

Draper City
1020 East Pioneer Road
Draper, UT 84020
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02/22/2016 11:34 AM \$32.00
Book - 10404 Pg - 5404-5413
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
DRAPER CITY
1020 E PIONEER RD
DRAPER UT 84020
BY: CRA, DEPUTY - WI 10 P.

**ARTICLES OF INCORPORATION⁶¹
OF
THE COVE AT KIMBALLS LANE
HOMEOWNER'S ASSOCIATION, INC.**

In compliance with the requirements of Utah Revised Nonprofit Corporation Act, 16-6a-202 et seq., Utah Code Annotated 1953, as amended, the undersigned, all of whom are residents of the State of Utah and all of whom are of full age, have this day voluntarily associated themselves together for the purpose of forming a corporation not for profit and do hereby certify:

ARTICLE I

The name of the corporation is COVE AT KIMBALLS LANE HOMEOWNER'S ASSOCIATION, INC., hereinafter called the "Association".

ARTICLE II

The period of duration of the Association shall be perpetual.

ARTICLE III

The initial registered office of the Association is located at 6740 South 1300 East, Suite 200, Salt Lake City, Utah 84121.

ARTICLE IV

H. Burt Ringwood, whose address is 9350 South 150 East, Suite 820, Sandy, Utah 84070, is hereby appointed the initial registered agent of the Association.

ARTICLE V

PURPOSE AND POWERS OF THE ASSOCIATION

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the Residential Units and Common Area within that certain tract of property described as the Kimballs Lane property, and to promote the health, safety and welfare of the residents within the above-described property and any additions thereto as may hereafter be brought within the jurisdiction of this Association for this purpose to:

(a) exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in that certain Declaration of Covenants, Conditions and Restrictions, hereinafter called the "Declaration" applicable to the property and recorded or to be recorded in the Office of the Salt Lake County Recorder, State of Utah, and as the same may be amended from time to time as therein provided said Declaration being incorporated herein as if set forth at length;

(b) fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied or imposed against the property of the Association;

(c) acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;

(d) borrow money, and with the approval of the Class B Member or if there be no Class B Member, the vote of at least seventy-five percent (75%) of all Class A Members, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(e) dedicate, sell or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument has been signed by the Class B Member, or if there be no Class B Members, then seventy-five percent (75%) of the Class A Members, agreeing to such dedication, sale or transfer;

(f) participate in mergers. and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and Common Area, provided that any such merger, consolidation or annexation shall have the assent of the Class B Member, or if there be no Class B Member, then seventy-five percent (75%) of the Class A Members;

(g) have and to exercise any and all powers, rights and privileges which a corporation organized under the Utah Nonprofit Corporation and Community Association Act by law may now or hereafter have or exercise.

ARTICLE VI

MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest in any Unit which is subject by covenants of record to assessment by the Association, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be

appurtenant to and may not be separated from ownership of any Unit which is subject to assessment by the Association.

ARTICLE VII

VOTING RIGHTS

The Association shall have two (2) classes of voting membership:

Class A. Class A members shall be all Owners, with the exception of the Declarant, and shall be entitled to one vote for each Unit owned. When more than one person holds an interest in any Unit, all persons shall be members. The vote for such Unit shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any Unit.

Class B. The Class B member(s) shall be the Declarant (as defined in the Declaration), and shall be entitled to ten (10) votes for each Unit owned. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

(a) when the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership; or

(b) on December 31, 2022.

ARTICLE VIII

SHARES

The corporation will not issue shares evidencing membership or interests in water or other property rights.

ARTICLE IX

BOARD OF TRUSTEES

The affairs of this Association shall be managed by a Board of three (3) Trustees, who need not be members of the Association. The number of Trustees may be changed by amendment of the By-Laws of the Association.

ARTICLE X

DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than seventy-five percent (75%) of each class of members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an

appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to such similar purposes.

ARTICLE XI

AMENDMENTS

Amendment of these Articles shall require the assent of seventy-five percent (75%) of the entire membership.

ARTICLE XII

INCORPORATORS

The names and addresses of the incorporators are as follows:

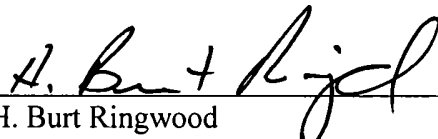
<u>NAME</u>	<u>ADDRESS</u>
Jeffrey A. Duke	6740 South 1300 East, Suite 200 Salt Lake City, Utah 84121
Dan Lybbert	6740 South 1300 East, Suite 200 Salt Lake City, Utah 84121

ARTICLE XIII

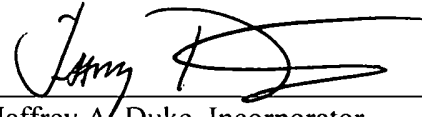
BY-LAWS

The internal affairs of the Association shall be regulated by By-Laws adopted by the Board of Trustees.

DATED this 17th day of November, 2015.



H. Burt Ringwood
Registered Agent



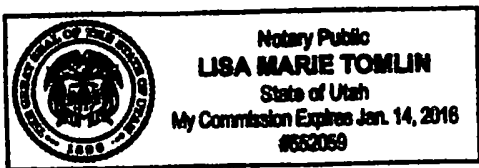
Jeffrey A. Duke, Incorporator



Dan Lybbert, Incorporator

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

I, Lisa Marie Tomlin, a Notary Public, hereby certify that on the 19 day of November, 2015, personally appeared before me Jeffrey A. Duke and Dan Lybbert who being by me first duly sworn, declared that they are the persons who signed the foregoing document as incorporators and that the statements therein contained are true.



Lisa Marie Tomlin
Notary Public

VTDI 28-19-476-037-0000 DIST 51 TOTAL ACRES 1.69
KIMBALLS LANE HOLDINGS, LLC TAX CLASS UPDATE
LEGAL BUILDINGS
PRINT TOTAL VALUE

299 S MAIN ST # 2400 NO:
SALT LAKE CITY UT 84111227899 EDIT 1 FACTOR BYPASS
LOC: 561 E KIMBALLS LN EDIT 0 BOOK 10329 PAGE 7075 DATE 06/02/2015
SUB: SEC 19 TOWNSHIP 3S RNG 1E TYPE SECT PLAT

02/22/2016 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY
BEG S 89-47'37" W 1018.11 FT & N 0-06'23" W 33 FT FR SE COR
SEC 19, T 3S, R 1E, SLM; N 0-06'23" W 435.6 FT; N 89-47'37"
E 168.48 FT M OR L; S 0-12'23" E 435.6 FT M OR L; S
89-47'37" W 169.24 FT TO BEG. 1.69 AC M OR L. 6705-1271
6920-0010 8253-1004

PFKEYS: 1=RXPH 4=VTAU 6=NEXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV

VTDI 28-19-476-010-0000 DIST 51 TOTAL ACRES 1.69
KIMBALLS LANE HOLDINGS, LLC TAX CLASS UPDATE
LEGAL BUILDINGS
PRINT TOTAL VALUE

299 S MAIN ST # 2400 NO:
SALT LAKE CITY UT 84111227899 EDIT 1 FACTOR BYPASS
LOC: 561 E KIMBALLS LN EDIT 0 BOOK 10329 PAGE 7075 DATE 06/02/2015
SUB: SEC 19 TOWNSHIP 3S RANG 1E TYPE SECT PLAT
02/22/2016 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY
BEG S 89-47'37" W 1018.11 FT & N 0-06'23" W 33 FT FR SE COR
SEC 19, T 3S, R 1E, SLM; N 0-06'23" W 435.6 FT; N 89-47'37"
E 168.48 FT M OR L; S 0-12'23" E 435.6 FT M OR L; S
89-47'37" W 169.24 FT TO BEG. 1.69 AC M OR L. 6705-1271
6920-0010 8253-1004

PFKEYS: 1=RXPH 4=VTAU 6=NEXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV

VTDI 28-19-476-009-0000 DIST 51 TOTAL ACRES 1.31
KIMBALLS LANE HOLDINGS, LLC TAX CLASS UPDATE
LEGAL BUILDINGS
PRINT TOTAL VALUE

299 S MAIN ST # 2400 NO:
SALT LAKE CITY UT 84111227899 EDIT 1 FACTOR BYPASS
LOC: 675 E KIMBALLS LN EDIT 0 BOOK 10330 PAGE 5948 DATE 06/04/2015
SUB: SEC 19 TOWNSHIP 3S RNG 1E TYPE SECT PLAT

02/22/2016 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY
BEG S 89-47'37" W 548.875 FT & N 0-12'23" W 33 FT FR SE COR
SEC 19, T 3S, R 1E, SLM; N 0-12'23" W 408.69 FT M OR L TO
W'LY R OF W LINE OF UNION PACIFIC RR; S 34-38'23" E 495.5 FT
M OR L; S 89-47'37" W 280 FT M OR L TO BEG. 1.31 AC M OR L.
4903-72 5029-46 6193-1233 6436-643 6603-955 6705-1271

PFKEYS: 1=RXPH 4=VTAU 6=NEXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV

VTDI 28-19-476-004-0000 DIST 51 TOTAL ACRES 1.10
KIMBALLS LANE HOLDINGS, LLC TAX CLASS UPDATE
LEGAL BUILDINGS
PRINT TOTAL VALUE

299 S MAIN ST # 2400 NO:
SALT LAKE CITY UT 84111227899 EDIT 1 FACTOR BYPASS
LOC: 633 E KIMBALLS LN EDIT 0 BOOK 10330 PAGE 5947 DATE 06/04/2015
SUB: SEC 19 TOWNSHIP 3S RNG 1E TYPE SECT PLAT

02/22/2016 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY
COM S 89-47'37" W 648.875 FT & N 00-12'23" W 33 FT FR SE COR
SEC 19, T 3S, R 1E, SL MER, N 00-12'23" W 540 FT; S
89-47'37" E 9.97 FT; S 34-38'23" E 159.22 FT; S 00-12'23" E
408.68 FT; S 89-47'37" W 100 FT TO BEG. 1.1 AC. 8540-1609

PFKEYS: 1=RXPH 4=VTAU 6=NEXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV

VTDI 28-19-476-003-0000 DIST 51 TOTAL ACRES 1.24
KIMBALLS LANE HOLDINGS, LLC TAX CLASS UPDATE REAL ESTATE
LEGAL BUILDINGS
PRINT TOTAL VALUE

% RYAN PETERSON

299 S MAIN ST # 2400

NO:

SALT LAKE CITY UT

84111227899 EDIT 1

FACTOR BYPASS

LOC: 621 E KIMBALLS LN

EDIT 0

BOOK 10330

PAGE 5946

DATE 06/04/2015

SUB: SEC 19 TOWNSHIP 3S RANG 1E

TYPE SECT PLAT

02/22/2016 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY

COM S 89-47'37" W 648.875 FT & N 00-12'23" W 33 FT FR SE COR
SEC 19, T 3S R 1E, SL MER, S 89-47'37" W 100 FT; N 00-12'23"
W 540 FT; N 89-47'37" E 100 FT; S 00-12'23" E 540 FT TO BEG.
1.24 AC.

PFKEYS: 1=RXPH 4=VTAU 6=NEXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV