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Utah Div. of Corp. & Comm. Code

AMENDED AND RESTATED ARTICLES OF INCORPORATION OF THE SUMMIT PARK HOMEOWNERS ASSOCIATION

These Amended and Restated Articles of Incorporation (the "Amended Articles") are adopted by the Board of Directors of the Summit Park Homeowners Association (the "Association"), pursuant to the Utah Revised Nonprofit Corporation Act, Utah Code Ann. §§ 16-6a-101 et seq. (the "Act").

ARTICLE I NAME

The name of the corporation is SUMMIT PARK HOMEOWNERS ASSOCIATION.

FOR OFFICE USE ONLY: 725 0458-0140

ARTICLE II REGISTERED AGENT AND PRINCIPAL OFFICE

The Registered Agent of the Association is David Serena. The Registered Agent's address is 725 Aspen Drive, Park City, Utah 84098.

I hereby accept appointment as Registered Agent for the Association.

Handwritten signature of David Serena

David Serena

The principal office of the Association is 90 Matterhorn Terrace; P.O. Box 980754, Park City, Utah 84098.

ARTICLE III 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, members of the board of directors (the "Board"), its officers, or other persons, except as authorized by these Amended Articles, its corporate bylaws (the "Bylaws"), and applicable Utah and federal law.

The Association is a voluntary and membership-supported entity that is primarily organized for the purpose of administering and organizing certain services, programs, and activities for the benefit of property owners and residents of the Summit Park subdivision ("Summit Park"). The Association is not a community association under the Community Association Act and does not enforce, or take any position, regarding the enforceability of any restrictive covenants recorded against property within Summit Park.

The primary purposes for which the Association is formed are to:

- (1) Organize Dumpster Days for owners and residents of Summit Park;
(2) Assist with fire mitigation activities in and around Summit Park;
(3) Provide other services and organize other activities for the benefit its members; and
(4) Engage in any lawful act for which a nonprofit may be organized under the Act.

State of Utah Department of Commerce Division of Corporations and Commercial Code I hereby certified that the foregoing has been filed and approved on this 13 day of Oct 20 22 In this office of this Division and hereby issued This Certificate thereof.

ARTICLE IV MEMBERSHIP

All current owners of property located within Summit Park, and who are current on paying an annual membership fee in support of the Association during the calendar year, and who are not otherwise ineligible to be a member of the Association, are considered members of the Association.

Signature of Leigh Vellette, Division Director, dated 10/17/22



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**ARTICLE V  
MEMBERSHIP FEE**

As provided for in the Bylaws, the Association will charge its members a membership fee in an amount, and at such intervals, as the Association deems necessary to support the activities of the Association. Membership in the Association and payment of the associated membership fee shall be voluntary. Unless otherwise determined by the Board, for those that choose *not* to pay an annual membership fee to the Association during any calendar year, membership in the Association will not be provided.

**ARTICLE VI  
VOTING RIGHTS**

To the extent provided for in the Bylaws, members shall have voting rights in the Association.

**ARTICLE VII  
DURATION AND DISSOLUTION**

The duration of the Association is perpetual. The Association may be dissolved in accordance with Utah law. Upon dissolution, the assets of the Association shall be divided among its active members as provided in the Bylaws or the Act, minus any outstanding legal obligations or debts it has incurred or as otherwise recommended by its legal counsel or by a court of law.

**ARTICLE VIII  
AMENDMENTS**

These Amended Articles may be amended with an affirmative vote of at least two-thirds of all Board members and the action recorded in the Board minutes.

**ARTICLE IX  
BYLAWS**

The Association has adopted its Bylaws in accordance with the Act. The Bylaws may be amended from time to time as provided therein.

**ARTICLE X  
INDEMNIFICATION AND LIMITATION OF LIABILITY**

Board members, its officers, and members of committees formed by the Association, shall be entitled to indemnification, reimbursement, and the advance of expenses to the maximum extent allowed by and consistent with the Act. The Association hereby eliminates the liability of its Board members, its officers, and members of any Association's committees, past and present, along with the Association, for monetary damages to the extent permitted by the Act and specifically Section 16-6a-823 of the Act.

*These Amended Articles of Incorporation were approved by an affirmative and unanimous vote of the Association's Board of Directors and the action recorded in the September 20, 2022 Board minutes.*

**THE BOARD OF DIRECTORS, SUMMIT PARK HOMEOWNERS ASSOCIATION**

OCT 13 '22 AM 11:38



Summit Park Homeowners Association

The undersigned has executed the Amended and Restated Articles of Incorporation of the Summit Park Homeowners Association this 22<sup>nd</sup> day of September, 2022.

**Summit Park Homeowners Association**

By: David Serena (David Serena)

Its: Chair of the Board of Directors, Summit Park Homeowners Association

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**Notary Form**

State of: Utah )  
 ):ss  
County of: Summit )

On the 22<sup>nd</sup> day of September, 2022, David Serena personally appeared before me, deposes and says that he is the Chair of the Board of Directors of the Summit Park Homeowners Association; that the foregoing Amended and Restated Articles of Incorporation were approved by a unanimous vote of the Board of Directors of the Summit Park Homeowners Association at a Board of Directors meeting held September 20, 2022; and that the foregoing information is true and accurate to the best of his knowledge.

Witness my hand and official seal,

Notary

Nancy A Bond  
Notary Public

[Signature]  
Notary Signature

