

WHEN RECORDED MAIL TO:  
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**ENTRY NO. 01088723**

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MARY ANN TRUSSELL, SUMMIT COUNTY RECORDER

FEE 18.00 BY LUCY ARCHER



## ARTICLES OF INCORPORATION

### SILVER SPRINGS SINGLE FAMILY HOMEOWNERS ASSOCIATION

KNOW ALL MEN BY THESE PRESENTS:

THAT THESE 2008 Articles of Incorporation are for the primary purpose of demonstrating and satisfying the separation and difference between the Silver Springs Developers Association Entity 726027-0140 and the Silver Springs Single Family Homeowners Association Entity 8926368-0151. S.S.D. Inc. partner and attorney Don Stringham emphasized the distinction between the two HOAs to the Single Family fledgling Homeowners Committee when he told them "here are two completely separate associations, the existing Developers SSHA, and your HOA being organized for use by the Silver Springs Single Family Homeowners subdivision."

Silver Springs East Developers' May 8, 1979 Silver Springs Homeowners Association Articles of Incorporation, Entry 83813, were to be rewritten for the 68 homeowner subdivision to be incorporated as the Silver Springs Single Family HOA. It is presented that these 2008 Articles of Incorporation, now representing 188 property owners, fully confirm the intended separation of the Silver Springs Single Family Homeowners Association from all Developers' Articles, Bylaws, CCRs, etc. including the October 14, 1985 Articles of Amendment to Articles of Incorporation of Silver Springs Homeowners Association, Entry 244977.

All of the Silver Springs Developers', namely, Vern C. Hardman, Dan Hunter, Rinehart L. Peshell, Paul R. Anderson, Don Stringham, W.M. Wirthlin, Robert L. Ford, Robert M. Larsen, Raymond D. Fry, James V. Crestani, Blake Hammond, et.al., filings, agreements, partnerships, promises, contracts, charter documents, liabilities, codicils, amendments, developments, mortgages, constructions, structures, appurtenances, systems, etc. inclusive between, but not limited to, 1973 to 1985, are not transferable, not conveyable, not in any way be construed as the property, responsibility, or liability of the Silver Springs Single Family Homeowners Association, its Members, or its subdivision. The 1979 to 1985 documents named herein and their entire contents are forever detached, purged, nullified, completely supplanted with these autonomous Silver Springs Single Family Homeowners Association 2008 Articles of Incorporation with the purposes and goals solely to benefit the Silver Springs Single Family Homeowners Association Members as outlined in this document.

On the 13<sup>th</sup> day of October 2008, a quorum of the Association Members were in attendance at the regular 2008 Annual Homeowners' Meeting of the Silver Springs Single Family Homeowners Association. These 2008 Articles of Incorporation were noticed, considered, and approved via ballots by a large majority of the Members in good standing to vote.

ARTICLE I  
CORPORATE NAME

The name by which the corporation shall be known is Silver Springs Single Family Homeowners Association, County of Summit, State of Utah.

ARTICLE II  
DURATION OF CORPORATION

The Corporation shall have perpetual existence unless dissolved or terminated according to law, and according to the desires and requirements of the 51% majority vote of the Silver Springs Single Family Homeowners.

ARTICLE III  
CORPORATE PURPOSE

This corporation is established in Summit County, State of Utah as the Silver Springs Single Family subdivision (SLS-) Phases A (64 lots), B (lots numbered 65-103 and 105-171), C (lots 172-173), D (6 lots known as SLS- LLSS), E (10 lots); each lot individually owned by titled Home Owners.

The common purpose and objectives for which this organized corporation are to comply with State of Utah law, to equally benefit and protect the rights of the whole tract and all of the property therein to enjoy liability protection, and federal and state tax benefits available. This corporation includes no real assets, no common property, no common areas, no amenities. Every platted parcel is titled to the Home Owners' individually and as private owners. Association membership shall run with the said titled real property and shall inure/take effect to the benefit of each owner thereof, their successors and assigns. The Association is created as servitude in favor of each and every parcel owner thereof as the dominant tenement or tenements. The property owners are the dominant tenements, and are entitled to the benefit of the servient Association and its elected board of trustees until the time of its dissolution.

This corporation opposes and rejects any involvement or pursuit by any special interest group or person(s) who shall attempt to use the Board and/or Association to empower their cause or agenda; or who proposes to create responsibility or liability to and for this corporation for any previous, pending or future construction, installation, system, or structure.

ARTICLE IV  
COMPLIANCE WITH THE INTERNAL REVENUE CODE

No part of the net earnings of the corporation shall inure to the benefit of or be distributable to its members, trustees, officers or other private persons. The corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under Section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue law) or (b) by a corporation, contributions to which are deductible under Section 170 (c) (2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue law).

## ARTICLE V DISSOLUTION

Upon the dissolution of the corporation and/or the Association, the Board of Trustees, after paying or making provision for the payment of all liabilities of the corporation and/or the Association, shall dispose of all the assets in accordance with the laws of the State of Utah, and the appropriate provisions of the Internal Revenue Code of 1954, as amended. All Silver Springs Single Family common area amenity and real assets' titles and responsibilities were transferred to the Silver Springs Master Association in 1989. There exist no other owned assets.

## ARTICLE VI AMENDMENT TO ARTICLES

The corporation reserves the right to amend, alter, change or repeal any provision contained in these Articles of Incorporation by a vote of 51% of its Members in the manner now or hereafter prescribed by law, and all rights and powers conferred herein subject to this reserved power. The corporation further reserves the right to not become encumbered by any aspect of any physical feature created by past, present, or future Developer actions or agreements.

## ARTICLE VII MEMBERSHIP

The corporation shall not have any class of members or stock. Each property owner of record shall instead be entitled to be a Member of the Association until the Association is dissolved and void. Membership in the Association shall begin immediately and automatically upon becoming an Owner of record and shall terminate immediately and automatically upon ceasing to be an Owner of record or if the Association is dissolved and void. Each membership shall be appurtenant to the Lot to which it relates and shall be transferred automatically by conveyance of that Lot. If title to a Lot is held by more than one person or entity, the membership appurtenant to that Lot shall be shared by all such persons in the same proportionate interests and by the same type of tenancy in which title to the Lot is held.

## ARTICLE VIII MEMBER VOTING RIGHTS

There shall be one vote appurtenant to each respective Lot. All voting rights of the Members shall be exercised by the Owners. If a membership is jointly held, the vote relating to such Lot shall be exercised as such Owners may determine among themselves. Any designation of a proxy to act for joint holders must be signed by all such Owners.

## ARTICLE IX BOARD OF TRUSTEES

The Board of Trustees shall consist of three to five trustees elected at the annual meeting of the Home Owners. The names, addresses, and other contact information of the Home Owners who are to serve as Trustees shall be made known to the Home Owners upon election.

ARTICLE X  
OFFICERS

Officers of the Board of Trustees shall be designated each year by the number of votes received at the annual Home Owner's meeting. The Home Owner receiving the most votes shall be the President of the Board. The Home Owner receiving the second most votes shall be the Secretary of the Board. The Home Owner receiving the third most votes shall be the Treasurer. The elected fourth and fifth member to the Board shall share representation on the committees approved by the vote of the elected trustees.

ARTICLE XI  
INCORPORATORS

The Founding Trustees of this Silver Springs Single Family Home Owners Association were:

Bill King

Lucy Murphy

Ray of Van

FR Hill

Carl M. Beretta

Robert J. Brereton

Fred Winkowski

DATED this 13<sup>th</sup> day of October 2008

SILVER SPRINGS SINGLE FAMILY HOMEOWNERS' ASSOCIATION

By Trustee Secretary

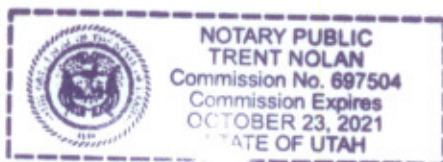
Lucy M. Archer

Lucy M. Archer  
P.O. Box 980111  
Park City, Utah 84098  
There is no physical street address for this corporation.

STATE OF UTAH        )  
                                  ) ss.  
COUNTY OF SUMMIT )

I, the undersigned, a Notary Public hereby certify that Lucy Archer personally appeared before me and being duly sworn by me declared that she is the person charged to sign the foregoing document as an officer of the Silver Springs Single Family Homeowners Association and resident in the County of Summit, Utah.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this  
28 day of March 2018.



*Trent Nolan*  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:  
Oct 23, 2021