

**ARTICLES OF INCORPORATION  
OF  
STARSIDE PHASE I - PARCEL 9 HOMEOWNERS ASSOCIATION, INC.**

In compliance with the requirements of the Utah Nonprofit Corporation and Cooperative Association Act, the undersigned, residents of Salt Lake County, State of Utah, being of full age, have this day voluntarily formed a corporation not for profit, and do hereby certify:

**ARTICLE I  
NAME**

The name of the corporation is the Starside Phase I - Parcel 9 Homeowners Association, Inc., (hereafter referred to as the "Association").

**ARTICLE II  
PRINCIPAL OFFICE**

The principal office of the Association is located at 4179 South Riverboat Road, Suite 206, Taylorsville, Utah 84123.

**ARTICLE III  
REGISTERED AGENT**

The President of the Association, Jim Delahunty, of 4179 South Riverboat Road, Suite 206, Taylorsville, Utah 84123, is hereby appointed the initial Registered Agent of the Association.

**ARTICLE IV  
PURPOSE AND POWERS OF THE ASSOCIATION**

The Association is organized as a nonprofit corporation and does not contemplate pecuniary gain or profit to its members. The specific purposes for which the Association is formed is to (a) maintain the common areas and facilities at Starside Phase I - Parcel 9 as per its Declaration of Covenants, Conditions and Restrictions (the "Declaration"), (b) interpret and enforce the covenants, conditions, and restrictions governing Starside Phase I - Parcel 9, (c) promote the health, safety, and welfare of the residents of Starside Phase I - Parcel 9, and (d) take any other action and to enter into any other transactions which may be reasonably necessary to accomplish the foregoing.

**ARTICLE V  
MEMBERSHIP**

All of the lot owners of Starside Phase I - Parcel 9 shall be members of the Association. No shares of stock or membership certificates will be issued.

**ARTICLE VI  
VOTING RIGHTS**

Each member shall have one (1) vote based upon his or her percentage of ownership interest in the common areas and facilities at Starside Phase I - Parcel 9, a planned unit development, as set forth in the Declaration.

**ARTICLE VII  
BOARD OF DIRECTORS**

The affairs of the Association shall be managed by the Board of Directors which shall consist of at least three (3) and no more than nine (9) members, who must be individual lot owners or the legal agents or representatives of institutional lot owners. The names and addresses of the persons who are to act in the capacity of members of the Board of Directors until the selection of their successors are:

Jim Delahunty  
4179 South Riverboat Road, Suite 206  
Taylorsville, Utah 84123

( ) *Benson Whitney*  
4179 South Riverboat Road, Suite 206  
Taylorsville, Utah 84123

( ) *John Kollman*  
4179 South Riverboat Road, Suite 206  
Taylorsville, Utah 84123

All Board Members shall be elected for a two (2) year term.

Members shall be elected for two (2) year terms; provided, however, for continuity of management the terms of the Members shall be staggered and if the Association has not done so already, then at the next annual meeting three (3) of the Members shall be elected for one (1) year terms and thereafter their replacements shall be elected for two (2) year terms.

**ARTICLE VIII  
DISSOLUTION**

The incorporated Association may be dissolved in accordance with Utah law and the Declaration. Upon dissolution, the assets of the corporation shall be either dedicated to a public body or conveyed to a qualifying non-profit corporation with similar purposes.

**ARTICLE IX  
DURATION**

The Association shall exist perpetually.

**ARTICLE X  
AMENDMENTS**

The affirmative vote of at least 2/3rds of the lot owners at Starside Phase I - Parcel 9 shall be required and shall be sufficient to amend these Articles. Any amendment so authorized shall be accomplished through the recordation or filing of an instrument executed by the President and Secretary of the Association. In such instrument the Committee shall certify that the vote required by this Section has occurred.

**ARTICLE XI  
INCORPORATOR**

The name and address of the incorporator of the Association is:

Jim Delahunty  
4179 South Riverboat Road, Suite 206  
Taylorsville, Utah 84123

**ARTICLE XII  
DEFINITIONS**

Except as otherwise provided herein or as may be required by context, all terms used in these Articles shall have the meanings given them by the Declaration and By-Laws of Starside Phase I - Parcel 9.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Utah, we, the undersigned, as incorporators of the Association, have executed these Articles of Incorporation this 5<sup>th</sup> day of ~~November~~, 2006.

*December*

  
\_\_\_\_\_  
Jim Delahunty, Incorporator

**ACKNOWLEDGMENT OF REGISTERED AGENT**

The undersigned hereby acknowledges his appointment as the initial Registered Agent of the Association.

  
\_\_\_\_\_  
Jim Delahunty

**LEGAL DESCRIPTION OF TRACT  
EXHIBIT "A"  
PHASE 1 OF STARSIDE PHASE I - PARCEL 9**

The Land described in the foregoing document is located in Tooele County, Utah and is described more particularly as follows:

COMMENCING AT THE NORTH EAST CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN; THENCE SOUTH 89°55'05" WEST ALONG THE SECTION LINE A DISTANCE OF 1628.70 FEET; THENCE SOUTH 00°03'48" EAST A DISTANCE OF 1288.33 FEET TO A POINT ON A FENCE ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID FENCE LINE THE FOLLOWING 8 COURSES;

- (1) SOUTH 58°52'03" WEST A DISTANCE OF 4.85 FEET
- (2) SOUTH 55°49'01" WEST A DISTANCE OF 94.86 FEET
- (3) SOUTH 59°21'01" WEST A DISTANCE OF 79.76 FEET
- (4) SOUTH 57°09'42" WEST A DISTANCE OF 69.79 FEET
- (5) SOUTH 31°48'29" EAST A DISTANCE OF 77.58 FEET
- (6) SOUTH 51°17'28" WEST A DISTANCE OF 132.54 FEET
- (7) SOUTH 52°27'24" WEST A DISTANCE OF 90.22 FEET
- (8) SOUTH 32°45'00" EAST A DISTANCE OF 184.50 FEET

TO A POINT ON THE R.O.W. OF SR-138; THENCE ALONG SAID R.O.W. THE FOLLOWING 3 COURSES:

SOUTH 56°58'26" WEST A DISTANCE OF 1.00 FOOT TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES NORTH 33°01'20" WEST, A RADIAL DISTANCE OF 7,589.50 FEET; THENCE SOUTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 01°11'34", A DISTANCE OF 157.99 FEET; THENCE SOUTH 58°10'13" WEST, A DISTANCE OF 85.04 FEET TO A POINT THAT INTERSECTS SR-138 AND BRIGHAM ROAD 60' WIDE R.O.W.; THENCE HEADING ALONG THE EASTERLY R.O.W. OF BRIGHAM ROAD THE FOLLOWING 2 COURSES

- (1) NORTH 30°00'00" WEST, A DISTANCE OF 314.93 FEET
- (2) THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 650.00 FEET, THROUGH A CENTRAL ANGLE OF 89°45'51", AN ARC DISTANCE OF 1018.34 FEET; THENCE SOUTH 34°47'48" EAST A DISTANCE OF 652.65 TO THE POINT OF BEGINNING.

CONTAINS 446,577 SQUARE FEET OR 10.252 ACRES, MORE OR LESS.

**LEGAL DESCRIPTION OF ADDITIONAL LAND  
EXHIBIT "B"**

The Additional Land described in the foregoing document is located in Tooele County, Utah and is described more particularly as follows:

Beginning at a point that lies South 89°55'05" West 2380.13 feet along the section line and South 00°03'48" East 1240.93 feet from the Northeast Corner of Section 16, Township 2 South, Range 4 West, Salt Lake Base and Meridian which point is located on the Westerly right of way line of Brigham Road which is a non tangent curve to the left, of which the radius point lies South 84°11'00" East, a radial distance of 710.00 feet; thence Southerly along the arc through a central angle of 21°20'42", and along Brigham Road Westerly right of way, an arc distance of 264.50 feet; thence leaving said Brigham Road right of way west line South 85°01'20" West a distance of 201.08 feet to a point of curvature; thence Northwesterly along the arc of a 1160.00 foot radius curve to the right, through a central angle of 19°35'15", a distance of 396.57 feet; thence North 75°23'25" West 144.18 feet; thence South 14°36'35" West 28.25 feet; thence North 75°23'25" West 159.98 feet; thence north 14°36'35" east 314.92 feet; thence north 26°43'09" west 304.32 feet to a point on the centerline of porter way; thence North 62°47'46" East along said centerline 134.00 feet; thence leaving said centerline South 26°43'09" East 293.35 feet; thence Southwesterly along the arc of a 150.00 foot radius curve to the right, through a central angle of 28°06'00", a distance of 73.57 feet; thence South 75°23'27" East 100.46 feet; thence North 62°34'10" East 288.26 feet; thence South 26°43'09" East 90.64 feet; thence South 39°35'29" East a distance of 96.00 feet; thence South 55°34'33" East a distance of 74.07 feet; thence South 82°51'26" East a distance of 148.14 feet thence to the point of beginning.

Beginning at a point on the South boundary line of proposed STARSIDE SUBDIVISION PHASE 2, said point being South 89°55'05" West 2131.01 feet along the section line and South 00°03'48" East 1942.64 feet from the Northeast Corner of Section 16, Township 2 South, Range 4 West, Salt Lake Base and Meridian, which point is also the intersection of Brigham Road West right-of-way line with State Highway 138 North right-of-way line; thence along State Highway 138 Northerly right-of-way line South 58°28'00" West a distance of 143.09 feet; thence South 59°30'50" West a distance of 165.40 feet; thence South 62°32'20" West a distance of 167.46 feet; thence South 63°19'18" West a distance of 485.26 feet; thence South 64°00'10" West a distance of 33.29 feet; thence leavings said State Highway right-of-way North line North 30°23'25" West 683.70 feet; thence North 14°36'40" East 395.87 feet to a point on the South line of proposed Starside Subdivision Phase 2; thence along said South line the following five (5) courses: 1) South 75°23'25" East 159.98 feet; 2) North 14°36'35" East 28.25 feet; 3) South 75°23'25" East 144.18 feet to a point of curvature; 4) Southeasterly along the arc of a 1160.00 foot radius curve to the left, through a central angle of 19°35'15" a distance of 396.57 feet; 5) North 85°01'20" East 201.08 feet to a point on Brigham Road right-of-way West line which is a non tangent curve to the left, of which radius point lies North 74°28'18" East, a radial distant of 710.00 feet; thence Southerly along the arc, through a central angle of 14°28'18" and along Brigham Road Westerly right-of-way an arc distance of 179.33 feet; thence South 30°00'00" East 316.84 feet to the point of beginning.