ESTATES SUBDIVISION. CONT 0.31 ACRES LESS &  
EXCEPT: BEG AT THE NE COR OF LOT 5, CANYON CREEK ESTATES SUB, SD PT  
BEING ON THE S LINE OF KAY COURT (A PRIVATE ROAD) & BEING S 0°12'30" W  
882.27 FT ALG THE SEC LINE & E 1112.76 FT FR THE W 1/4 COR OF SEC 24-T4N-R1 W,  
SLB&M; & RUN TH S 0°37'08" W 101.21 FT ALG THE E LINE TO AN ANGLE PT IN THE E  
LINE OF SD LOT 5, CANYON CREEK ESTATES SUB; TH N 03°04'22" W 98.40 FT TO THE  
S LINE OF KAY COURT (A PRIVATE ROAD); TH NE'LY 7.02 FT ALG THE ARC OF A  
44.50 FT RAD CURVE TO THE LEFT (CENTER BEARS N 20°18'58" W & LC BEARS N  
65°09'43" E 7.02 FT THROUGH A CENTRAL ANGLE OF 09°02'38") ALG THE S LINE OF  
KAY COURT (A PRIVATE ROAD) TO THE POB. CONT. 0.007 ACRES TOTAL ACREAGE  
0.303 ACRES