



ENT 194474:2020 PG 1 of 7
 JEFFERY SMITH
 UTAH COUNTY RECORDER
 2020 Dec 07 3:42 pm FEE 46.00 BY CS
 RECORDED FOR HIGH PARK SANTAQUIN

Articles of Incorporation
Of
PLAT A High Park Santaquin
OWNERS' ASSOCIATION, INC.,
(A Utah Nonprofit Corporation)

The undersigned, acting as the members of the Board of Directors of this corporation pursuant to the Utah Revised Nonprofit corporation Act (the "Act"), Utah Code Ann §16-16a-101 et seq., as amended, hereby forms a nonprofit corporation under the laws of the State of Utah and adopts the following Articles of Incorporation for such corporation:

ARTICLE I- NAME AND DURATION

The name of this corporation is **PLAT A HIGH PARK SANTAQUIN OWNERS' ASSOCIATION, INC.** (the "Association"). The period of duration shall be perpetual. The project name sometimes referred to as High Park North Townhomes project.

ARTICLE II- PURPOSES AND POWERS OF CORPORATION

The Association shall carry out all of the purposes provided by the certain Declaration of Covenants, Conditions, and Restrictions for PLAT A HIGH PARK SANTAQUIN OWNERS' ASSOCIATION, INC. (the "Declaration"), Amended and Restated which were recorded September 25, 2020 in the

official records of the Utah County Recorder Entry number 147903:2020 and any amendment thereafter. Without limiting the generality of the foregoing, the Association shall:

- (i) Promote the health, safety and welfare of the Association's members (the Members");
- (ii) 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;
- (iii) Provide for architectural control of the Association property (the "Property"), through the enforcement of the land use restrictions and obligations contained in the Declaration;
- (iv) Provide for the management, control, operation, care, maintenance, repair, replacement and upkeep of the common areas in accordance with the Declaration; and
- (v) Have and to exercise any and all powers, rights and privileges, which a corporation organized under the Act may now or hereinafter have or exercise.

The Association shall have all powers necessary and incidental to carrying out the purposes for which the Association is formed including, without limitation, those powers expressly provided for in the Declaration.

ARTICLE III- INITIAL REGISTERED OFFICE AND REGISTERED AGENT

The street address and initial registered office of the corporation is:

P.O. Box 50418 Provo, UT 84601

The name of the initial registered agent of the corporation is:

C/O Vision Real Estate
P.O. Box 50418 Provo, UT 84601

The Board of Directors may from time to time designate a new registered office and registered agent.

ARTICLE IV- MEMBERSHIP

Membership in the Association ("Membership"), shall be determined as provided in the Declaration. Each owner's Membership, except for certain Membership rights of Declarant (as defined below) as provided in the Declaration, shall be appurtenant to and may not be separated from ownership of the property to which the Membership is attributable. The Association shall be a not-stock corporation and no dividends or pecuniary profits shall be paid to its Members.

ARTICLE V- VOTING

The Member's voting rights shall be determined as provided in the Bylaws of the Association (the "Bylaws").

ARTICLE VI- BOARD OF DIRECTORS

The control and management of the affairs of the Association shall be vested in a Board of Directors ("Board"). The number, qualifications and terms of the Board shall be in accordance with the Declaration and, to the extent not addressed in the declaration, the Bylaws governing the Association. The name and address of the persons initially appointed to serve on the Board (the "Directors"), until their successors are elected and qualified is:

Greg Bird
1983 N 1120 W
Provo, UT 84604

Kami Su Bird
1983 N 1120 W
Provo, UT 84604

Brian Bird (incorporator)
4118 N Edgewood Dr
Provo, UT 84604

ARTICLE VII- LIMITATION OF THE BOARD'S LIABILITY

No Director acting in good faith shall be personally liable to any owner, guest, lessee or any other person for any error or omission of the Association, its representatives and employees of the Board.

ARTICLE VIII- INDEMNIFICATION

To the fullest extent permitted by law, and subject to the requirements of the Nonprofit Act, the Association shall indemnify all Directors and officers of the Association from and against all liability incurred in connection with any proceeding in which they are made a party be reason of being or having been a Director or officer, except in relation to matters as to which they have failed to satisfy the applicable standards of conduct to the eligible for indemnification as set forth in the Nonprofit Act or any other applicable provisions of law, and shall make such indemnification in accordance with the requirements of the Nonprofit Act and other applicable legal requirements. The foregoing indemnification provisions may be clarified in the Bylaws or Declaration.

ARTICLE IX- DISSOLUTION

Upon dissolution of the Association, all assets of the Association shall be distributed to the owners, including the Declarant, in the same proportion as assessments would be levied among the owners at the time of such dissolution.

ARTICLE X- AMENDMENT

The Articles may be amended in the following manner:

- (a) SANTA, LLC a Utah limited liability company ("Declarant") or their successors-in-interest, as the Association's Declarant, may unilaterally amend these Articles at any time and from time to time if such amendment is necessary (i) to bring any provision into compliance with any applicable governmental statute, rule or regulation, or judicial determination; (ii) to enable any reputable title insurance company to issue title insurance coverage on the units; (iii) to enable any institutional or governmental lender, purchaser, insurer or guarantor of mortgage loans, to make, purchase, insure or guarantee mortgage loans on any of the Property; and (iv) to correct any error or ambiguity or to conform to the Declaration.
- (b) Except as provided above, these Articles may be amended only by the affirmative vote or written consent, or any combination thereof, of Members representing 51% of the total Membership interest in the Association at the time of amendment.

No amendment may remove, revoke, or modify any right or privilege of Declarant without written consent of Declarant, or the assignee of such right or privilege.

ARTICLE XI- CONFLICTS

In the case of any conflict between the terms hereof and the Declaration, the Declaration shall always control. In the case of conflict between the terms hereof and the Bylaws, these Articles of Incorporation shall always control.

(Remainder of the page left intentionally blank; signature page follows)

In WITNESS WHEREOF, the undersigned board members have made and subscribe these Articles of Incorporation as of September 25, 2020.

Declarant:

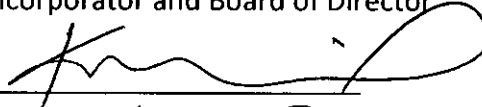


Declarant – SANTA, LLC
a Utah limited liability company
By: Brian Bird its Manager

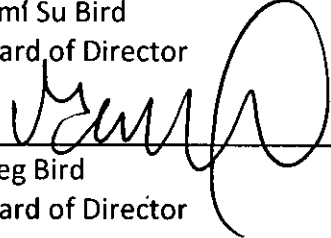
Board of Directors:



Brian Bird
Incorporator and Board of Director



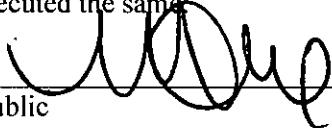
Kami Su Bird
Board of Director



Greg Bird
Board of Director

STATE OF UTAH)
 :SS.
COUNTY OF Utah)

On the 12/4/2020, personally appeared before me Brian Bird, Kami Su Bird and Greg Bird, authorized agents of Santa, LLC, the signer of the within instrument, who duly acknowledged to me that she/he executed the same



Notary Public
Residing at Riverton, Utah
My Commission Expires: ___7/2/24

