

ARTICLES OF INCORPORATION

OF

ERIN HILLS HOA, INC.

(A Nonprofit Corporation)

Rich Day, the undersigned natural person over the age of eighteen (18) years, acting as incorporator of a nonprofit corporation pursuant to the Utah Revised Nonprofit Corporation Act, § 16-6a-101, *et seq.*, Utah Code Ann. (the “Act”), hereby adopts the following Articles of Incorporation for such nonprofit corporation (the “Articles”).

ARTICLE I: NAME

The name of the nonprofit corporation is Erin Hills HOA, Inc., hereinafter referred to as the “Association.”

ARTICLE II: DURATION

The Association shall exist perpetually or until dissolved pursuant to law.

ARTICLE III: PURPOSE

The purpose of the Association is to engage in any lawful act for which a nonprofit corporation may be organized under the Utah Revised Nonprofit Corporation Act, including, but not limited to, maintaining, operating, and governing a subdivision located in the county of Salt Lake, State of Utah (the “Project”)

ARTICLE IV: MEMBERSHIP, STOCK AND VOTING RIGHT

The Association will not issue stock. The Association will have voting members. Each Owner of a Lot within the Project shall be a Class A Member of the Association. The Declarant shall be a Class B Member of the Association, for as long as the Declarant owns any Lots in the Project. The rights and duties appertaining to the Association Membership shall be governed by the Declaration and the Bylaws. Neither the issuance nor the holding of shares of stock shall be necessary to evidence an Association Membership. Membership in the Association shall be mandatory, and not optional, and shall be appurtenant to and may not be separated from the ownership of any Lot that is subject to assessment by the Association. No persons or entity other than an Owner of a Lot or the Declarant may be a Member. Membership in the Association shall begin immediately and automatically upon ceasing to be an Owning of such a Lot.

As a Class A Member, each Owner shall be entitled to one (1) vote for each Lot owned. The voting rights appurtenant to each Lot shall vest upon execution and recordation of the Declaration or Amendment to the Declaration, as the case may be. As a Class B Member, Declarant shall be entitled to seven (7) votes for each Lot owned. Class B Association

Memberships shall cease and shall be converted to Class A Association Memberships at such time as Lots are sold by Declarant to purchasers of such Lots.

ARTICLE V: ASSESSMENTS

Members shall be subject to assessments by the Association from time to time in accordance with the provisions of the Declaration and shall be liable to the Association for payment of such Assessments. Members shall not be individually or personally liable for the debts or obligations of the Association.

ARTICLE VI: PRINCIPAL OFFICE

The address of the initial principal office of the Association is 4267 Summermeadow Drive, Bountiful, UT 84010.

ARTICLE VII: REGISTERED AGENT

The initial Registered Agent for the Association, including address, is as follows:

The Rudd Firm, P.C.
10150 S. Centennial Pkwy. Suite 150
Sandy, Utah 84070

Pursuant to the Model Registered Agents Act, the undersigned hereby accepts appointment as registered agent for the Association.

The Rudd Firm, P.C.

Date

ARTICLE VIII: INCORPORATOR

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

Rich Day
4267 Summermeadow Drive
Bountiful, UT 84010

ARTICLE IX: BYLAWS

The Association shall adopt Bylaws which are not inconsistent with law or these Articles for the regulation and management of the affairs of the Association.

ARTICLE X: AMENDMENTS

Except as otherwise provided by law or by the Declaration, these Articles of Incorporation may be amended only in accordance with the Act. These Articles may not be amended so as to provide for any matter that is inconsistent with the provisions of the Declaration and the Bylaws (as the Declaration and the Bylaws may from time to time be amended).

ARTICLE XI: CONFLICT WITH DECLARATION

In the event of any conflict or inconsistency between the provisions of these Articles and the provisions of the Declaration and/or the Bylaws (as the Declaration and the Bylaws may from time to time be amended), the provisions of the Declaration and/or the Bylaws shall control, in that order.

ARTICLE XII: DISSOLUTION

Upon dissolution, the Association shall make distribution of income or assets to its members.

DATED this 13th day of May, 2020

DocuSigned by:
Rich Day
A8D10FBD5AC6409...

Rich Day, Incorporator