

4
1-3

DOC # 20170012606

Restrictive Page 1 of 4
Russell Shirts Washington County Recorder
03/28/2017 10:05:16 AM Fee \$ 19.00
By NELSON K LEROI



ARTICLES OF INCORPORATION
OF
SHADOWBROOK HOMEOWNERS ASSOCIATION

PHASES 1-4

The undersigned, for the purpose of organizing a corporation under the Utah Non-Profit Corporation Act, do hereby adopt the following Articles of Incorporation and amend the original Articles of Incorporation:

ARTICLE I

The name of the corporation shall be "Shadowbrook Homeowners Association".

ARTICLE II

The duration of the corporation shall be perpetual.

ARTICLE III

The primary purpose for which this corporation is organized is: To establish and maintain that portion of the combined property identified as the Common Area owned by the Association within the area described as follows:

Commencing at a point in the East Boundary of 900 East Street said point being located N 00°08'44" E 26.91 feet from the SW corner of Fractional Block 2, Plat B, St. George City Survey, Washington County, Utah; thence S 89°44'45" E 985.40 feet; thence S 0°03'35" E 599.56 feet; thence S 89°56'25" W 905.48 feet; thence N 00°03'35" W 578.05 feet to the point of beginning. LESS AND EXCEPTING all lots 1 through 90 in Plats A, B, C, D, and E as amended, recorded and filed in the Washington County Recorder's Office, St. George, Utah. The total area is 13.15 acres.

A second purpose for which this corporation is organized is: To maintain the facilities known as the Pool and the Pavilion which are established to be collectively and individually enjoyed by the members of the Association, members of their family and guests when properly accompanied by members.

A third purpose for which this corporation is organized is: To maintain the exterior portions of all homes built on individual lots within the several plats known collectively as Shadowbrook Homes Planned Unit Development Plats A, B, C, D and E as amended, recorded and filed in the Washington County Recorder's Office, St. George, Utah.

ARTICLE IV

In order to accomplish the purposes outlined in Article III, the Board of Directors of the Association shall be responsible for maintaining appropriate records of all activities; the collection of fees, assessments and fines; the disbursement of payments for services rendered by contractors and service providers; the reimbursement of members of the Board of Directors or members of the Association for actually costs incurred in assisting with the accomplishment of the purposes outlined in Article III; the fulfillment of fiduciary responsibility for the maintenance and accounting for moneys received and deposited in bank accounts; prompt payment of premiums and miscellaneous bills and proper reporting to the members of the Association and required taxing authorities.

ARTICLE V

The corporation is not organized for pecuniary profit to the incorporators and shall have no stockholders. The net earnings of the corporation shall inure exclusively to the benefit of the members of the Association taken collectively and not individually. No portion of the assets of the corporation shall be distributed to individual members or used for the personal profit of any individual member. The income and property of the corporation, wheresoever derived, shall be applied solely towards the promotion of the purposes and objectives of this corporation.

ARTICLE VI

The corporation shall have all of the general powers conferred upon non-profit corporations by the laws of the state of Utah and the enumeration of specific powers shall not limit the general powers set forth in Title 16, Chapter 6, Section 22, Utah Code Annotated 2002 as amended, or any other applicable statute.

The Corporation shall also have general powers to perform all such acts as are necessary, conducive or convenient to attain the objects and purposes herein set forth, to the same extent and as fully as a natural person could or might do, and as are not forbidden by law or by these Articles of Incorporation or by the Bylaws.

ARTICLE VII

The qualifications and powers of Members in this Corporation shall be as set forth in the Bylaws. Each Member must be a recorded owner of title to a lot in Shadowbrook.

ARTICLE VIII

The qualifications of the Board of Directors shall be set forth in the Bylaws. The names and addresses of the Board of Directors for 2008 are as follows:

President: K. LeRoi Nelson, 970 E. 700 S., # 75, St. George, Utah 84790

Vice-President: Robert F. Raleigh, 970 E. 700 S., # 47, St. George, Utah 84790

Asst. Vice-President: Matt Matthews, 970 E. 700 S., # 41, St. George, Utah 84790

Treasurer: Lois V. Knight, 970 E. 700 S., # 85, St. George, Utah 84790

Secretary: Rebecca Lowell, 970 E. 700 S., # 49, St. George, Utah 84790

ARTICLE IX

The business address of the corporation is Shadowbrook Homeowners Association, 970 E. 700 S., Box 0, St. George, Utah 84790

ARTICLE X

The time and place of the annual meeting of the Members and the type of notice required shall be as set forth in the Bylaws. All proxies shall be in writing.

ARTICLE XI

The Articles of Incorporation may be amended in the following manner:

The Board of Directors or the Members of the Corporation may by majority vote adopt a resolution setting forth the proposed amendment and directing that it be submitted to the Annual or a Special meeting of the Members of the Corporation. Written notice setting forth the proposed amendment and a summary of the changes to be effected thereby shall be given to each Member of the Corporation, within the time and in the manner provided in the Bylaws for giving notice of meetings. Any number of amendments may be submitted and voted upon at such meeting. After full disclosure and discussion of the proposed amendments, the Board of Directors may amend these Articles of Incorporation as instructed by the vote of the Members.

ARTICLE XI

The names and addresses of the incorporators are as follows:

K. LeRoi Nelson, 970 E. 700 S., # 75, St. George, Utah 84790

Robert F. Raleigh, 970 E. 700 S., # 47, St. George, Utah 84790

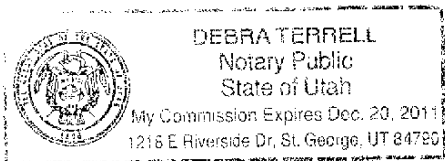
Lois V. Knight, 970 E. 700 S., # 85, St. George, Utah 84790

K. LeRoi Nelson, Robert F. Raleigh, Lois V. Knight, being duly sworn, each for him or herself, says: That he or she is one of the incorporators named herein above, and who has subscribed to the foregoing Articles of Incorporation, that the statements contained therein are true, and that each of the above named is a person of 21 years of age or more, and that they signed the foregoing instrument for the purposes therein stated.

K. LeRoi Nelson
K. LeRoi Nelson

Robert F. Raleigh
Robert F. Raleigh

Lois V. Knight
Lois V. Knight



STATE OF UTAH)
): ss
COUNTY OF WASHINGTON)

Subscribed and sworn to before me this 28th day of April 2008.

NOTARY PUBLIC:
My Commission Expires: 12/20/2011

Debra Terrell
Residing at: St. George Ut

CERTIFICATION

I, the Undersigned, do hereby certify:

THAT I am the duly elected President of the SHADOWBROOK HOMEOWNERS ASSOCIATION, and THAT the foregoing Articles of Incorporation constitute an amendment and replacement of the original Articles of Incorporation, as duly adopted by the Board of Directors and approved at a special meeting of the Members of the Association held on the 19~~th~~ day of April 2008.

IN WITNESS THEREOF, I have hereunto subscribed my name as President of the Shadowbrook Homeowners Association this 28~~th~~ day of April 2008.

K. Le Roi Nelson
President
Shadowbrook Homeowners Association