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02-15-00 11:56 IN

**FILED**

FEB 15 2000

Utah Div. Of Corp. & Comm. Code

**ARTICLES OF INCORPORATION**

**OF**

**RESIDENCES AT HOLMES CREEK  
a Non-Profit Corporation**

**PHASES 1, 2, 3, 4, & 5  
A PRUD SUBDIVISION**

WE THE UNDERSIGNED residents of the State of Utah, being twenty-one years of age or more do hereby associate ourselves together for the purpose of forming a non-profit corporation under the statutes of the State of Utah pursuant to § 16-6, *Utah Code Annotated*, and hereby adopt the following the following Articles of Incorporation for such non-profit corporation:

**ARTICLE I**

NAME OF CORPORATION. The name of the corporation hereby formed shall be

**RESIDENCES AT HOLMES CREEK  
a Non-Profit Corporation**

with its principal office located at 411 North Main, Farmington, UT 84025

**ARTICLE II**

DURATION. The period of this non-profit corporation shall be perpetual.

**ARTICLE III**

OBJECTS AND PURPOSES. The business and purpose of this non-profit corporation shall be as follows:

- (a) To govern, manage and carry out the purposes of **RESIDENCES AT HOLMES CREEK, a Non-Profit Corporation, PHASES 1, 2, 3, 4, & 5, A PRUD SUBDIVISION.**
- (b) To enforce the Declaration of Covenants, Conditions and Restrictions

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of **RESIDENCES AT HOLMES CREEK, PHASES 1, 2, 3, 4, & 5, A PRUD SUBDIVISION.**

(c) To govern the common area of **RESIDENCES AT HOLMES CREEK, PHASES 1, 2, 3, 4, & 5, A PRUD SUBDIVISION,** Development, which includes collecting assessments, paying expenses and generally overseeing that the common area is maintained as set forth in those certain Declarations of Covenants, Restrictions and Conditions.

(d) To coordinate with all Owners of Lots within the **RESIDENCES AT HOLMES CREEK, PHASES 1, 2, 3, 4, & 5, A PRUD SUBDIVISION,** for the purpose of benefitting the community as a whole.

(e) To comply with all laws, federal, state and local.

(f) To operate without profit. No part of the income of the Association shall inure to or for the benefit of any individual member.

(g) To sue and be sued, complain and defend in its corporate name.

(h) To purchase, take, receive, lease, take by gift, devise or bequest or otherwise acquire, own, hold, improve, use and/or otherwise deal in and with real or personal property or any interest therein within the confines of the Planned Unit Development.

(i) To make contracts and incur liabilities, borrow money at such rates of interest as the corporation may determine, issue its notes, bonds and other obligations.

(j) To make and alter by-laws or resolutions not inconsistent with these *Articles of Incorporation* or with the laws of the State of Utah, for the administration and regulation of the affairs of the corporation.

(k) To voluntarily dissolve and distribute its assets in accordance with the provisions of the act.