

RECEIVED

SEP 29 2004

Utah Div. Of Corp. & Co



**ARTICLES OF INCORPORATION**  
*OF*  
**SPRINGVIEW FARMS  
HOMEOWNERS ASSOCIATION, INC.**

The undersigned person, acting as incorporator, does hereby make and adopt these Articles of Incorporation (the "Articles") for the purpose of forming a non-profit corporation under the laws of the State of Utah.

**ARTICLE 1 NAME**

The name of the corporation shall be:

SPRINGVIEW FARMS HOMEOWNERS ASSOCIATION, INC.

**ARTICLE II OFFICE**

The principal office of this corporation shall be in the County of Salt Lake, State of Utah. The initial principal office shall be the registered office, at 9071 South 1300 West, Suite 201, West Jordan, Utah 84088.

**ARTICLE III PURPOSES AND POWERS**

3.1. **General.** The general objective and the purpose for which this non-profit corporation is formed shall be to provide charitable services as an association for the member/owners of the subdivision commonly known as Springview Farms Subdivision, located in Bluffdale City, Salt Lake County, Utah. It shall accordingly provide services which may lessen the burdens of government and promote social welfare by holding certain rights, interests and title to

and managing and administering the Common Areas of the said subdivision, and performing its duties under the Declaration of Covenants, Conditions and Restrictions relative to that subdivision. Except as limited by these Articles or the Bylaws, the corporation shall have all powers of a non-profit corporation under the laws of the State of Utah.

3.2. **Limitation on scope; specific authorization.** Notwithstanding any powers granted herein, the corporation shall not be empowered to conduct or carry on any activities which are not in furtherance of the purposes for which it was formed. By way of example, but without limitation intended, in carrying out activities toward the objective and purpose, the corporation shall have authority:

3.2.1. To acquire, purchase, own, hold, operate, develop, improve, lease, mortgage, pledge, exchange, sell, transfer or otherwise invest, deal or trade in any manner permitted by law in real and personal property of every kind and description, or in any interest therein, whether as principal, agent, trustee, partner, limited partner, or in any other legal capacity, individually, or in combination or cooperation with others, in the furtherance of the objects and purposes of this corporation.

3.2.2. To borrow money for any of the objects and purposes of this corporation, and to issue notes or other evidence of indebtedness thereof and to secure the same as permitted by law with all the powers of a natural person.

#### **ARTICLE IV MEMBERS**

The initial member is the developer of the subject real property, Spring View Capital, LLC, a Utah limited liability company. The members of this corporation shall be any natural person, corporation, partnership, trustee or other legal entity, or combination thereof, which jointly or severally owns a separately divided lot of the real estate which is part of the real property which in

turn is subject to the Declaration of Covenants, Conditions and Restrictions (the "Declaration") for Spring View Farms Subdivision, as recorded with the Salt Lake County Recorder; provided, however, that there shall be only one voting member for each subdivided lot, and, accordingly, all co-owners of any such lot shall share the privileges of such membership in respect to that lot.

#### **ARTICLE V AMENDMENT**

The initial member, or any assignee of the said initial member, shall have the authority to amend these Articles of Incorporation and/or the Bylaws of the corporation. Beginning at such time as there are other members, identified in the said Declaration as the Class "A" members, the Articles of Incorporation and/or the By-Laws of this corporation may be amended by (i) an affirmative vote of at least two-thirds of the Class "A" members, at a meeting which shall be held on not less than thirty (30) days written notice, which sets forth with specificity the proposal for the meeting, and (ii) if and for so long as the Class "B" member is entitled to rights pursuant to the Declaration referred to above, the approval of the said initial member pursuant to its provisions.

#### **ARTICLE VI MANAGEMENT; BOARD OF TRUSTEES**

The control and management of the affairs of this corporation shall, subject to the provisions of these Articles of Incorporation and to the By-laws, be vested in a Board of Trustees. The number of persons serving on such board as shall be fixed by the By-laws within the limits permitted by law. This corporation shall commence doing business with a Board of Trustees consisting of three (3) Trustees. The names and addresses of the initial Trustees are:

##### **NAME**

##### **ADDRESSES**

Christopher K. McCandless

9071 South 1300 West, Suite 201  
West Jordan, UT 84088

Wayne L. Niederhauser

9071 South 1300 West, Suite 20 I  
West Jordan, UT 84088

Garry W. Mickelsen

6671 So. Aqua Vista Cove  
Salt Lake City, Utah 84121

#### **ARTICLE VII INCORPORATOR**

The name and address of the incorporator is:

Wayne L. Niederhauser  
9071 South 1300 West, Suite 201  
West Jordan, UT 84088

#### **ARTICLE VIII NO STOCK; TRANSFER OF MEMBERSHIP**

There shall be no capital stock in existence, nor shall there be stock issued during the life of this corporation. A membership in the corporation shall be transferred together with a transfer of ownership of a lot in the subdivision which is subject to the above referenced Declaration, according to the provisions of the said Declaration.

#### **ARTICLE IX LIABILITY PROTECTION**

The incorporator, the initial member, their respective successors, and the officers and members of this corporation, and each of them, shall be forever exempt from any and all liability or debt incurred or to be incurred by this corporation.

#### **ARTICLE X DISSOLUTION**

This corporation may be dissolved in the manner provided by law. Upon dissolution of this corporation, the Board of Trustees shall first pay or make suitable provisions for the payment of all the corporate liabilities. Thereafter the Board of Trustees shall, unless otherwise agreed by the members, dispose of all the assets of the corporation by dividing and distributing them equally among the members.

**ARTICLE XI DURATION**

This corporation shall commence when a copy of the Articles of Incorporation shall have been duly filed with the State of Utah, and shall have a perpetual duration.

**ARTICLE XII REGISTERED AGENT**

The initial registered agent and office of this corporation will be, respectively, Wayne L. Niederhauser, 9071 South 1300 West, Suite 201, West Jordan, Utah 84088.

IN WITNESS WHEREOF, I Wayne L. Niederhauser, the incorporator executed these Articles of Incorporation in duplicate this 29<sup>th</sup> day of September, 2004, for the purposes which are expressed in the said Articles.

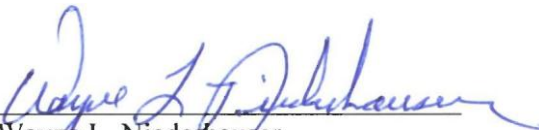
INCORPORATOR:

  
Wayne L. Niederhauser

**ACCEPTANCE BY REGISTERED AGENT**

I, Wayne L. Niederhauser, by my signature hereunder, do hereby acknowledge and accept my appointment to the office of Registered Agent for the corporation organized by these Articles of Incorporation.

29-Sep-2004  
Date

  
Wayne L. Niederhauser



---

---

**Federal Tax ID / EIN**

---

This is your provisional Employer Identification Number:

**20-2225438**

Today's Date is: January 26, 2005 GMT

You will receive a confirmation letter in U.S. mail within fifteen days.

The letter will also contain useful tax information for your business or organization.

If you have input any of the information on your application in error, please wait seven days and contact the EIN Toll Free area at 1-800-829-4933, Monday - Friday, 7:30am - 5 30pm. If you do not want to call, please make corrections on the letter you receive confirming your EIN and return it to the IRS.

If you are going to complete other on-line applications that require your Employer Identification Number(EIN) you can copy it by performing the following steps:

- 1) Use your mouse to highlight your EIN (blue number on top of page) by moving your pointer on top of the number.
- 2) Press the Ctrl key at the same time pressing the C key.

Once you copy your EIN you can paste it in the appropriate place by pressing the Ctrl key at the same time pressing the V key.

You may click on the buttons below for different print options or to fill out another Form SS-4.

[Review and Print Form SS-4](#)

[Fill Out Another Form Ss-4](#)

Click [here](#) to return to the Internet Employer Identification Number landing (start) page.

---

# Application for Employer Identification Number

(For use by employers, corporations, partnerships, trusts, estates, churches, government agencies, Indian tribal entities, certain individuals, and others.)

▶ See separate instructions for each line. ▶ Keep a copy for your records.

EIN **20-2225438**

OMB No. 1545-0003

Type or print clearly.	1 Legal name of entity (or individual) for whom the EIN is being requested <b>Springview Farms Homeowners Association</b>		
	2 Trade name of business (if different from name on line 1)		3 Executor, trustee, "care of" name <b>Wayne Niederhauser</b>
	4a Mailing address (room, apt., suite no. and street, or P.O. box) <b>9071 SE 1300 W, #201</b>		5a Street address (if different) (Do not enter a P.O. box.)
	4b City, state, and ZIP code <b>West Jordan, UT 84088</b>		5b City, state, and ZIP code
	6 County and state where principal business is located <b>Salt Lake, Utah</b>		
	7a Name of principal officer, general partner, grantor, owner, or trustor <b>Springview Capital, LLC</b>		7b SSN, ITIN, or EIN <b>86-1093693</b>
8a Type of entity (check only one box)			
<input type="checkbox"/> Sole proprietor (SSN) _____			
<input type="checkbox"/> Partnership			
<input checked="" type="checkbox"/> Corporation (enter form number to be filed) ▶ <b>1040 H</b>			
<input type="checkbox"/> Personal service corp.			
<input type="checkbox"/> Church or church-controlled organization			
<input type="checkbox"/> Other nonprofit organization (specify) ▶ _____			
<input type="checkbox"/> Other (specify) ▶ _____			
<input type="checkbox"/> Estate (SSN of decedent) _____			
<input type="checkbox"/> Plan administrator (SSN) _____			
<input type="checkbox"/> Trust (SSN of grantor) _____			
<input type="checkbox"/> National Guard <input type="checkbox"/> State/local government			
<input type="checkbox"/> Farmers' cooperative <input type="checkbox"/> Federal government/military			
<input type="checkbox"/> REMIC <input type="checkbox"/> Indian tribal governments/enterprises			
Group Exemption Number (GEN) ▶ _____			
8b If a corporation, name the state or foreign country (if applicable) where incorporated		State <b>Utah</b>	Foreign country _____
9 Reason for applying (check only one box)			
<input checked="" type="checkbox"/> Started new business (specify type) ▶ <b>Home Owners Association</b>			
<input type="checkbox"/> Hired employees (Check the box and see line 12.)			
<input type="checkbox"/> Compliance with IRS withholding regulations			
<input type="checkbox"/> Other (specify) ▶ _____			
<input type="checkbox"/> Banking purpose (specify purpose) ▶ _____			
<input type="checkbox"/> Changed type of organization (specify new type) ▶ _____			
<input type="checkbox"/> Purchased going business			
<input type="checkbox"/> Created a trust (specify type) ▶ _____			
<input type="checkbox"/> Created a pension plan (specify type) ▶ _____			
10 Date business started or acquired (month, day, year) <b>24 Jan 2005</b>		11 Closing month of accounting year <b>December</b>	
12 First date wages or annuities were paid or will be paid (month, day, year). Note: If applicant is a withholding agent, enter date income will first be paid to nonresident alien. (month, day, year) . . . . . ▶ <b>None</b>			
13 Highest number of employees expected in the next 12 months. Note: If the applicant does not expect to have any employees during the period, enter "-0-". . . . . ▶ <b>0</b>			Agricultural <b>0</b>
			Household <b>0</b>
			Other <b>0</b>
14 Check one box that best describes the principal activity of your business.			
<input type="checkbox"/> Construction <input type="checkbox"/> Rental & leasing <input type="checkbox"/> Transportation & warehousing <input type="checkbox"/> Health care & social assistance <input type="checkbox"/> Wholesale-agent/broker			
<input type="checkbox"/> Real estate <input type="checkbox"/> Manufacturing <input type="checkbox"/> Finance & insurance <input type="checkbox"/> Accommodation & food service <input type="checkbox"/> Wholesale-other <input type="checkbox"/> Retail			
<input checked="" type="checkbox"/> Other (specify) <b>Association</b>			
15 Indicate principal use of merchandise sold, specific construction work done, products produced, or services provided. <b>Association Management</b>			
16a Has the applicant ever applied for an employer identification number for this or any other business? . . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Note: If "Yes," please complete lines 16b and 16c.			
16b If you checked "Yes" on line 16a, give applicant's legal name and trade name shown on prior application if different from line 1 or 2 above.			
Legal name ▶ _____		Trade name ▶ _____	
16c Approximate date when, and city and state where, the application was filed. Enter previous employer identification number if known.			
Approximate date when filed (mo., day, year) _____		City and state where filed _____ Previous EIN _____	
Third Party Designee	Complete this section only if you want to authorize the named individual to receive the entity's EIN and answer questions about the completion of this form.		
	Designee's name _____		Designee's telephone number (include area code) _____
	Address and ZIP code _____		Designee's fax number (include area code) _____
Under penalty of perjury, I declare that I have examined this application, and to the best of my knowledge and belief, it is true, correct, and complete.			
Name and title (type or print clearly) ▶ _____			Applicant's telephone number (include area code) _____
Signature ▶ _____ Date ▶ _____			Applicant's fax number (include area code) _____