

8421824

Entity Number: 4820276-0140

RECEIVED

JUL 13 2018

Utah Div. of Corp. & Comm. Code

**ARTICLES OF AMENDMENT TO THE  
ARTICLES OF INCORPORATION OF  
PARK WEST HOMEOWNERS ASSOCIATION, INC.**

**A Utah Non-Profit Corporation**  
(Pursuant to the provisions of Utah Code § 16-6a-202)

I, the undersigned natural person, being of the age of eighteen years or more, acting pursuant to the Utah Revised Non-Profit Corporation Act, Utah Code § 16-6a-101 *et seq.* ("Nonprofit Act"), hereby adopt these Articles of Amendment to the Articles of Incorporation of Park West Homeowners Association, Inc. which replace the former Articles of Incorporation in their entirety with the following Articles:

**ARTICLE I  
NAME & DURATION**

The name of this corporation shall be changed to: HIDDEN CREEK AT THE CANYONS OWNERS ASSOCIATION ("Association"). The duration of this corporation shall be perpetual.

**ARTICLE II  
PURPOSE**

The Association is organized exclusively for non-profit purposes to: provide for the maintenance, preservation, and architectural control of the condominium real estate project located in Summit County, State of Utah, known on the recorded plats as Park West Condominiums (Georgetown and Cluster Portions); collect and disburse the assessments and charges provided for in the Declaration and Bylaws; administer, enforce, and carry out the terms, covenants, and restrictions of the Declaration and the provisions of the Bylaws; have and to exercise any and all powers, rights, and privileges which a corporation organized under the Nonprofit Act may now or hereafter have or exercise; and generally provide for and promote the health, safety, and welfare of the Association's Members as provided for in the Declaration and Bylaws.

**ARTICLE III  
BOARD OF DIRECTORS, MEMBERS & VOTING**

The affairs of the Association shall be managed and governed by a Board of Directors elected pursuant to the terms and requirements set forth in the Declaration and Bylaws. The term Board of Directors as used herein shall be considered identical to the term Management Committee as used in the Declaration and Bylaws. The Board of Directors shall exercise all powers on behalf of the Association, except for those powers specifically reserved for the vote of the Members. All Unit Owners in the Project shall be Members of the Association. No persons or entities other than an Owner of a Unit may

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 JULY 2018  
in this office of this Division and hereby issued  
This Certificate thereof.

Examiner LRL Date 07/17/20



Jason Sherzer  
Jason Sherzer  
Division Director

be a Member of the Association. The Association will not issue shares evidencing membership. The terms and conditions of membership and voting will be set forth in the recorded Declaration and Bylaws of the Association on file with the Summit County Recorder.

**ARTICLE IV  
CORPORATION POWERS**

The Association shall have such powers and authority as are provided by the Nonprofit Act and other applicable laws and acts. The Association may exercise all other powers necessary and reasonably convenient to effect any and all of the purposes for which the Association is now authorized or hereafter may be authorized by the laws of the United States and the State of Utah.

**ARTICLE V  
DECLARATION AND BYLAWS**

Provisions for managing the business and regulating the affairs of the Association shall be set forth in the Declaration and Bylaws for the Park West Condominiums project, recorded in the Office of the Summit County Recorder. The Declaration and Bylaws may be amended from time to time pursuant to the terms therein.

**ARTICLE VI  
DISSOLUTION**

The Association may be dissolved upon the termination of the Declaration in accordance with its terms, and with the assent given by Members holding not less than the required voting interests of the Association, as set forth in the Declaration for termination. Upon dissolution, the assets of the Association shall be divided among all the Members as provided in the Declaration or as otherwise required by law.

**ARTICLE VII  
REGISTERED OFFICE AND AGENT**

The name of the Association's registered agent and the address of the Association's registered office shall be:

James Michael Simmons  
1794 Olympic Parkway, Ste. 200  
Park City, UT 84098

Such office may be changed at any time by the Board of Directors without amendment to these Articles of Incorporation.

**ARTICLE VIII  
PRINCIPAL ADDRESS**

The Association's principal address is:

1794 Olympic Parkway, Ste. 200  
Park City, UT 84098

**ARTICLE IX  
MISCELLANEOUS**

1. Amendment. Any amendment to these Articles must be authorized and approved by a majority of the Board of Directors of the Association. Any amendment so authorized and approved shall be accomplished in conformity with the Nonprofit Act and other applicable laws.

2. Defined Terms. Capitalized terms used herein, shall have the same meaning and effect as defined and used in the Declaration and Bylaws of the Association.

3. Interpretation. The captions preceding the various portions of these Articles are for convenience and shall in no way affect the manner in which any provision hereof is construed. Whenever the context so requires, the singular shall include the plural, the plural shall include the singular, the whole shall include any part thereof, and any gender shall include both genders. The invalidity or unenforceability of any provision contained in these Articles shall not affect the validity or enforceability of the remainder hereof. These Articles have been prepared to conform with the terms of the Declaration and should be read in light of that fact so as to effect the purposes of both instruments. In the event of a conflict between the provisions of these Articles and the provisions of the Declaration, the provisions of the Declaration shall prevail.

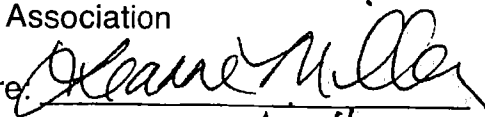
**ARTICLE X  
CERTIFICATION & ADOPTION**

In Witness Whereof, the undersigned member of the Board of Directors has executed and adopted these Articles of Amendment on behalf of the Association this 12th day of June, 2020 and says:

These Articles of Amendment were adopted by a majority vote of the Board of Directors without member action, and member action was not required pursuant to the Nonprofit Act or prior Articles of Incorporation.

Under penalties of perjury, I declare that these Articles of Amendment have been examined by me and are, to the best of my knowledge and belief, true, correct and complete. I am authorized by the Association herein to execute these Articles of Amendment, which have been duly approved by the Association.

Hidden Creek at the Canyons  
Owners Association

Signature: 

Name: Leanne Miller

Title: President