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EH 2422009 PG 1 OF 14
ERNEST D ROWLEY, WEBER COUNTY RECORDER
06-JUL-09 8:37 AM FEE \$361.00 DEP SPY
REC FOR: HELGESEN WATERFALL JONES

**AMENDMENT
TO THE
DECLARATION
OF
COVENANTS, CONDITIONS & RESTRICTIONS
OF
LAKEVIEW HEIGHTS
(Planned Unit Development)**

This amendment ("Amended Declaration") is made and executed on the date shown below by the Lot Owners of Lakeview Heights Subdivision after having been voted upon and approved by the Owners at Lakeview Heights.

RECITALS

WHEREAS, Lakeview Heights Subdivision was created by a "Declaration of Covenants, Conditions and Restrictions of Lakeview Heights, Planned Unit Development" (hereinafter "Enabling Declaration") recorded in the records of Weber County, Utah, on January 12, 1979, in book 1282, beginning on page 543, as entry number 764193; and

WHEREAS, the property that is the subject of this Amended Declaration is situated in and upon that certain real property located in Weber County, State of Utah, as specifically described in Exhibit "A", attached hereto and incorporated herein by this reference, and including the Common Area that is appurtenant to each Lot as shown on the plat maps for Lakeview Heights Subdivision, as recorded in the office of the County Recorder for Weber County, State of Utah. There are 345 Lots in Lakeview Heights Subdivision.

WHEREAS, The lot Owners in Lakeview Heights are desirous to create the Lakeview Heights Homeowners Association, Inc., a Utah non-profit corporation ("Association"), which will be created by filing Articles of Incorporation with the Utah Division of Corporations and Commercial Code, which Association shall operate for the purpose of managing the Common Area and enforcing the provisions of the Enabling Declaration and any amendments thereto. The Association will be the governing body of Lakeview Heights Subdivision and will operate in accordance with this Amended Declaration, the Articles of Incorporation (Exhibit "B" attached hereto) and the Bylaws of the Association recorded in the records of Weber County, Utah, on September 22, 1981, in book 1409, beginning on page 1328, as entry number 864498 for the purpose of managing the Common Area and enforcing the provisions of the Association documents.

NOW THEREFORE, To accomplish the Lot Owners' objectives, the following amendment is adopted creating the Lakeview Heights Homeowners Association, Inc., a Utah non-profit corporation. If there is any conflict between this Amended Declaration and the Enabling Declaration, this document shall control.

This Amended Declaration shall become effective upon recording. The Lakeview Heights Enabling Declaration is hereby amended as follows:

AMENDED DECLARATION

Creation of Non-profit Corporation

- 1.1 The Lot Owners hereby authorize and approve the creation of a Utah nonprofit corporation, to be known as the Lakeview Heights Homeowners Association, Inc. ("Association"), by filing with the State of Utah the Articles of Incorporation for the Association in a form substantially similar to those contained in Exhibit "B", attached hereto. The Association shall be responsible for managing the Common Area within Lakeview Heights and governing the affairs of Lakeview Heights in accordance with the provisions of the Enabling Declaration, any Amendments to the Enabling Declaration, the Articles of Incorporation and the Bylaws.
- 1.2 By voting to approve this Amended Declaration, the Lot Owners hereby agree to adopt the following documents:
 - a. this Amended Declaration;
 - b. the Articles of Incorporation (Exhibit "B" attached hereto); and
 - c. the Bylaws of the Association recorded in the records of Weber County, Utah, on September 22, 1981, in book 1409, beginning on page 1328, as entry number 864498,

as the governing documents of Lakeview Heights Homeowners Association, Inc., which documents shall constitute equitable servitudes that shall run with the real property described in Exhibit "A". In the event of a conflict between the provisions in this Amended Declaration and the Enabling Declaration, this Amended Declaration shall control.

CERTIFICATION

It is hereby certified that a majority of the Lot Owners within Lakeview Heights have voted to approve this amendment.

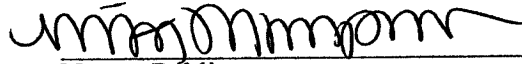
IN WITNESS WHEREOF, this 12 day of June, 2009.

By Gerald Medina
Gerald Medina, President

By Debbie Donlevy
Debbie Donlevy

STATE OF UTAH)
 :ss.
COUNTY OF WEBER)

On this 12 day of June, 2009, Gerald Medina and Debbie Donlevy personally appeared before me, who, being by me duly sworn, did say that they are officers of the Lakeview Heights Homeowners Association and that the within and foregoing instrument was signed in behalf of said Association and they duly acknowledged to me they executed the same.



Notary Public



EXHIBIT "A"**Legal Description of Lots**

Lakeview Heights Planned Residential Unit Development, North Ogden City, Weber County, Utah

ALL OF LOTS 1 THROUGH 9 AND ALL OF LOTS 15, 26, 27 AND 44 THROUGH 46, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, PRUD, AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers ~~16-094-0001 through 16-094-0009; 16-094-0012 through 16-094-0017~~] *- spr*

ALL OF LOTS 10 AND 11 AND ALL OF LOTS 16 THROUGH 18, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, PRUD, AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers ~~16-095-0001 and 16-095-0002; 16-095-0004 through 16-095-0006~~] *- spr*

PART OF LOT 12, LAKEVIEW HEIGHTS SUBDIVISION PHASE 1, AMENDED PLAT, WEBER COUNTY, UTAH. EXCEPT THE FOLLOWING: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 12, RUNNING THENCE NORTH 88D03'06" WEST 135.77 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12, THENCE NORTH 1D56'27" WEST 6.00 FEET, THENCE SOUTH 85D32'06" EAST 136.30 FEET TO THE POINT OF BEGINNING.

[Land Serial Number ~~16-095-0007~~] *- spr*

PART OF LOTS 12 AND 13, LAKEVIEW HEIGHTS SUBDIVISION, PHASE 1, P.R.U.D., AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH. BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 12, RUNNING THENCE NORTH 85D32'06" WEST 136.30 FEET, THENCE SOUTH 1D56'27" EAST 89.00 FEET, THENCE SOUTH 75D50'33" EAST 122.39 FEET, THENCE LEFT ALONG THE ARC OF A 567.00 FOOT RADIUS CURVE TO THE POINT OF BEGINNING.

[Land Serial Number ~~16-094-0010~~] *- spr*

ALL OF LOT 14, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, PRUD, AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH. ALSO: PART OF LOT 13, LAKEVIEW HEIGHTS SUBDIVISION PHASE 1, AMENDED; PLAT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 13,

RUNNING THENCE NORTH 76D41'49" WEST 121.07 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 13, THENCE NORTH 1D56'27" WEST 5.00 FEET, THENCE SOUTH 75D50'33" EAST 122.39 FEET, THENCE RIGHT ALONG THE ARC OF A 567.00 FOOT RADIUS CURVE A DISTANCE OF 3.00 FEET (CHORD BEARS SOUTH 13D09'06" WEST 3.00 FEET) TO THE POINT OF BEGINNING.

[Land Serial Number 16-094-0011] - ~~SPR~~

ALL OF LOTS 19 THROUGH 22 AND ALL OF LOTS 57 THROUGH 60 AND ALL OF LOT 62, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, PRUD, AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers 16-096-0001 through 16-096-0009] - ~~SPR~~

ALL OF LOTS 23 THROUGH 25 AND ALL OF LOTS 89 THROUGH 93, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, PRUD, AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers 16-090-0001 through 16-090-0008] - ~~SPR~~

ALL OF LOTS 28 THROUGH 33 AND ALL OF LOTS 38 THROUGH 51, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, PRUD, AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers 16-093-0001 through 16-093-0017] - ~~?~~

16-094-0015 THROUGH 0017 - ?

ALL OF LOTS 34 THROUGH 37, ALL OF LOTS 52 AND 53, ALL OF LOTS 67 THROUGH 74, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, PRUD, AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers 16-092-0001 through 16-092-0014] - ~~?~~

ALL OF LOTS 54 THROUGH 56 AND ALL OF LOTS 63 THROUGH 66, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, PRUD, AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers 16-097-0001 through 16-097-0007] - ~~?~~

ALL OF LOTS 75 THROUGH 79; ALL OF LOTS 104, 106; ALL OF LOTS 109 THROUGH 112, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, PRUD, AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers 16-087-0001 through 16-087-0007; 16-087-010 through 16-087-0013] - ~~?~~

ALL OF LOTS 80 THROUGH 84 AND ALL OF LOTS 101 AND 105, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, PRUD, AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers 16-088-0001 through 16-088-0007] - ~~?~~

ALL OF LOTS 85 THROUGH 88 AND ALL OF LOTS 95 AND 100, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, PRUD, AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers 16-089-0001 through 16-089-0005; 16-089-0007] ✓ *SPV*

ALL OF LOTS 94, 99, 102 AND 103, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, PRUD, AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers 16-091-0001; 16-091-0004 through 16-091-0006] ✓ *SPV*

ALL OF LOT 96, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, PRUD, AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH. EXCEPTING PORTION OF SAID LOT 96, DEEDED TO P CLAY THOMAS AND WIFE JANET F THOMAS BY QUIT CLAIM DEED IN BOOK 1400 PAGE 170.

[Land Serial Number 16-089-0006] ✓ *SPV*

ALL OF LOT 97, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, AMENDED AND PART OF LOT 96 OF SAID LAKEVIEW HEIGHTS SUBDIVISION PHASE 1, A PLANNED RESIDENTIAL UNIT DEVELOPMENT, AMENDED, DESCRIBED AS FOLLOWS: THENCE SOUTH 40D57'20" WEST 100.21 FEET, THENCE SOUTH 5D17'05" EAST 24.36 FEET; THENCE NORTH 32D24'33" EAST 118.37 FEET TO THE POINT OF BEGINNING. TOGETHER WITH PART OF LOT 98, IN SAID LAKEVIEW HEIGHTS SUBDIVISION PHASE 1, BEING AT THE SOUTHEASTERLY CORNER OF SAID LOT 98 AND RUNNING THENCE SOUTH 39D42'55" WEST 10.00 FEET; THENCE NORTH 41D14'46" WEST 68.65 FEET; THENCE SOUTH 50D17'05" EAST 61.86 FEET TO THE POINT OF BEGINNING. EXCEPTING THE FOLLOWING: PART OF SAID LOT 97, BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 97 AND RUNNING THENCE NORTH 39D42'55" EAST 8.00 FEET; THENCE SOUTH 41D14'46" EAST 50.92 FEET; THENCE NORTH 50D17'05" WEST 50.29 FEET TO THE POINT OF BEGINNING.

[Land Serial Number 16-091-0002] - 7

ALL OF LOT 98, AND PART OF LOT 97, LAKEVIEW HEIGHTS SUBDIVISION, PHASE 1, 1, PRUD, AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH. DESCRIBED AS FOLLOWS BEGINNING AT THE NORTHWESTERLY CORNER OF LOT 97, LAKEVIEW HEIGHTS SUBDIVISION, PHASE 1 AMENDED: THENCE NORTH 39D42'55" EAST 8.00 FEET; THENCE SOUTH 41D14'46" EAST 50.92 FEET; THENCE NORTH 50D17'05" WEST 50.29 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM: PART OF LOT 98, LAKEVIEW HEIGHTS SUBDIVISION,

PHASE I AMENDED, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 98, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I AMENDED, THENCE SOUTH 39D42'55" WEST 10.0 FEET, THENCE NORTH 41D14'46" WEST 63.65 FEET, THENCE SOUTH 50D17'05" EAST 62.86 FEET TO THE POINT OF BEGINNING.

[Land Serial Number 16-091-0003] ~~7~~

ALL OF LOT 107 AND PART OF LOT 108 BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 107 LAKEVIEW HEIGHTS SUBDIVISION, PHASE 1, AMENDED PLAT, THENCE SOUTH 34D56'16" EAST 63.73 FEET; THENCE SOUTH 5D42'34" EAST 34.77 FEET; THENCE NORTH 52D12'55" EAST 17.00 FEET, THENCE SOUTH 34D56'16" EAST 53.07 FEET; THENCE NORTH 55D06'52" EAST 113.16 FEET; THENCE NORTH 43D17'19" WEST 147.97 FEET; THENCE SOUTH 55D04'44" WEST 91.67 FEET TO THE POINT OF BEGINNING.

[Land Serial Numbers 16-087-0008] ~~7~~

PART OF LOT 108, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, PRUD, AMENDED PLAT, NORTH OGDEN CITY, WEBER COUNTY, UTAH. BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 108, RUNNING THENCE SOUTH 34D56'16" EAST 63.73 FEET, THENCE SOUTH 5D42'34" EAST 34.77 FEET, THENCE SOUTH 52D12'55" WEST 103.0 FEET, THENCE NORTH 48D50'55" WEST 102.19 FEET, THENCE NORTH 55D03'44" EAST 144.42 FEET TO THE POINT OF BEGINNING.

[Land Serial Numbers 16-087-0009] ~~7~~

ALL OF LOTS 113 THROUGH 121; ALL OF LOTS 123 THROUGH 138; ALL OF LOTS 141 THROUGH 155, LAKEVIEW HEIGHTS SUBDIVISION, PHASE I, PRUD, SHEET 2B, AMENDED PLAT NO. 2, AUGUST 1987, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers ~~16-086-0001~~ through ~~16-086-0009~~; ~~16-086-0011~~ through ~~16-086-0020~~, ~~16-086-0022~~ through ~~16-086-0040~~] ~~16-086-0027~~ ~~7~~

ALL OF LOTS 143 AND 144, ALL OF LOTS 156 THROUGH 161; ALL OF LOTS 163, 164, 166, 168, 169, 173, 174 AND 176, LAKEVIEW HEIGHTS SUBDIVISION-PHASE I, PRUD, SHEET 1B, AMENDED PLAT NO 2, 1986, NORTH OGDEN CITY, UTAH. 16-085-0001

[Land Serial Numbers 16-085-0001; ~~through~~ 16-085-0016; ~~16-085-0018~~, 16-085-0020 through 16-085-0023; 16-085-0026] ~~16-085-0004~~ ~~thru~~ ~~0008~~ ~~7~~
~~16-085-0010, 0011, 0015, 0021~~ ~~7~~

ALL OF LOTS 170 AND 171, LAKEVIEW HEIGHTS SUBDIVISION PHASE 1, PRUD, SHEET 1B, AMENDED PLAT NO. 2 1986, NORTH OGDEN CITY, WEBER COUNTY, UTAH. EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY; PART OF LOTS 170 AND 171, LAKEVIEW

HEIGHTS SUBDIVISION, PHASE 1, PRUD, SHEET 1B, PLAT NO. 2, 1986, NORTH OGDEN CITY, WEBER COUNTY, UTAH; DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 171, AND RUNNING THENCE NORTH 6D19'34" EAST 106.44 FEET; THENCE SOUTH 83D40'26" EAST 12.0 FEET; THENCE SOUTH 12D45'40" WEST 107.12 FEET TO THE POINT OF BEGINNING.

[Land Serial Number 16-085-0017] ✓

ALL OF LOT 172 AND PART OF LOTS 170 & 171, LAKEVIEW HEIGHTS SUBDIVISION PHASE 1, PRUD SHEET 1B, AMENDED PLAT NO. 2, 1986, NORTH OGDEN CITY, WEBER COUNTY, UTAH. DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 171, AND RUNNING THENCE NORTH 6D19'34" EAST 106.44 FEET, THENCE SOUTH 83D40'26" EAST 12.0 FEET; THENCE SOUTH 12D45'40" WEST 107.12 FEET TO THE POINT OF BEGINNING.

[Land Serial Number 16-085-0019] - 7

ALL OF LOTS 177 THROUGH 181 AND ALL OF LOTS 189 THROUGH 192, LAKEVIEW HEIGHTS SUBDIVISION-PHASE 2A, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers 16-121-0001 through 16-121-0009] - 7

ALL OF LOTS 182 THROUGH 188 AND ALL OF LOT 193, LAKEVIEW HEIGHTS SUBDIVISION-PHASE 2A, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers 16-122-0001 through 16-122-0008] - 7

ALL OF LOTS 195 THROUGH 214, LAKEVIEW HEIGHTS SUBDIVISION, PHASE 3A, PRUD, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers 16-125-0001 through 16-125-0020] - 7

ALL OF LOTS 215 THROUGH 234, LAKEVIEW HEIGHTS SUBDIVISION, PHASE 3B, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers 16-141-0001 through 16-141-0020] - 7

ALL OF LOTS 235 THROUGH 243 AND ALL OF LOTS 256 AND 257, LAKEVIEW HEIGHTS SUBDIVISION, PHASE 2-B, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers ~~16-148-0001 through 16-148-0011~~
16-148-0003 THRU 16-148-0011] - 7

ALL OF LOTS 244 THROUGH 255, LAKEVIEW HEIGHTS SUBDIVISION, PHASE 2-B, NORTH OGDEN CITY, WEBER COUNTY, UTAH.

[Land Serial Numbers 16-149-0001 through 16-149-0012] - 7

ALL OF LOTS 281 THROUGH 307, LAKEVIEW HEIGHTS SUBDIVISION, PHASE
4-A, PRUD, NORTH OGDEN CITY, WEBER COUNTY, UTAH.
[Land Serial Numbers 16-129-0001 through 16-129-0027] ~~7~~

ALL OF LOTS 308 THROUGH 325, LAKEVIEW HEIGHTS SUBDIVISION, PHASE
4-B, PRUD, NORTH OGDEN CITY, WEBER COUNTY, UTAH.
[Land Serial Numbers 16-130-0001 through 16-130-0018] ~~7~~

ALL OF LOTS 326 THROUGH 345, LAKEVIEW HEIGHTS SUBDIVISION, PHASE
4C, A P.R.U.D. NORTH OGDEN CITY, WEBER COUNTY, UTAH.
[Land Serial Numbers 16-133-0001 through 16-133-0020] ~~7~~

ALL OF LOTS 346 THROUGH 365, LAKEVIEW HEIGHTS SUBDIVISION, PHASE
4D, A P.R.U.D. NORTH OGDEN CITY, WEBER COUNTY, UTAH.
[Land Serial Numbers 16-134-0001 through 16 - 134 - 0020] ~~7~~

EXHIBIT B

ARTICLES OF INCORPORATION**FOR****LAKEVIEW HEIGHTS HOMEOWNERS ASSOCIATION, INC.**

WE, THE UNDERSIGNED NATURAL PERSONS, all being of the age of eighteen years or more, acting as incorporators under the Utah Revised Nonprofit Corporation Act, adopt the following Articles of Incorporation:

Name. The name of the Corporation is LAKEVIEW HEIGHTS HOMEOWNERS ASSOCIATION, INC. (herein referred to as the "Corporation").

Duration. The duration of the Corporation shall be perpetual, unless dissolved by the action of the Corporation or by operation of law.

Purposes. The purposes of the Corporation are to function in behalf of and part of the members of the Lakeview Heights Homeowners Association located in Weber County, Utah, and to enforce the Covenants, Conditions and Restrictions as set forth in the Declaration of Covenants, Conditions and Restrictions (Hereafter, "Enabling Declaration"), and to provide the other services and perform all of the other functions set forth in the Enabling Declaration, any amendments to the Enabling Declaration, Bylaws, the Rules and Regulations, and as may become desirable or necessary for the benefit of the members. The Corporation shall have all powers, rights, and privileges available to corporations under the laws of the State of Utah.

Membership/Stock. The owners of stock in the Corporation shall only be owners of Lots in Lakeview Heights, located in Weber County, Utah. Stock ownership is appurtenant to the Lot and may not be separated from Lot ownership, and ownership of a share of stock in Lakeview Heights shall pass automatically to the owner of that Lot upon conveyance of title without the need to convey a physical stock certificate. There shall be issued 345 shares in the Corporation and each Lot and the Owners of a Lot shall be the owners of one share of stock in the Corporation. The Lots Owners shall have an interest in the Corporation as described below:

The Association shall have one (1) class of membership--Class A, described more particularly as follows:

1. **Class A.** Class A Members shall be all Lot Owners. Class A Members shall be entitled to vote on all issues before the Association, subject to the following:
 - a. **Voting.** Each Lot and the Owners of that Lot shall have the right of one vote, the vote relating to such Lot shall be exercised as such Owners may determine among themselves, but in no event shall more than one Class A vote be cast with respect to any Lot.
 - b. **Subject to Assessment.** No vote shall be cast or counted for any Lot not subject to assessment;

- c. **Multiple Owners.** When more than one (1) person or entity holds such interest in a Lot, the vote for such Lot shall be exercised as those persons or entities determine among themselves, but in no event shall more than one Class A vote be cast with respect to any Lot.
- d. **Number of Shares.** The Corporation is authorized to issue up to 345 shares of Class A stock.


2. Class A shares shall have unlimited voting rights.

Registered Agent. The registered agent for the Corporation is:

Debbie Donlevy
728 East 3300 North
North Ogden, UT 84414

Acceptance of Appointment

I, Debbie Donlevy, hereby accept the appointment as the registered agent for Lakeview Heights Homeowners Association, Inc.


Signature of Registered Agent

Bylaws. Bylaws have been adopted in accordance with the Declaration. The Corporation hereby adopts the bylaws recorded in the records of Weber County, Utah, on September 22, 1981, in book 1409, beginning on page 1328, as entry number 864498. Hereafter, bylaws may be adopted, amended, or replaced by the vote of Members.

Address of Corporation's Registered Office. The principal place of business of the Corporation, and its initial offices are located at 728 East 3300 North, North Ogden, UT 84414 (mailing address: P.O. Box 12756, Ogden, UT 84412. The Corporation may establish such other offices and locations as it deems appropriate for the operation of its business.

Distributions. No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its Directors, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes as set forth above.

Dissolution. Upon the dissolution of the corporation, assets shall be distributed to the members of the corporation on the same percentage as votes and assessments are allocated and as set forth in the Lakeview Heights Homeowners Association Declaration and Bylaws.

Board of Directors. There will initially be five Directors of the Corporation, provided, however, the Board of Directors may consist of a maximum of five Directors as determined by the members in a duly called meeting. The initial Board of Directors, who will serve until the election

of officers and Directors at the first annual member's meeting, are:

<u>Name</u>	<u>Address</u>
Gerald Medina	519 East 3500 South North Ogden, UT 84414
Lou Walkart	3344 North 500 East North Ogden, UT 84414
Dianne Little	3463 North 350 East North Ogden, UT 84414
Julie Thompson	504 East 3425 North North Ogden, UT 84414
Debbie Donlevy	Debbie Donlevy 728 East 3300 North North Ogden, UT 84414

The Directors will elect one of them to act as Chairman until the first annual member's meeting.

Officers. The initial officers of the corporation are:

President	Gerald Medina
Vice President	Lou Walkart
Secretary	Julie Thompson
Treasurer	Debbie Donlevy

Annual Meeting. Pursuant to Article III, Section 3.01 of the Bylaws of Lakeview Heights Homeowners Association, the annual meeting of the members shall be held on the first day of June of each year at 7:00 p.m., provided however, that whenever such a date falls upon a Sunday or legal holiday, the meeting shall be held on the next succeeding business day and further provided that the Board of Trustees may, by resolution, fix the date of the annual meeting at such other date as the Board may deem appropriate. If the election of Trustees shall not be held on the day designated in the Bylaws for the annual meeting of the Members, or at any adjournment thereof, the Board shall cause the election to be held at a special meeting of the Members as soon thereafter as may be convenient.

Limitations on Liability. The Officers, Directors, and Members of the Corporation shall not be held personally liable for the debts and obligations of the Corporation.

Incorporators. The incorporators of the Corporation are:

Gerald Medina
519 East 3500 South
North Ogden, UT 84414

Lou Walkart
3344 North 500 East
North Ogden, UT 84414

Debbie Donlevy
728 East 3300 North
North Ogden, UT 84414

Amendment. These Articles of Incorporation may be amended from time to time as authorized by the members and permitted by law.

In Witness Whereof, we, Gerald Medina, Lou Walkart, and Debbie Donlevy, have executed these Articles of Incorporation in duplicate this 12 day of June, 2009, and say: That we are the incorporators herein; that we have read the above and foregoing Articles of Incorporation; that we know the contents thereof and that the same is true to the best of our knowledge and belief, excepting as to matters herein alleged upon information and belief and as to those matters we believe them to be true.

Gerald Medina
Incorporator
Lou Walkart
Incorporator
Debbie Donlevy
Incorporator

State of Utah)
 : ss
County of Weber)

On the 12 day of June, 2009, the foregoing instrument was acknowledged and verified before me by Gerald Medina, Lou Walkart, and Debbie Donlevy, who personally appeared before me, and being by me duly sworn declare under penalty of perjury that they are the incorporators of Lakeview Heights Homeowners Association, Inc., and that they signed the foregoing, and that the statements contained therein are true and correct.

In witness whereof, I have set my hand and seal this 12 day of June, 2009.

Misty Thompson
Notary Public

