

CO204592

State of Utah  
Department of Commerce  
Division of Corporations and Commercial Code

I hereby certify that the foregoing has been filed and approved on the 20th day of October 1997 in the office of this Division and hereby issue this Certificate thereof.

Examiner: K. Woods Date: 10-20-97



Karla S. Woods  
KORLA T. WOODS  
Division Director

ARTICLES OF INCORPORATION

OF

SUNSET PONDS HOMEOWNERS ASSOCIATION, INC.

RECEIVED

OCT 20 1997

UTAH DIV. OF CORP. AND COMM. CODE

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In compliance with the requirements of the Utah Nonprofit Corporation and Co-operative Association Act, the undersigned, residents of Salt Lake County, State of Utah, being of full age, do hereby certify:

ARTICLE I

NAME

The name of the corporation is the SUNSET PONDS HOMEOWNERS ASSOCIATION, INC. (hereafter referred to as the "Association").

ARTICLE II

PRINCIPAL OFFICE

The principal office of the Association is located at: 970 East, Woodoak Lane, Salt Lake City, Utah 84117.

ARTICLE III

REGISTERED AGENT

The President of the Association, Ellis R. Ivory, whose address is 970 East Woodoak Lane, Salt Lake City, UT 84117, 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 are to provide for maintenance, preservation, replacement, operation, maintenance and regulation of the association of unit owners and the common areas, assets, amenities, roadways, and utilities at the SUNSET PONDS, a planned residential development, which is more particularly defined described in the Declaration of Covenants, Conditions and Restrictions, recorded in the official records of Salt Lake County, Utah. (hereafter referred to as the "Declaration"). The Association is also formed to promote the health, safety and welfare of the residents within the SUNSET

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PONDS Project and in addition to the foregoing, it shall have the power and authority to:

(a) Grant or create, on such terms as it deems advisable, utility and similar easements over, under, across, and through the Common Areas and Facilities.

(b) Execute and record, on behalf of all the unit owners, any amendment to the Declaration or Record of Survey Map which has been approved by the vote or consent necessary to authorize such amendment.

(c) Sue and be sued.

(d) Enter into contracts which in any way concern the Project.

(e) Convey or transfer any interest in real property, so long as any vote or consent required by the Declaration has been obtained.

(f) Purchase, otherwise acquire, and accept title to, any interest in real property, so long as any vote or consent required by the Declaration has been obtained.

(g) Add any interest in real property to the Project, so long as any vote or consent required by the Declaration has been obtained.

(h) License persons not otherwise entitled to use any of the common areas at the Project to use the same from time to time as the Association deems appropriate and upon payment of such fees prescribed by it to help defray the cost of maintenance thereof.

(i) Borrow money so long as any vote or consent required by the Declaration has been obtained.

(j) Promulgate such administrative rules, regulations, and procedures as may be necessary or desirable to aid the Association in carrying out any of its functions or to insure that the Project is operated, maintained and regulated in a manner consistent with the Declaration.

(k) 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 unit owners at the SUNSET PONDS Project shall be members of the Association.

ARTICLE VI  
VOTING RIGHTS

Each member shall have (1) vote for each lot owned.

ARTICLE VII  
BOARD OF TRUSTEES

The affairs of the Association shall be managed by the Board of Trustees which shall consist of three (3) members. The names and addresses of the persons who are to act in the capacity of members of the Board of Trustees until the selection of their successors are:

| NAME                      | ADDRESS   |
|---------------------------|---|
| Ellis R. Ivory            | 970 East Woodoak Lane<br>Salt Lake City, UT 84117 |
| Christopher P. Gamvroulas | 970 East Woodoak Lane<br>Salt Lake City, UT 84117 |
| Treavor Sudweeks          | 9977 South 700 East<br>Sandy, UT 84070            |

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 divided among all of its members.

ARTICLE IX  
DURATION

The Association shall exist perpetually.

ARTICLE X  
AMENDMENTS

The affirmative vote of at least a majority of the members of the Association shall be required and shall be sufficient to amend these Articles. Any amendment so authorized shall be

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accomplished through the recordation or filing of an instrument. In such instrument the Committee shall certify that the vote required by this Section has occurred.

ARTICLE XI

INCORPORATOR

The names and addresses of the incorporators of the Association are:


- 1. Ellis R. Ivory                     970 East Woodoak Lane  
Salt Lake City, UT 84117
- 2. Christopher P. Gamvroulas     970 East Woodoak Lane  
Salt Lake City, UT 84117
- 3. Treavor Sudweeks             9977 South 700 East  
Sandy, UT 84070


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 Utah Condominium Ownership Act and Article I of the Declaration.

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 9<sup>th</sup> day of October, 1997.

  
 \_\_\_\_\_  
 ELLIS R. IVORY  
 Incorporator

  
 \_\_\_\_\_  
 CHRISTOPHER P. GAMVROULAS  
 Incorporator

  
 \_\_\_\_\_  
 TREVOR SUDWEEKS  
 Incorporator

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ACKNOWLEDGEMENT OF REGISTERED AGENT

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

*Ellis R. Ivory*  
\_\_\_\_\_  
ELLIS R. IVORY

VERIFICATION AND ACKNOWLEDGEMENT

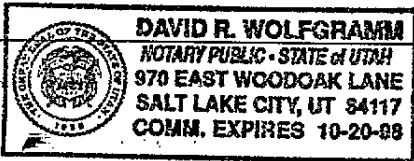
STATE OF UTAH            )  
                                  )SS  
COUNTY OF SALT LAKE )

On the 9<sup>th</sup> day of October, 1997, personally appeared before me Ellis R. Ivory, who being by me first duly sworn, did say that he accepted his appointment as the initial Registered Agent of the SUNSET PONDS OWNERS ASSOCIATION, INC.

IN WITNESS WHEREOF, I have hereunto set my hand this 9<sup>th</sup> day of October, 1997.

*David R. Wolfgramm*  
\_\_\_\_\_  
NOTARY PUBLIC  
Residing at:

My Commissions Expires:



6768687  
10/21/97 2:32 PM 18.00  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
SUDWEKS DEVELOPMENT  
9677 S 700 E STE. D  
SANDY, UT 84070  
REC BY: R JORDAN     , DEPUTY - WI

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