

WHEN RECORDED RETURN TO:
MAJESTIC ELMS PLACE HOA
c/o Mountain Vista Development, Inc.
668 E 12225 S., Ste 201
Draper, UT 84020

12923748
1/25/2019 11:06:00 AM \$27.00
Book - 10747 Pg - 9718-9722
RASHELLE HOBBS
Recorder, Salt Lake County, UT
SUTHERLAND TITLE
BY: eCASH, DEPUTY - EF 5 P.

**ARTICLES OF INCORPORATION FOR
NON-PROFIT CORPORATION &
NON-STOCK CORPORATION
OF**

MAJESTIC ELMS PLACE HOMEOWNER'S ASSOCIATION

(A Utah Non-profit corporation)

We the undersigned residents of the State of Utah, being twenty-one years or more of age do hereby associate ourselves together for the purpose of forming a non-profit corporation under the statutes of the State of Utah.

**ARTICLE ONE
NAME AND LOCATION**

The name of the corporation shall be Majestic Elms Place Homeowners Association, Inc., and its location shall be Draper City, County of Salt Lake, State of Utah.

**ARTICLE TWO
DURATION**

The period of duration of this non-profit corporation shall be perpetual.

**ARTICLE THREE
PURPOSE CLAUSE**

The business and purpose of this corporation shall be management, control and ownership of the of the real property specifically allocated thereto, together with any additions thereto, as defined and described in the Declaration of Covenants, Conditions and Restrictions of the Majestic Elms Place Subdivision.

**ARTICLE FOUR
NON-STOCK CORPORATION**

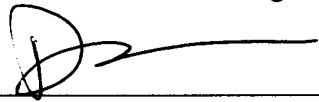
The corporation shall be non-stock, and no dividends or pecuniary profits shall be declared or paid to the members thereof.

**ARTICLE FIVE
REGISTERED AGENT**

The name and address of the corporation's initial registered office in the State of Utah is 668 East 12225 South, Suite 201, Draper, County of Salt Lake, State of Utah, Zip Code 84020, and the name of the initial registered agent at such address is Derek Ellis.

ACCOMODATION RECORDING ONLY:
Sutherland Title Company makes no representation as to the condition of title and assumes no liability or responsibility for the validity, sufficiency, or effect of this recording.

The undersigned Derek Ellis does accept his appointment as the initial registered agent of the corporation.



DEREK ELLIS

**ARTICLE SIX
INITIAL MEMBER**

The initial member of the corporation shall be Mountain Vista Development, Inc.

**ARTICLE SEVEN
DIRECTORS**

The number of directors constituting the initial board of directors of the corporation is two, and the names and addresses of the persons who are to serve as initial directors are as follows:

Derek Ellis	668 East 12225 South Suite 201 Draper, Utah 84020
Eric Balazs	668 East 12225 South Suite 201 Draper, Utah 84020

**ARTICLE EIGHT
ELECTION OF DIRECTORS**

The manner in which the directors are to be elected by the members is as follows: At the annual meeting of the members of the corporation, at least two (2) directors shall be elected for a three-year term. The initial board of directors shall serve for the terms as listed hereafter: At such time as a term of a member of the initial board of directors expires, new members of the board shall be elected at the annual meeting of the members of the corporation for a three-year term.

It is the express intention that the three-year terms of the board of directors shall be staggered such that one-half of the board of directors shall be elected at any one time. After the initial election period and after the initial members of the board of directors have been either re-elected or replaced according to the terms and conditions of this Article, all directors shall serve for three year terms.

**ARTICLE NINE
CORPORATE OFFICERS AND THEIR FUNCTIONS**

The general officers of the corporation shall be president, vice-president, secretary/treasurer. The president of the corporation maybe, but need not be a member of the board of directors of the corporation, and shall be nominated by the immediate past president of the corporation and ratified and affirmed by a majority vote of the directors as described herein. The vice-president and secretary/treasurer shall also be members of the board of directors. The term of office for the president shall be two years; the term of office for the vice-president and secretary/treasurer shall be one year each.

The principal duties of the president shall be to preside at all meetings of the members and the board of directors and to have general supervision of the affairs of the corporation.

The principal duties of the vice-president shall be to discharge the duties of the president in the event of absence or disability, for any cause whatsoever, of the president.

The principal duties of the secretary shall be to countersign all deeds, leases, and conveyances executed by the corporation, affix the seal of the corporation thereto and to such other papers as shall be required or directed to be sealed, and to keep a record of the proceedings of the board of directors, and to safely and systematically keep all books, papers, records, and documents belonging to the corporation, or in any way pertaining to the business thereof, except the books and records incidental to the duties of the treasurer.

The principal duties of the treasurer shall be to keep an account of all monies, credits, and property of any and every nature of the corporation which shall come into his hands, and to keep an accurate account of all monies received and disbursed and of proper vouchers for monies disbursed, and to render such accounts, statements, and inventories of monies received and disbursed and of money and property on hand, and generally of all matters pertaining to his office, as shall be required by the board of directors.

The board of directors may provide for the appointment of such additional officers as they may deem for the best interest of the corporation.

Whenever the board of directors may so order, any two offices, the duties of which do not conflict, may be held by one person.

The officers shall perform such additional or different duties as shall from time to time be imposed or required by the board of directors, or as may be prescribed from time to time by the bylaws.

ARTICLE TEN ELECTION OF OFFICERS

The officers shall be elected by the directors, who shall first be elected by the members of the corporation.

ARTICLE ELEVEN MEMBERSHIP REQUIREMENTS

The method and conditions on which members shall be accepted and discharged or expelled shall be as follows: Any person owning a lot in the Majestic Elms Place Subdivision, together with any additions as defined and described in the Declaration of Covenants, Conditions and Restrictions of Majestic Elms Place Subdivision.

ARTICLE TWELVE AMENDMENTS

These articles may be amended in the manner provided by statute at the time of amendment.

Exhibit "A"
Legal Description

Units, 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, contained within MAJESTIC ELMS PLACE P.U.D, as the same is identified in the Record of Survey Map recorded in Salt Lake County, Utah, on November 8, 2013, as Entry No. 11756549, in Book 2013P of Plats, at Page 233, as re-defined by that certain Lot Line Adjustment Survey filed in the Office of the Salt Lake County Surveyor, on June 25, 2018, as Survey No. S2018-06-0434, and further defined and described in the First Amendment and Restatement to the Declaration of Covenants, Conditions and Restrictions recorded June 26, 2018, as Entry No. 12798383, in Book 10687, at Page 5343, of official records (as said Map and Declaration may heretofore be amended and/or supplemented). TOGETHER WITH a non-exclusive easement of use and enjoyment in and to the projects common areas and facilities as defined and provided for in said Map and Declaration.

Unit 1 Tax Parcel No.: 16-31-102-039
Unit 2 Tax Parcel No.: 16-31-102-038
Unit 3 Tax Parcel No.: 16-31-102-040
Unit 4 Tax Parcel No.: 16-31-102-041
Unit 5 Tax Parcel No.: 16-31-102-042
Unit 6 Tax Parcel No.: 16-31-102-043
Unit 7 Tax Parcel No.: 16-31-102-044
Unit 8 Tax Parcel No.: 16-31-102-045
Unit 9 Tax Parcel No.: 16-31-102-046
Unit 10 Tax Parcel No.: 16-31-102-047
Common Area Tax Parcel No.: 16-31-102-048