

RECORD NOTICE REINCORPORATION AND INITIAL OPERATION

THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC.

PURPOSE

1. The purpose of this Record Notice is to memorialize a summary of: (a) the formation, organization, reorganization, expiration, and the subsequent steps taken to reincorporate and begin initial operation of the homeowners association (the "HOA") that has been reorganized as The Communities at Deer Crest Owners Association, Inc., a Utah nonprofit corporation known as entity no. 13732606-0140, (the "Nonprofit"); (b) various reasons for such steps; and (c) legal support for such steps. A legal description of the real property of and within the Nonprofit HOA is described in **EXHIBIT A**.

FORMATION

2. **PUD Platted and HOA Formed.** The Communities at Deer Crest is a Planned Unit Development ("PUD") that was platted in Logan, Utah, by a plat entitled "THE COMMUNITIES AT DEER CREST" (the "2005 Plat") that was recorded in the Cache County recorder's office on November 1, 2005, as entry no. 903427 (**EXHIBIT B**). Recordation of the 2005 Plat initially formed the HOA.
3. **Common Area Dedicated to LLC.** The 2005 Plat dedicated Tracts A & B, all platted courts and lanes (the "Private Streets"), and various easements to DEER CREST COMMUNITIES OF LOGAN HOMEOWNERS' ASSOCIATION, LLC.¹ As a result, tracts A & B, the Private Streets, and the various easements constituted common area of the HOA (the "Common Area").
4. **Common Area Conveyed to LLC.** The Common Area described in and dedicated by the 2005 Plat was conveyed to the LLC by warranty deed executed by the grantor on November 1, 2005, which warranty deed was recorded in the Cache County recorder's office on November 4, 2005, as entry no. 903771 (the "LLC Common Area Deed") (**EXHIBIT C**).
5. **HOA Organized as LLC.** Utah records show that the HOA was formally organized as DEER CREST COMMUNITIES OF LOGAN HOMEOWNERS' ASSOCIATION, LLC, a Utah limited liability company, (the "LLC") registered on November 2, 2005, as entity no. 6043025-0160 (**EXHIBIT D**).

¹ See the Owner's Dedication section of the 2005 Plat.

6. **HOA's Declaration Recorded.** The HOA's DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR THE COMMUNITIES AT DEER CREST (the "Declaration") was recorded in the Cache County recorder's office on November 4, 2005, as entry no. 903772.
7. **Inconsistent HOA Organization.** Inconsistent with the 2005 Plat, the Declaration required the HOA to be organized as: "The Communities at Deer Crest Owners Association, Inc., a Utah non-profit corporation, [which] has or will be incorporated under the laws of the State of Utah."² Thus, there was a conflict between the 2005 Plat and the Declaration as to how the HOA was to be organized. For reasons beyond the scope of this instrument, Utah HOAs are typically organized as nonprofit corporations such as that required by the Declaration.
8. **HOA Reorganization as Nonprofit.** Consistent with the requirements of the Declaration, the HOA was eventually reorganized, apparently by the Declarant, as THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC., which Utah nonprofit corporation (the "Old Nonprofit") was registered on February 6, 2007, as entity no. 6481777-0140 (EXHIBIT E).
9. **HOA Subject to Utah Acts.** By virtue of being organized as a Utah nonprofit corporation, the HOA is subject to the Utah Revised Nonprofit Corporation Act, UCA 16-6a-101 *et seq.* (the "Nonprofit Act"). Further, pursuant at least to Utah Code 57-8a-102(2), the HOA is also subject to the Utah Community Association Act, UCA 57-8a-101 *et seq.* (the "Association Act").
10. **LLC Expired.** Subsequent to the reorganization of the HOA as the Old Nonprofit, the original LLC was allowed to expire as of February 26, 2007, apparently by the Declarant.
11. **Plat Amended.** The 2005 Plat was later amended, apparently by the Declarant, the amended plat being entitled "THE COMMUNITIES AT DEER CREST (2007 AMENDMENT)" (the "2007 Plat") and recorded in the Cache County recorder's office on October 2, 2007, as entry no. 955932 (EXHIBIT F).
12. **Common Area Dedicated to Nonprofit.** The Owner's Dedication section of the 2007 Plat was amended to dedicate the Common Area to the Old Nonprofit as opposed to the expired LLC, thereby bringing the 2007 Plat into conformity with the Declaration's requirement that the HOA be organized as a Utah nonprofit corporation.
13. **THEREFORE**, as of October 2, 2007, the HOA had been formally reorganized as THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC., a Utah nonprofit corporation, with its Common Area dedicated to it via the 2007 Plat. But the Common Area had been, and remained, deeded to the expired LLC as opposed to the Old Nonprofit HOA.

² Decl., Recitals D; see also Decl., Arts. 1.6 & 5.1.

EXPIRATION

14. **Nonprofit Expired.** Utah records show that the Old Nonprofit was allowed to expire on June 7, 2010, apparently by the Declarant, sufficiently long ago that as of December 2023, it could no longer be reinstated under Utah law. Thus, as of December 2023, the Old Nonprofit effectively no longer existed.

DECLARANT

15. **Identification of Declarant.** The Declarant of the HOA is defined in the Declaration as: "SOLARE LAND HOLDINGS, LLC, a Utah limited liability company, or its successors, and any Person to whom it may expressly assign any or all of their rights under this Declaration."³

16. **Declarant Self-Terminated After 10 Years.** Pursuant to the Declarant's own Articles of Organization (**EXHIBIT G**), Article 6, "The limited liability company shall have an existence of 10 years," which provision was not amended or deleted in any amendment on record with the State of Utah. As such, the Declarant self-terminated on October 11, 2015.

17. **Declarant's Class B Membership Ended.** A search of county records showed that the Declarant did not own any lots in the PUD as of August 17, 2022 (**EXHIBIT H**). As such, the Declarant's Class B member ended no later than August 17, 2022, by operation of the Declaration, Art. 5.7.1.2.

18. **Declarant Expired.** As of December 2023, Utah records showed that the Declarant, SOLARE LAND HOLDINGS, LLC, entity no. 6025357-0160, expired as of January 26, 2022.

19. **THEREFORE**, in view of the above, it appears that: (1) the Declarant self-terminated on October 11, 2015, pursuant to its own Articles of Operation; (2) the Declarant's Class B Membership ended no later than August 17, 2022, because it no longer owned any lots in the PUD; and (3) the Declarant expired as a legal entity on January 26, 2022. Given the foregoing, the Declarant's rights under the Declaration, including its rights as a Class B member of the HOA, ended upon self-termination on October 11, 2015, without any known successors or assigns.

REINCORPORATION

20. **Past Efforts to Make HOA Operational.** Over several years before December 2023, a group of owners in the PUD (the "Owners Group") had several times unsuccessfully attempted to make the HOA operational (e.g., for snow removal from the Private Streets, etc.) and, alternatively, to have the city of Logan, Utah, take over responsibility for the Private Streets. These unsuccessful attempts included sending letters to the lot owners in the PUD in an effort to organize a meeting of the owners for the purpose of making the HOA operational.

21. **Advice of HOA Attorney Sought.** In December 2023, one of the Owners Group contacted an attorney in an effort to find a way to make the HOA operational.

³ Decl., Art. 1.14.

22. **Bylaws Never Recorded.** Upon search of county records, it was determined that bylaws, which are required by law for a Utah HOA,⁴ had never been recorded. Further, no HOA bylaws were known to have been adopted, no HOA meetings were known to have been held, no meeting minutes or other HOA records were known to have been kept, no HOA budget was known to have been established, no HOA dues were known to have been collected, no HOA insurance was known to have been obtained, and no steps were known to have been taken to make the HOA operational other than those enumerated herein that were taken by the Owners Group.

23. **Reincorporation Required.** Because the HOA was not operational as of December 2023, and because the Old Nonprofit had expired as of June 7, 2010, such that it could no longer be renewed, the first step in bringing the HOA into operation was to reincorporate the HOA pursuant to Utah Code 57-8a-211.

24. **Incorporator and Acting Directors.** In order to facilitate such reincorporation, one of the Owners Group volunteered to act as the incorporator (the "Incorporator") of the new nonprofit (the "Nonprofit"), and three of the Owners Group volunteered to act as the acting directors (the "Acting Directors") of the Nonprofit pursuant to Utah Code 57-8a-221.⁵

25. **Articles of Incorporation Filed.** As required by state law, Articles of Incorporation were filed by the Incorporator, naming the Acting Directors, which were approved by the State of Utah on December 14, 2023, thus reincorporating the HOA as Utah nonprofit corporation entity no. 13732606-0140 (**EXHIBIT I**).

26. **Amendment to Correct HOA Name.** The intent of the Incorporator was that the name of the Nonprofit be identical to the name of the expired Old Nonprofit, but the "THE" at the beginning of the name of the Nonprofit was inadvertently omitted. Therefore, an amendment correcting the name was filed on December 20, 2023, (**EXHIBIT J**) thus establishing the name of the Nonprofit and the HOA as THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC, which is the same as that of the Old Nonprofit and as that required by the Declaration.

27. **THEREFORE**, the HOA was reincorporated on December 14, 2023, with a board comprising the three Acting Directors, and was thus ready to begin initial operation.

⁴ UCA 57-8a-216(1).

⁵ The term "acting directors," while used in the Association Act, does not appear to be defined in the Association Act or the Nonprofit Act. But, given that the reincorporation of a Utah nonprofit HOA involves the formation of a new Utah nonprofit corporation, the term "acting directors" is consistent with the term "initial directors" as that term is used in the Nonprofit Act. In this case, the acting/initial directors of the Nonprofit are the three volunteers from the Owners Group. Further, the Declaration does not require the HOA's membership to select directors. Instead, Articles 5.2 of the Declaration states that: "The affairs of the Association shall be conducted by the Board and such officers as the Board may elect or appoint in accordance with the Articles and the Bylaws. Unless the Governing Documents specifically require the vote or written consent of the Members, approvals or actions to be given or taken by the Association shall be valid if given or taken by the Board." But no separate bylaws are known to exist, and the original Articles of Incorporation are silent as to the selection of directors. Thus, the Incorporator and Acting Directors, acting in a good faith effort to comply with applicable law under the circumstances summarized herein, and acting in good faith for the benefit of the PUD and its lot owners after years of effort unsuccessfully attempting to involve the lot owners to make the HOA operational, have taken the steps described herein to reincorporate and begin operation of the HOA.

INITIAL OPERATION

28. **First Board Meeting.** The Acting Directors held their first board meeting on January 2, 2024, and took the actions listed in the approved minutes of that board meeting (**EXHIBIT K**) to begin the process of making the HOA operational.
29. **HOA Insurance Obtained.** The foregoing board-approved actions included obtaining HOA insurance as required by law and the HOA's governing documents. Such insurance was obtained with a policy period of 1/4/2024 – 1/4/2025.
30. **Deed for Common Area Recorded.** The foregoing board-approved actions included accepting the conveyance of the common area property from the HOA's old, expired LLC. Such a deed was recorded in the Cache County recorder's office on January 24, 2024, as entry no. 1352364 (**EXHIBIT L**).
31. **Second Board Meeting, Budget, and Management.** At their second board meeting held January 16, 2024, and as listed in the approved minutes (**EXHIBIT M**), the Acting Directors approved a 2024 budget for the HOA and the engagement of North HOA Team, LLC, dba North HOA Management, a Utah limited liability company, to manage the operation of the HOA.
32. **Third Board Meeting, Reinvestment Fee Covenant.** At their second board meeting held January 23, 2024, and as listed in the approved minutes (**EXHIBIT N**), the Acting Directors approved including a reinvestment fee covenant in the Bylaws.
33. **Bylaws Adopted.** In accordance with the first board meeting's board-approved actions, which included drafting bylaws, a draft bylaws was reviewed and later adopted by the Acting Directors at their second board meeting, with a further decision reached at the third board meeting to include a reinvestment fee covenant in the bylaws, with the adopted bylaws being recorded in the Cache County recorder's office on January 24, 2024, as entry no. 1352365 (the "Bylaws").⁶
34. **THEREFORE**, in view of the above, (1) the HOA has been reincorporated; (2) HOA insurance has been obtained; (3) the Common Area has been deeded to the Nonprofit HOA; (4) a 2024 budget for the HOA has been adopted; (5) the services of an HOA management company are being retained; (6) the Bylaws have been adopted and recorded; and (7) all other actions taken by the Acting Directors at their first three meetings have either been completed or are in the process of being completed.

⁶ As authorized by UCA 57-8a-216(1) and 16-6a-206(1), the Acting Directors adopted the Bylaws as the initial bylaws of the Nonprofit HOA.

IN WITNESS WHEREOF, The Acting Directors of the HOA hereby certify that, to the best of their knowledge and understanding, the foregoing is true and correct, the documents included as exhibits hereto are true and correct copies, the board is duly comprised of three directors, the Acting Directors, and the recordation of this instrument was duly approved thereby.

THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC. (at least two signatures required):

By: [Signature]
Robert Alexander Bell, Director

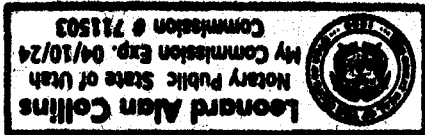
By: [Signature]
Ralph Caddell, Director

By: [Signature]
Jamison Hill, Director

State of Utah)
) SS.
County of Cache)

On the _____ day of _____, in the year _____, each of the above-name individuals, proven by satisfactory evidence, personally appeared before me and each, while under oath or affirmation, did state that he is a director of the HOA, that this instrument and its exhibits are true and correct to the best of his knowledge, did voluntarily sign this document on behalf of the HOA, and did acknowledge that the HOA thereby executed the same.

(Seal)



[Signature]
NOTARY PUBLIC SIGNATURE

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EXHIBIT A
Legal Description

Lots 1-94 together with Tracts A and B and all lanes, courts, and other common area as shown on the plat entitled "THE COMMUNITIES AT DEER CREST" that was recorded in the Cache County recorder's office on November 1, 2005, as entry no. 903427, which plat was amended as "THE COMMUNITIES AT DEER CREST (2007 AMENDMENT)" and recorded in the Cache County recorder's office on October 2, 2007, as entry no. 955932, such Lots also known as parcel nos. 05-109-0001 - 0094, and such common area also known as parcel no. 05-109-0095.

Except that, since the above plats were recorded, county records currently show that: (1) Lots 4, 6, and 7 have been merged into Lot 7; (2) Lots 44 and 45 have been merged into Lot 44; and (3) Lots 89 and 90 have been merged into Lot 90. The remaining 90 Lots are known as parcel nos. 05-109-0001 - 0003, 0005, 0007 - 0044, 0046 - 0088, 0090 - 0094.

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EXHIBIT B

A true and correct copy of the plat entitled "THE COMMUNITIES AT DEER CREST" that was recorded in the Cache County recorder's office on November 1, 2005, as entry no. 903427 (5 pages) follows this page.

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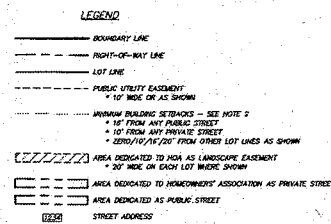
2006-2011

THE COMMUNITIES AT DEER CREST

A PLANNED UNIT DEVELOPMENT
PART OF SECS 24 & 25, T12N, R1E, SLM
LOGAN CITY, CACHE COUNTY, UTAH
OCTOBER 27, 2005

| CURVE TABLE | | | | CURVE TABLE | | | |
|-------------|--------|--------|---------|-------------|-------------|----------|-------------|
| CURVE | LENGTH | RADIUS | PERCENT | CHORD | CO. BEARING | CHORD | CO. BEARING |
| C01 | 69.42 | 107.00 | 42.00 | 83.00 | N262°29'00" | 77.94507 | 179°45'00" |
| C02 | 70.00 | 200.00 | 35.70 | 70.00 | N073°12'14" | 13.92171 | 135°21'14" |
| C03 | 20.20 | 138.00 | 20.81 | 20.20 | N023°07'14" | 04.14287 | 104°12'14" |
| C04 | 43.80 | 107.00 | 31.11 | 43.80 | N050°23'14" | 15.54588 | 115°23'14" |
| C05 | 23.82 | 202.00 | 11.81 | 23.82 | N005°11'27" | 4.58248 | 105°11'27" |
| C06 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C07 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C08 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C09 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C10 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C11 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C12 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C13 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C14 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C15 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C16 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C17 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C18 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C19 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C20 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C21 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C22 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C23 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C24 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C25 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C26 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C27 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C28 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C29 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |
| C30 | 26.81 | 202.00 | 12.61 | 26.81 | N005°11'27" | 5.04290 | 105°11'27" |

| LINE TABLE | | |
|------------|--------|-------------|
| LINE | LENGTH | BEARING |
| L1 | 24.47 | N000°00'00" |
| L2 | 33.00 | S000°00'00" |
| L3 | 30.00 | S000°00'00" |
| L4 | 15.00 | S000°00'00" |
| L5 | 15.00 | S000°00'00" |
| L6 | 15.00 | S000°00'00" |
| L7 | 15.00 | S000°00'00" |
| L8 | 15.00 | S000°00'00" |
| L9 | 15.00 | S000°00'00" |
| L10 | 15.00 | S000°00'00" |
| L11 | 15.00 | S000°00'00" |
| L12 | 15.00 | S000°00'00" |
| L13 | 15.00 | S000°00'00" |
| L14 | 15.00 | S000°00'00" |
| L15 | 15.00 | S000°00'00" |
| L16 | 15.00 | S000°00'00" |
| L17 | 15.00 | S000°00'00" |
| L18 | 15.00 | S000°00'00" |
| L19 | 15.00 | S000°00'00" |
| L20 | 15.00 | S000°00'00" |
| L21 | 15.00 | S000°00'00" |
| L22 | 15.00 | S000°00'00" |
| L23 | 15.00 | S000°00'00" |
| L24 | 15.00 | S000°00'00" |
| L25 | 15.00 | S000°00'00" |
| L26 | 15.00 | S000°00'00" |
| L27 | 15.00 | S000°00'00" |
| L28 | 15.00 | S000°00'00" |
| L29 | 15.00 | S000°00'00" |
| L30 | 15.00 | S000°00'00" |



SURVEY NARRATIVE
THIS PLAT WAS ORDERED BY ARCHITECT EDWARD CRANFORD FOR THE PURPOSE OF CREATING RESIDENTIAL BUILDING LOTS, SURVEY MONUMENTS, FENCES, AND THE LOGAN HOME PARK & SOUTHWEST CANAL WERE USED TO DETERMINE ALL BOUNDARIES. NO HAZARDOUS DISCREPANCIES WERE FOUND. THE BASIS OF BEARINGS USED WAS GEODETIC, BASED ON A SINGLE POINT NORTH PROJECTION (NAD83) FROM THE LATEST MONUMENT AS FILED WITH THE NGS IN 1998. NUMBER 5 REBAR WITH PLASTIC CAPS STAMPED "STEVEN C EARL PLS SURVEY" WERE SET AT ALL PROPERTY CORNERS. LEAD EXPANSION NAILS WITH STAINLESS STEEL WASHERS ARE TO BE SET AT THE INTERSECTION OF THE PROLONGED SIDE LOT LINES WITH THE CURB AFTER CONSTRUCTION.

NOTES & RESTRICTIONS
(1) PUBLIC UTILITY EASEMENTS: NO STRUCTURES MAY BE BUILT WITHIN ANY PUBLIC UTILITY EASEMENT, EXCEPT AS APPROVED BY THE CITY ENGINEER. ALL STREETS ARE ALSO PUBLIC UTILITY EASEMENTS. TRACTS A AND B ARE SUBJECT TO BLANKET PUBLIC UTILITY EASEMENTS.
LOTS A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z ARE SUBJECT TO A 20-FOOT WIDE EASEMENT FOR THE INSTALLATION, ACCESS, AND MAINTENANCE OF A CULINARY WATER PIPELINE.
LOTS B IS SUBJECT TO A 20-FOOT WIDE EASEMENT FOR THE INSTALLATION, ACCESS, AND MAINTENANCE OF A STORM SEWER PIPELINE.
(2) MINIMUM BUILDING SETBACKS ARE AS SHOWN HEREON. WITH THE ADDITIONAL RESTRICTION THAT THERE IS A MINIMUM 50-FOOT WIDE SETBACK BETWEEN THE FRONT PLANE OF ANY GARAGES BUILT AND THE PROPERTY LINE ADJACENT TO THE PRIVATE AND PUBLIC STREETS.
(3) LANDSCAPE EASEMENTS ARE AS SHOWN HEREON. NO BUILDINGS OR FENCES MAY BE CONSTRUCTED WITHIN THESE EASEMENTS. THESE AREAS ARE TO BE USED FOR LANDSCAPING AND RECREATION ACCESS THROUGHOUT THE SUBDIVISION. LANDSCAPE EASEMENTS ARE ALSO PUBLIC UTILITY EASEMENTS. AREAS WITHIN THESE EASEMENTS ARE TO BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION.
(4) SUBJECTS ARE AS SHOWN HEREON. ALL LANCES (L) AND COURTS (C) ARE PRIVATE STREETS DEDICATED TO THE HOMEOWNERS' ASSOCIATION, AS FURTHER CLASSIFICATION, ASPEN DRIVE, 1500 NORTH STREET, AND DEER CREST CIRCLE ARE PUBLIC STREETS.

SURVEY CERTIFICATE

I, STEVEN C. EARL, A REGISTERED LAND SURVEYOR, HOLD CERTIFICATE NO. 31875-2001, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT, WHICH IS ACCORDINGLY DESCRIBED THEREIN, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS THE COMMUNITIES AT DEER CREST, AND THAT THE SURVEY HAS BEEN SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.
SIGNED ON THIS 27th DAY OF OCTOBER, 2005.
Steven C. Earl
STEVEN C. EARL

BOUNDARY DESCRIPTION

A PART OF SECTIONS 24 & 25, TOWNSHIP 12 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, LOCATED IN THE CITY OF LOGAN, COUNTY OF CACHE, STATE OF UTAH, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 24; THENCE S70°28'12"W 60.03 FEET TO THE POINT OF BEGINNING; THENCE S32°17'16"W 308.14 FEET; THENCE S83°17'16"W 103.01 FEET TO A FENCE; THENCE S88°49'27"W 807.31 FEET ALONG SAID FENCE TO THE EAST BANK OF THE LOGAN HOME PARK AND SOUTHWEST CANAL; THENCE ALONG THE EAST BANK OF SAID CANAL FOR THE FOLLOWING DISTANCE:
(1) N44°47'08"W 45.40 FEET; (2) N17°06'15"W 75.87 FEET; (3) N6°46'08"W 277.19 FEET; (4) N63°30'29"E 214.28 FEET; (5) N43°27'42"E 68.83 FEET; (6) N11°52'59"E 246.84 FEET; (7) N35°27'21"W 137.77 FEET; (8) N73°12'23"E 114.46 FEET; (9) N12°41'07"E 82.56 FEET; (10) N83°31'14"W 36.75 FEET; (11) N17°27'16"W 43.50 FEET; (12) N63°45'08"E 82.01 FEET; (13) N15°50'42"E 218.39 FEET; (14) N5°41'19"W 170.85 FEET; (15) N23°32'36"W 48.47 FEET TO THE EAST LINE OF FENCE; THENCE N03°10'11"E 862.65 FEET ALONG THE EAST LINE OF SAID SUBDIVISION TO THE SOUTH LINE OF GREEN CANYON COVE PHASE 2; THENCE N03°10'11"E 518.18 FEET ALONG THE SOUTH LINE AND ITS PROLONGATION OF GREEN CANYON COVE PHASES 2 AND 3 TO A POINT N43°37'34"E 10.00 FEET FROM THE SOUTHEAST CORNER OF SAID GREEN CANYON COVE PHASE 5; THENCE N89°44'28"E 725.72 FEET TO THE SOUTHEAST CORNER OF GREEN CANYON COVE PHASE 5; THENCE N89°44'30"E 405.15 FEET ALONG THE SOUTH LINE AND ITS PROLONGATION OF GREEN CANYON COVE PHASE 5; THENCE S14°30'19"W 748.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 78.39 ACRES, MORE OR LESS.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED OWNER OF THE ABOVE-DERIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS THE COMMUNITIES AT DEER CREST, DO HEREBY DEDICATE FOR PERPETUAL USE TO THE PUBLIC ALL PORTIONS OF SAID TRACT OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND DO WARRANT, DEFEND, AND SAVE THE MINDFUL PARTY HARMLESS AGAINST ANY CLAIMS OF OTHER ENCUMBRANCES ON THE DEEDED STREET TO WHICH I WILL INTERFERE WITH THE MUNICIPALITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN, WITH THE SAME MAJORITY AS CHIEF OF MY OWN DEDICATED PROPERTY. FURTHERMORE, I DEDICATE TRACTS A AND B AND THE PRIVATE STREETS TO THE BEST INTERESTS OF THE CITY OF LOGAN HOMEOWNERS' ASSOCIATION, LLC. I ALSO DEDICATE LANDSCAPE EASEMENTS TO SAID HOMEOWNERS' ASSOCIATION AS SHOWN ON THIS PLAT.
IN WITNESS WHEREOF I HAVE HERETO SET MY HANDS THIS 27th DAY OF OCTOBER, 2005.
BY: CITY OF LOGAN CORPORATION
Douglas E. Thompson, Mayor

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF CACHE
ON THIS 27th DAY OF Oct 2005, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR THE COUNTY OF CACHE IN THE SAID STATE OF UTAH, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT CITY OF LOGAN A UTAH CORPORATION, THAT DOUGLAS E. THOMPSON SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF THE CORPORATION FOR THE PURPOSES THEREIN MENTIONED AND THAT THE CORPORATION EXECUTED THE SAME.
Douglas E. Thompson
LOUIS FREDERICK, NOTARY PUBLIC
MY COMMISSION EXPIRES 4/10/2014

IRRIGATION COMPANY APPROVAL

EASEMENT FOR CANAL RELOCATION APPROVED THIS 27th DAY OF October, A.D. 2005.
Douglas E. Thompson
DEAN GLEES, PRESIDENT
LOGAN HOME PARK & SOUTHWEST CANAL CO.

MAYOR'S APPROVAL AND ACCEPTANCE

PRESENTED TO THE LOGAN CITY MAYOR THIS 27th DAY OF OCTOBER, A.D. 2005, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
Douglas E. Thompson
DOUGLAS E. THOMPSON, MAYOR

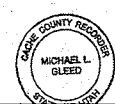
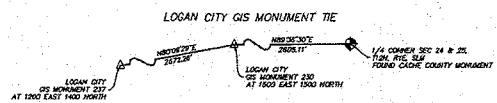


FINAL PLAT
LEGAL DESCRIPTION, DEDICATION,
CERTIFICATES, LEGEND, ETC.

THE COMMUNITIES AT DEER CREST



1 of 5



COUNTY RECORDER'S NO. 903427
STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE RECORDER'S OFFICE ON THIS 27th DAY OF OCTOBER, A.D. 2005, AT 3:05 P.M.
MICHAEL L. GLEED, COUNTY RECORDER

APPROVED AS TO FORM THIS 27th DAY OF October, A.D. 2005.
William Young
WILLIAM YOUNG, CITY ENGINEER

ENGINEER'S CERTIFICATE
I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE AND THE CITY ORDINANCE, THIS 27th DAY OF OCTOBER, A.D. 2005.

PLANNING COMMISSION APPROVAL
THIS PLANNED UNIT DEVELOPMENT, ENTERED INTO CITY RECORDS AS A PLANNING COMMISSION AND CITY COUNCIL AGENDA ITEM HEARD BEFORE THE COMMISSION IN A PUBLIC HEARING ON THE 26th DAY OF MAY, 2005, AND IS APPROVED AS SUBSTANTIAL CONFORMANCE WITH THE REQUIREMENTS AND DESIGN SHOWN UPON THIS PLAT MAP.
Jeff Peterson
JEFF PETERSON, ACP, DIRECTOR OF COMMUNITY DEVELOPMENT

Ent 1352486 Bk 2420 Pg 299

2009-2011-2-



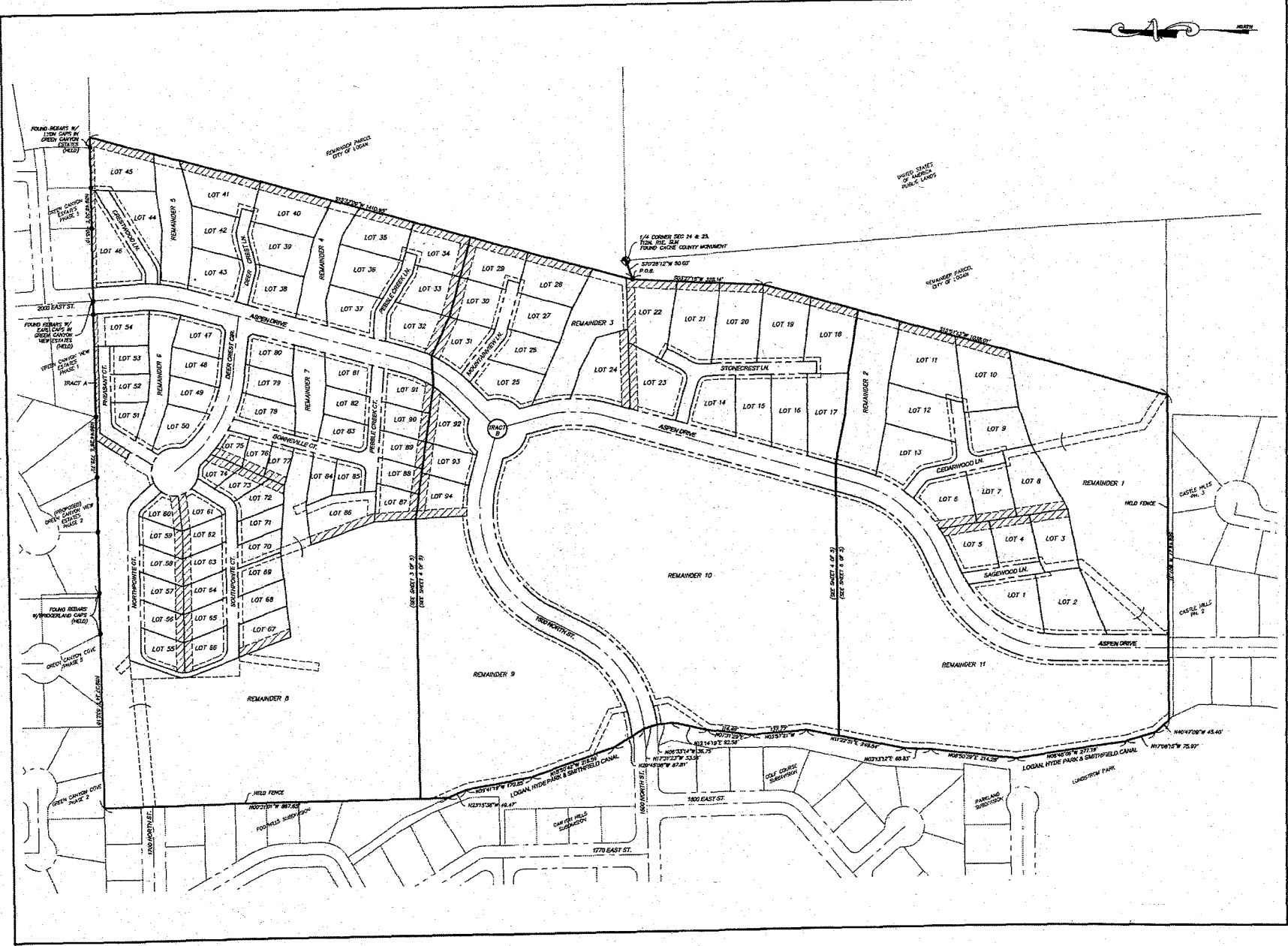
FINAL PLAT
SURVEY BOUNDARY/
OVERALL LAYOUT

THE COMMUNITIES AT DEER CREST



C
 Caden + Landmark
 Surveyors
 666 North Main St.
 Suite 303
 Logan, UT 84301
 435.713.0099

DATE: 27 OCTOBER 2008
 SCALE: 1" = 100'
 CALCULATED BY: B. EARL
 DRAWING BY: B. EARL
 CHECKED BY: D. MACFARLANE
 PROJECT NUMBER: 080-0501
 SHEET:



EN 1352486 BK 2420 PG 300

2005-2011-3



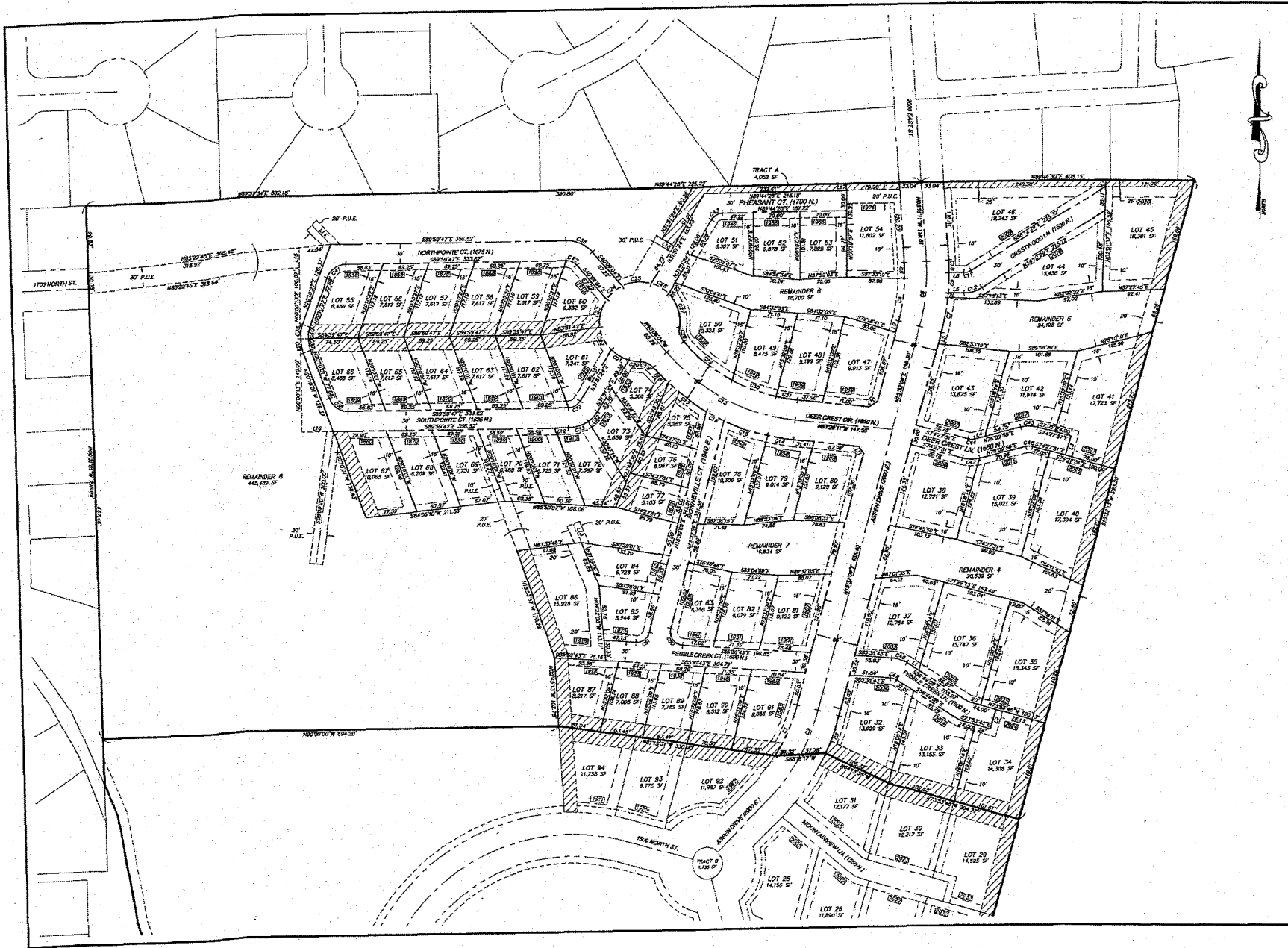
FINAL PLAT LOTS 32 - 91

THE COMMUNITIES AT DEER CREST



C. C. & L. Landmark
Engineers
Surveyors
Planners
466 North Main St.
Ste 111 E. 3rd
Laguna, UT 84321
435.713.6999

DATE: 27 OCTOBER 2005
SCALE: 1" = 80'
CALCULATIONS BY: S. EARL
DRAWING BY: S. EARL
CHECKED BY: D. MACFARLANE
PROJECT NUMBER: 000-0001
SHEET: 3 of 5



2005-2011-4



FINAL PLAT LOTS 14 - 31, 92 - 94

THE COMMUNITIES AT DEER CREST

PROJECT TITLE



Carcho + Landmark
Engineers
Surveyors
Planners

666 North Main St.
Suite 3103
Largo, FL 34632
813-733-0099

DATE: 27 OCTOBER 2005

SCALE: 1" = 60'

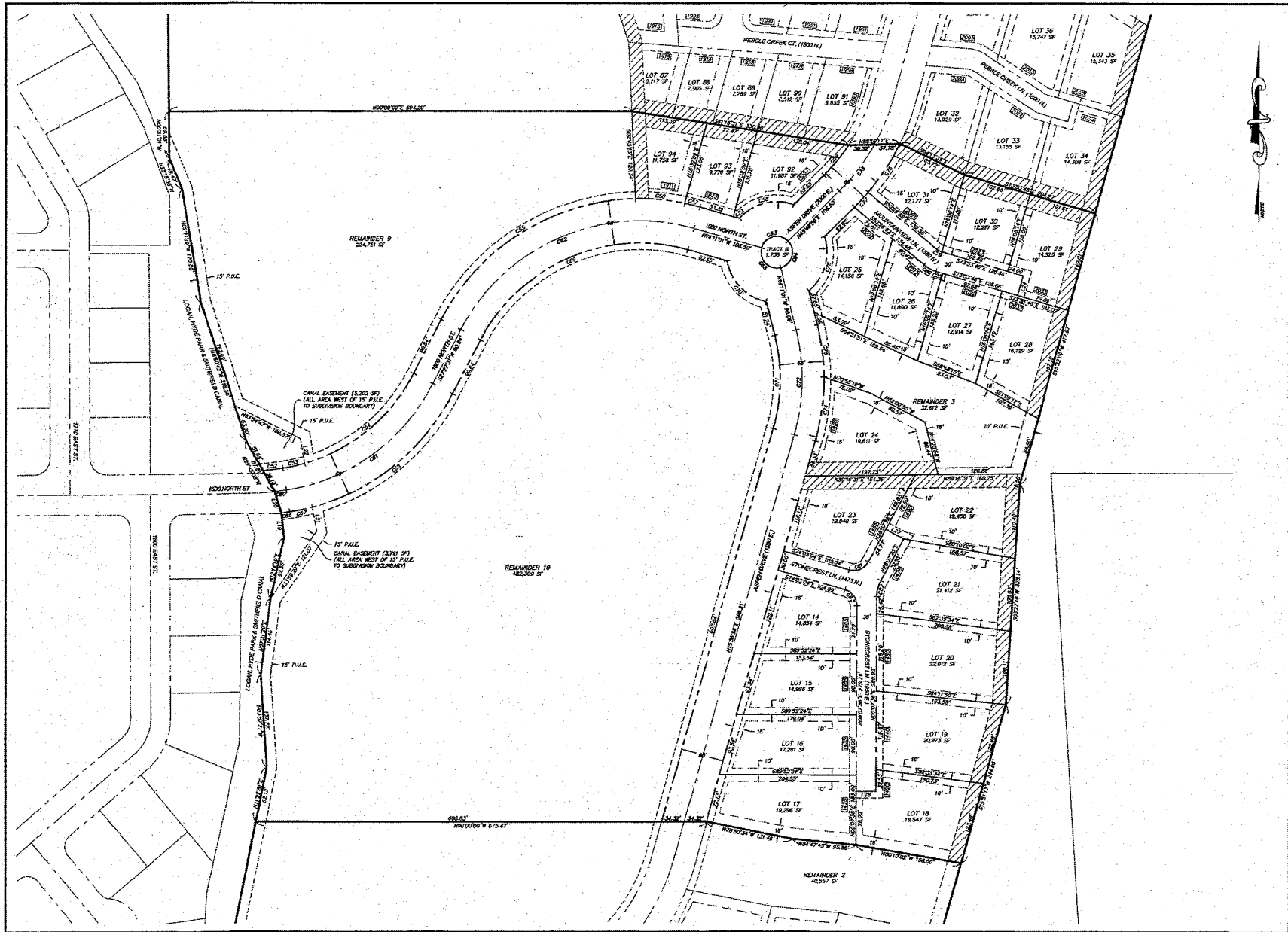
CALCULATIONS BY: S. EARL

DRAWING BY: S. EARL

PROJECT NO: D. MACFARLANE

PROJECT NUMBER: 100000

SHEET: 4 of 5



2005-2011-5-



FINAL PLAT LOTS 1 - 13

THE COMMUNITIES AT DEER CREST

PROJECT TITLE

C

Cache - 7 Andmark
 2000
 Subdivisions
 Planners

660 North Main St.
 Ste 115, 303
 Layton, UT 84041
 801-733-0079

DATE: 27 OCTOBER 2006

SCALE: 1" = 40'

CALCULATIONS BY: D. CARL

DRAWING BY: D. CARL

CHECKED BY: D. MACFARLANE

PROJECT NUMBER: 060-0501

SHEET: 5 of 5



EXHIBIT C

A true and correct copy of the warranty deed that conveyed the HOA's Common Area to DEER CREST COMMUNITIES OF LOGAN HOMEOWNERS' ASSOCIATION, LLC, (1 page) follows this page.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Cache Title Company, Inc. 00036879

MAIL TAX NOTICE TO
3181 Teton Drive, Salt Lake City, UT 84109

WARRANTY DEED
(CORPORATE FORM)

CITY OF LOGAN a corporation organized and existing under the laws of the State of Utah with its principal office at 255 North Main Logan, UT 84321, of County of CACHE, State of Utah, Grantor(s) hereby CONVEYS AND WARRANTS TO

DEER CREST COMMUNITIES OF LOGAN HOMEOWNERS ASSOCIATION, L.L.C., A UTAH LIMITED LIABILITY COMPANY Grantee(s)

of 3181 Teton Drive, Salt Lake City, UT 84109, for the sum of Ten Dollars and Other Good and Valuable Consideration the following tract of land in CACHE, State of UTAH, to-wit:

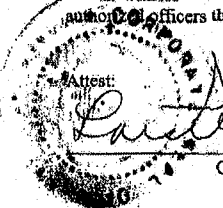
Tracts A and B, and all Lanes and Courts of THE COMMUNITIES AT DEER CREST, A PLANNED UNIT DEVELOPMENT, as shown by the official plat thereof, recorded November 1, 2005, as Filing No. 903427, in the office of the Recorder of Cache County, Utah.

Ent 903771 Bk 1380 Pg 1454
Date 4-Nov-2005 4:36PM Fee \$10.00
Michael Glead, Rec. - Filed By GC
Cache County, UT
For CACHE TITLE COMPANY

Subject to easements restrictions and rights of way appearing of record or enforceable in law and equity and 2006 taxes and thereafter.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby is duly authorized by law.

In witness whereof, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 1st day of November 2005.

Attest:

Lois Price
City Recorder

BY: *Doug Thompson*
Mayor

STATE OF UTAH
COUNTY OF CACHE

On the 1st day of November 2005, personally appeared before me DOUG THOMPSON AND LOIS PRICE, who being by me duly sworn, did say, each for himself, that the said DOUG THOMPSON, is the Mayor, and the said LOIS PRICE, is the City Recorder of City of Logan and that the within and foregoing instrument was signed in behalf of said corporation by authority of state and local law and said, DOUG THOMPSON AND LOIS PRICE, each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of the said corporation.

Sylvia Tibbitts
NOTARY PUBLIC

My Commission Expires: 120091 April 1 Residing at: LUT1 Logan


 NOTARY PUBLIC
SYLVIA TIBBITTS
255 North Main St
Logan, UT 84321
My Commission Expires
April 1, 2009
STATE OF UTAH

EXHIBIT D

A true and correct copy of the Articles of Organization of DEER CREST COMMUNITIES OF LOGAN HOMEOWNERS' ASSOCIATION, LLC, (1 page) follows this page.

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ENT 1352486 BK 2420 Pg 307

RECEIVED

NOV 02 2005

Utah Div Of Corp & Comm. Code

STATE of UTAH

ARTICLES of ORGANIZATION of

DEER CREST COMMUNITIES OF LOGAN HOMEOWNERS' ASSOCIATION, L L C

- **First:** The name of the limited liability company is Deer Crest Communities of Logan Homeowners' Association, L L C
- **Second:** The business purposes shall be to
 - (a) engage in the acquisition, ownership, development, leasing, maintenance, and disposition of real estate, including all activities related or incidental thereto, including without limitation investigation, finance, planning, governmental and private approvals, construction, management and sale,
 - (b) engage in any other lawful business activities as the member(s) shall determine, and
 - (c) do any and all things incident thereto or connected therewith as are necessary or convenient to the conduct, promotion or attainment of the business, purposes or activities of the limited liability company
- **Third:** The address of its registered office in the State of Utah is 3181 Teton Drive, Salt Lake City, Utah, 84109 The name of its registered agent at such address is Solare Land Holdings, LLC, represented by Alan K Jones *6025357* If the agent has resigned, the agent's authority has been revoked, or the agent is unavailable with reasonable diligence, the director of the division is appointed the agent of the limited liability company for service of process
- **Fourth:** The limited liability company's designated office is the registered office defined in Third paragraph
- **Fifth:** The limited liability company is to be managed by managers as chosen by the member(s) from time to time The initial manager shall be Alan K Jones, 3181 Teton Drive, Salt Lake City, Utah, 84109
- **Sixth:** The limited liability company shall have an existence of 10 years
- **In Witness Whereof,** the undersigned have executed these Articles of Organization of Deer Crest Communities of Logan Homeowners' Association, L L C this 2nd day of November, 2005

11-02-05P12 44 RCVD

[Handwritten Signature]

Alan K Jones

Registered Agent and Manager
Department of Commerce
Division of Corporations and Commercial Code

I hereby certified that the foregoing has been filed
And approved on this 2 day of Nov 2005
In this office of this Division and hereby issued
this Certificate thereof.

Examiner [Signature] Date 11-15-05

Date 11/02/2005
Receipt Number 157 967
Amount Paid \$52.00



[Handwritten Signature]
Kathy Berg
Division Director

WAA

6043025

EXHIBIT E

A true and correct copy of the ARTICLES OF INCORPORATION OF THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC., for the Utah nonprofit corporation that was registered on February 6, 2007, as entity no. 6481777-0140 (5 pages) follows this page.

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RECEIVED

FEB 06 2007

ARTICLES OF INCORPORATION
OF

THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC.
(A Nonprofit Corporation)



Alan K. Jones, the undersigned natural person over the age of twenty-one years, acting as incorporator of a nonprofit corporation pursuant to the Utah Revised Nonprofit Corporation Act, Section 16-6a-101, et seq., Utah Code Ann. (the "Nonprofit Act"), hereby adopts the following Articles of Incorporation for such nonprofit corporation (the "Articles").

ARTICLE I

NAME

The name of the nonprofit corporation is THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC., a Utah nonprofit corporation (the "Association").

ARTICLE II

DURATION

Unless earlier dissolved pursuant to the Nonprofit Act or the Association's Declaration or Bylaws, the duration of the Association shall be perpetual.

ARTICLE III

PURPOSES OF THE ASSOCIATION

The Association is organized as a nonprofit corporation and shall be operated exclusively for the purpose of maintaining, operating, and governing the project known as The Communities at Deer Crest ("Project"), located in the Cache County, Utah. The Project has been or will be created by recording the Declaration of Covenants, Conditions Easement and Restrictions for The Communities at Deer Crest (the "Declaration") and the Plat for the Project, in the Office of the Cache County Recorder, State of Utah. The Declaration is hereby incorporated by reference and made a part of these Articles. The Association shall be operated to perform the functions and provide the services contemplated by the Declaration. Except as otherwise provided herein or as may be required by the context hereof, all capitalized terms defined in the Declaration shall have such defined meanings when used herein.

02-06-07A11:14 RCVD

6 Feb 07

MS 2/23/07

Date: 02/06/2007
Receipt Number: 2030867
Amount Paid: \$22.00

DMWEST #6326675 v3

6481777

ARTICLE IV

POWERS

Subject to the purposes declared in ARTICLE III above and any limitations herein expressed, the Association shall have and may exercise the power to do any and all things that the Association is authorized or required to do under the Declaration and the Nonprofit Act as the same may from time to time be amended, including, without limiting the generality of the foregoing, the power to fix, levy and collect the charges and Assessments provided for in the Declaration.

ARTICLE V

MEMBERSHIP

The Association will not issue stock. All of the Owners of Lots at the Project shall be members of the Association. Neither the issuance nor the holding of stock shall be necessary to evidence membership in the Association. 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. No persons or entity other than an Owner may be a member of the Association. Membership in the Association shall begin immediately and automatically upon becoming an Owner and shall cease immediately and automatically upon ceasing to be an Owner.

ARTICLE VI

VOTING RIGHTS

The Association will have voting members. Each Owner, including Declarant, shall be entitled to the number of votes described in the Declaration and the Bylaws. The voting rights appurtenant to each Lot shall vest upon execution and recordation of the Declaration.

ARTICLE VII

ASSESSMENTS

The Owners 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.

ARTICLE VIII

DISTRIBUTIONS

No dividend shall be paid to, and no part of the net income, if any of the Association shall be distributed to, any of the Owners, the Board, or to the officers of the Association, except as otherwise provided herein, in the Bylaws, in the Declaration or by Utah law.

ARTICLE IX

BOARD OF DIRECTORS

The affairs of the Association shall be managed by a Board of Directors which shall consist of not less than three (3) nor more than five (5) Board members as provided in the Bylaws. The names and addresses of the persons who are to act in the capacity of Board members until the selection of their successors are:

| <u>Name</u> | <u>Address</u> |
|------------------|---|
| Alan K. Jones | 3181 Teton Drive Salt Lake City, Utah 84109 |
| J. Winford Jones | 7279 S. Winesap Ct. Salt Lake City, Utah 84121 |
| Roger McFarland | 3483 Airport Road, Suite 3 Ogden, Utah 84401 |

ARTICLE X

REGISTERED OFFICE AND AGENT

The name of the registered agent of the Association is Alan K. Jones, and the registered agent's street address where it maintains an office for service of process is 3181 Teton Drive, Salt Lake City, Utah 84109.

ARTICLE XI

PRINCIPAL OFFICE

The address of the initial principal office of the Association is 3181 Teton Drive, Salt Lake City, Utah 84109, Attn: Alan K. Jones.

ARTICLE XII

INCORPORATOR

The name and street address of the incorporator of the Association is Alan K. Jones, 3181 Teton Drive, Salt Lake City, UT 84109.

ARTICLE XIII

BYLAWS

The initial Bylaws of the Association shall be as adopted by the Board. The Board shall have the power to alter, amend or repeal the Bylaws from time to time in force and adopt new Bylaws. The Bylaws may contain any provisions for the regulation or management of the affairs of the Association which are not inconsistent with these Articles, as they may be amended, the Declaration, or applicable law.

ARTICLE XIV

LIMITATIONS ON LIABILITY

The members of the Association shall not be personally liable for the debts and obligations of the Association.

No officer or member of the Board of the Association shall be personally liable to the Association except for:

1. Acts or omissions which involve an intentional infliction of harm or an intentional violation of criminal law;
2. The amount of a financial benefit received by a member of the Board to which the member of the Board is not entitled; or
3. The payment of distributions in violation of Section 16-6a-824 of the Utah Code.

ARTICLE XV

AMENDMENTS

Except as otherwise provided by Utah law or by the Declaration, these Articles may be amended only upon the affirmative vote or written consent of a majority of the members of the Board. These Articles may not be amended so as to provide for any matter that is inconsistent with the provisions of the Declaration (as the Declaration may be amended from time to time).

ARTICLE XVI

CONFLICT WITH DECLARATION

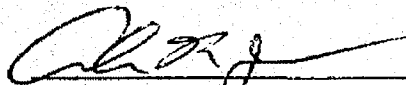
In the event of any conflict or inconsistency between the provisions of these Articles and the provisions of the Declaration and/or the Bylaws (as the Declaration and the Bylaws may from time to time be amended), the provisions of the Declaration and/or the Bylaws shall control, in that order.

ARTICLE XVII

DISSOLUTION

Upon dissolution, the Association shall make distribution of income or assets to its members, after satisfaction of all debts or obligations of the Association.

DATED this 1 day of February, 2007.


Alan K. Jones, Incorporator

ACKNOWLEDGMENT

I, Alan K. Jones, hereby acknowledge that I am the initial registered agent of The Communities at Deer Crest Owners Association, Inc., and that I consent to act as such.

DATED this 1 day of February, 2007.


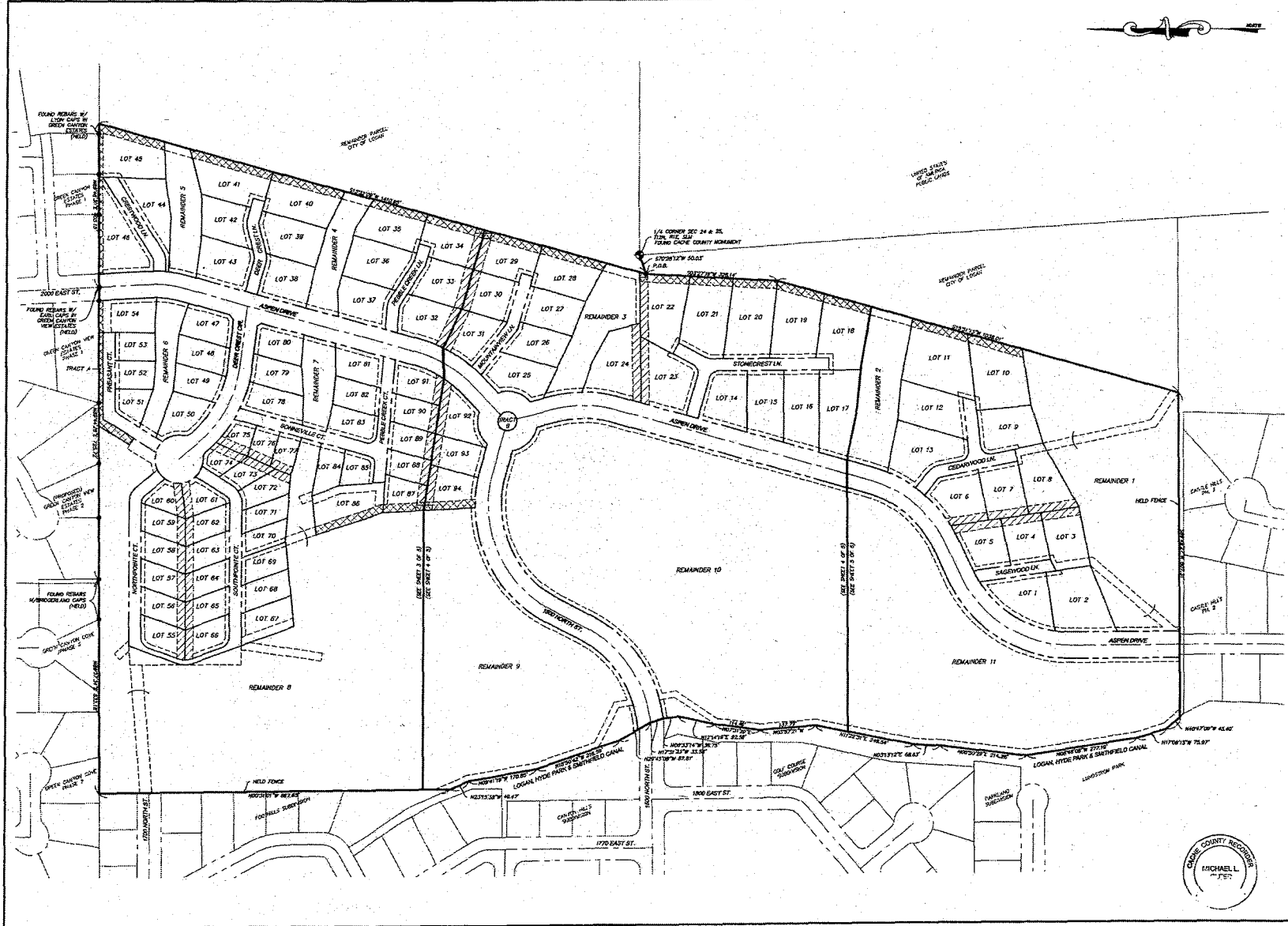

Alan K. Jones, Registered Agent

EXHIBIT F

A true and correct copy of the amended plat entitled "THE COMMUNITIES AT DEER CREST (2007 AMENDMENT)" that was recorded in the Cache County recorder's office on October 2, 2007, as entry no. 955932 (5 pages) follows this page.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

2007-2297 2A5



FINAL PLAT (2007 AMENDMENT)
SURVEY BOUNDARY /
OVERALL LAYOUT

THE COMMUNITIES AT DEER CREST

C

Cadastre Landmark
 1001 17th and South
 Suite 130
 Aurora, CO 80012
 303.715.0059

DATE: 8/20/2023
 SCALE: 1" = 100'
 CALCULATED BY: S. EARL
 DRAWN BY: S. EARL
 CHECKED BY: D. MACFARLANE
 PROJECT NUMBER: 2007-2297
 SHEET: 2 of 5



2007-2257 3005



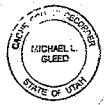
FINAL PLAT LOTS 32 - 91
(2007 AMENDMENT)

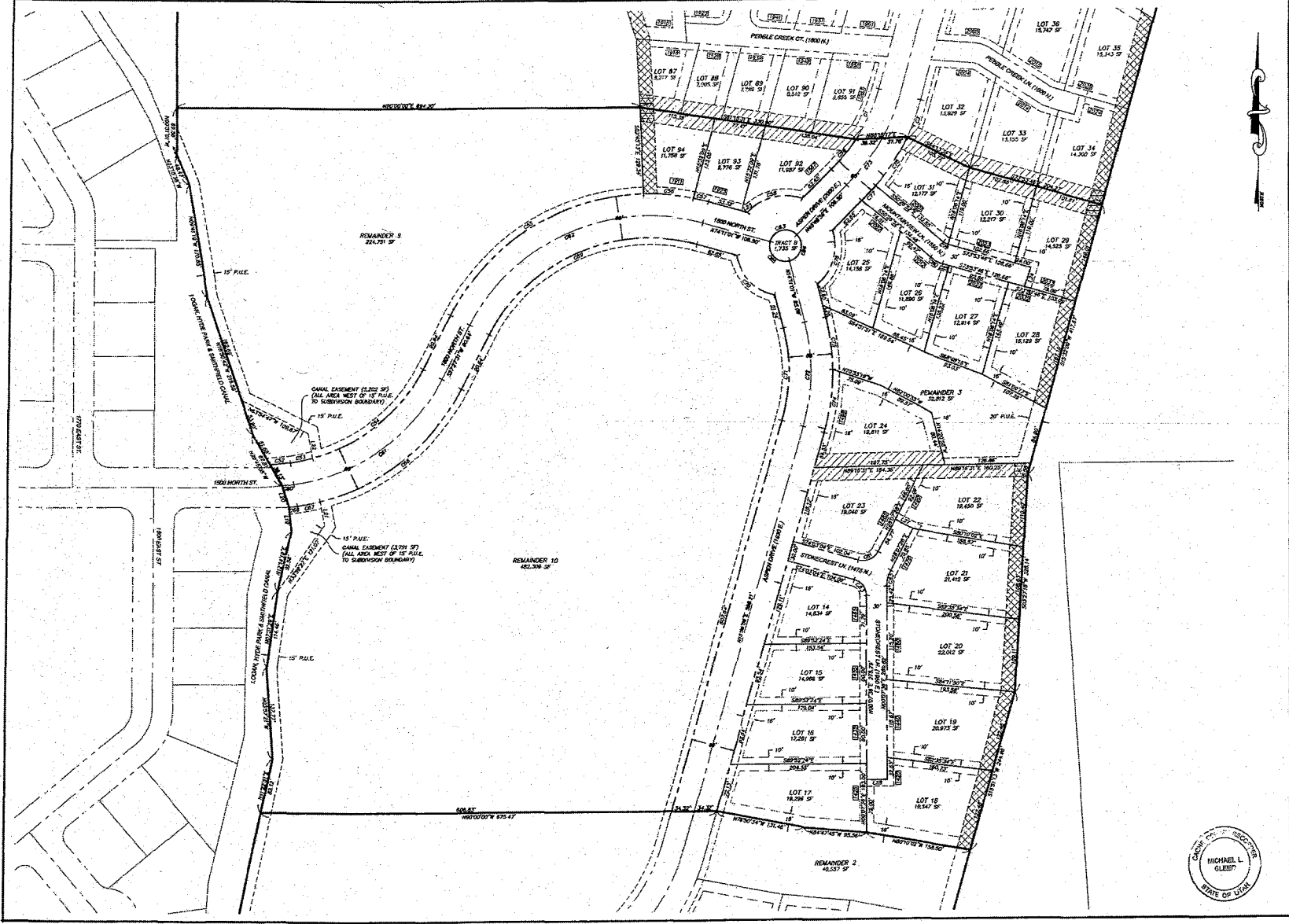
THE COMMUNITIES AT DEER CREST



Cache-Landmark
ENGINEERING SERVICES
1015 West 400 North
Suite 1, 311
Logan, UT 84321
435.713.0099

DATE: 8/26/2023
SCALE: 1" = 50'
COORDINATIONS BY: S. EARS
DRAWING BY: S. EARS
CHECKED BY: D. MACFARLANE
PROJECT NUMBER: 88-0551
SHEET: 3 of 5





2007-2267.dwg



FINAL PLAT LOTS 14 - 31, 92 - 94
(2007 AMENDMENT)

THE COMMUNITIES AT DEER CREST



Cache + Landmark
 ENGINEER
 SURVEYOR
 PLANNING
 101 West 60 South
 Salt Lake City, UT 84123
 405.733.8999
 DATE: 8 APR 2007
 SCALE: 1" = 60'
 CALCULATED BY: [blank]
 DRAWING BY: [blank]
 CHECKED BY: D. MACFARLANE
 PROJECT NAME: [blank]
 SHEET: 066-0501

4 of 5





FINAL PLAT LOTS 1 - 13
(2007 AMENDMENT)

THE COMMUNITIES AT DEER CREST

C

Catch - Landmark
 ENGINEER
 S. E. BANE
 1661 West 400 North
 Salt Lake City, UT 84119
 License No. 1419
 435-713-1699

DATE: 6.28.2007
 SCALE: 1" = 40'
 CALCULATED BY: S. E. BANE
 DRAWN BY: S. E. BANE
 CHECKED BY: D. MACFARLANE
 PROJECT NUMBER: 00-0501
 SHEET: 5 of 5



EXHIBIT G

A true and correct copy of the "Articles of Organization of SOLARE LAND HOLDINGS, L.L.C.," the Declarant, a Utah limited liability company, that were filed on October 11, 2005, (1 page) follows this page.

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STATE of UTAH
ARTICLES of ORGANIZATION of
SOLARE LAND HOLDINGS, L.L.C.

RECEIVED

OCT 11 2005

UT. DIV. of CORP. & COMM. CODE

- **First:** The name of the limited liability company is Solare Land Holdings, L.L.C.
- **Second:** The business purposes shall be to:
 - (a) engage in the acquisition, ownership, development, leasing, and disposition of real estate, including all activities related or incidental thereto, including without limitation investigation, finance, planning, governmental and private approvals, construction, management and sale;
 - (b) engage in any other lawful business activities as the member(s) shall determine; and
 - (c) do any and all things incident thereto or connected therewith as are necessary or convenient to the conduct, promotion or attainment of the business, purposes or activities of the limited liability company.
- **Third:** The address of its registered office in the State of Utah is 3181 Teton Drive, Salt Lake City, Utah, 84109. The name of its registered agent at such address is Solare Design/Build, LLC, represented by Alan K. Jones. If the agent has resigned, the agent's authority has been revoked, or the agent is unavailable with reasonable diligence, the director of the division is appointed the agent of the limited liability company for service of process.
- **Fourth:** The limited liability company's designated office is the registered office defined in Third paragraph.
- **Fifth:** The limited liability company is to be managed by managers as chosen by the member(s) from time to time. The initial managers shall be:
Alan K. Jones, 3181 Teton Drive, Salt Lake City, Utah, 84109
Roger McFarland, 3483 Airport Road, Suite 3, Ogden, Utah, 84401
- **Sixth:** The limited liability company shall have an existence of 10 years.
- **In Witness Whereof,** the undersigned have executed these Articles of Organization of Solare Land Holdings, L.L.C. this 10th day of October, 2005.

10-11-05P04:20 RCVD

Alan K. Jones
Registered Agent and Manager

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 10/11/2005 day of OCT 2005
In this office of this division and hereby issue
this Certificate of thereof.

Examiner [Signature] Date 10/13/2005

Date: 10/11/2005
Receipt Number: 1601483
Amount Paid: \$52.00



[Signature]
Kathy Berg
Division Director

6025357

EXHIBIT H

A true and correct copy of "The Communities at Deer Crest – Owner Information," a search of county records for the lot owners in the PUD that was compiled on August 17, 2022, (7 pages) follows this page.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

The Communities at Deer Crest – Owner Information

Parcel Nos. 05-109-0001 – 0094

| LOT | OWNER INFORMATION¹ |
|------------|--|
| 1 | Owner Name JACKSON & KATHRYN GRAHAM Owner Address 1900 SOUTHPOINTE CT Owner City State Zip LOGAN, UT 84341-1203 |
| 2 | Owner Name JAMES THOMAS TR DORWARD Owner Address 1340 SAGEWOOD LN Owner City State Zip LOGAN, UT 84341-3016 |
| 3 | Owner Name JAMES THOMAS TR DORWARD Owner Address 1340 SAGEWOOD LN Owner City State Zip LOGAN, UT 84341-3016 |
| 4 | (COMBINED W/PART OF 0004 W/QC DEED 7/18) |
| 5 | Owner Name CHRIS H WILSON Owner Address 1367 CEDARWOOD LN Owner City State Zip LOGAN, UT 84341-3030 |
| 6&7 | Owner Name CHRIS H & KIERSTEN A WILSON Owner Address 1367 CEDARWOOD LN Owner City State Zip LOGAN, UT 84341-3030 |
| 8 | Owner Name ANDREW KULMATISKI Owner Address 1435 E 700 N Owner City State Zip LOGAN, UT 84321-4302 |
| 9 | Owner Name BLAKE & BRITTANY ANDERSON Owner Address 1360 CEDARWOOD LN Owner City State Zip LOGAN, UT 84341-3030 |
| 10 | Owner Name VIKRAM TR GARG Owner Address 2755 N CANYON RIDGE DR Owner City State Zip NORTH LOGAN, UT 84341-8303 |
| 11 | Owner Name JOHN P & CATHERINE D BRANDLEY Owner Address 1372 CEDARWOOD LN Owner City State Zip LOGAN, UT 84341-3030 |
| 12 | Owner Name JOHN BRANDLEY Owner Address 1372 CEDARWOOD LN Owner City State Zip LOGAN, UT 84341-3030 |
| 13 | Owner Name VRENA FLINT Owner Address 795 W SUSQUEHANNA Owner City State Zip MURRAY, UT 84123-4912 |
| 14 | Owner Name JESS, TR JEWETT Owner Address 458 COTTAGE CT Owner City State Zip PROVIDENCE, UT 84332-4700 |

¹ Owner information obtained from the Cache County, Utah, Parcel and Zoning Viewer on August 17, 2022:
<https://gis.cachecounty.org/Websites/Parcel%20and%20Zoning%20Viewer/>

| | | |
|----|---|---|
| 15 | Owner Name Owner Address Owner City State Zip | ALLEN P & SANDY S MECHAM 1379 E 1980 N NORTH LOGAN, UT 84341-2070 |
| 16 | Owner Name Owner Address Owner City State Zip | ALLEN P & SANDY S MECHAM 1379 E 1980 N NORTH LOGAN, UT 84341-2070 |
| 17 | Owner Name Owner Address Owner City State Zip | BRANDON M & EMILY PRIEBE 1425 STONECREST LN LOGAN, UT 84341-3038 |
| 18 | Owner Name Owner Address Owner City State Zip | BRANDON M & EMILY PRIEBE 1425 STONECREST LN LOGAN, UT 84341-3038 |
| 19 | Owner Name Owner Address Owner City State Zip | SETH N & CHARLOTTE M BLEAKLEY 2542 E MELROSE ST MESA, AZ 85213-1585 |
| 20 | Owner Name Owner Address Owner City State Zip | STEPHEN & JESSICA M SUHAKA 317 E 300 N LOGAN, UT 84321-4110 |
| 21 | Owner Name Owner Address Owner City State Zip | LANDON & ERICA KARREN 1476 STONECREST LN LOGAN, UT 84341-3038 |
| 22 | Owner Name Owner Address Owner City State Zip | CHRISTIAN LINDSTROM 223 MEADOWGATE DR ANNAPOLIS, MD 21409-5824 |
| 23 | Owner Name Owner Address Owner City State Zip | LUKE DAVID HANCOCK 1485 STONECREST LN LOGAN, UT 84341-3038 |
| 24 | Owner Name Owner Address Owner City State Zip | JOHN & LEIGH ANNE SUMMERLIN 1498 N ASPEN DR LOGAN, UT 84341-3019 |
| 25 | Owner Name Owner Address Owner City State Zip | MARIA JOSE RODRIGUEZ 2002 MOUNTAIN VIEW LN LOGAN, UT 84341-3153 |
| 26 | Owner Name Owner Address Owner City State Zip | BORA LEE 2012 MOUNTAIN VIEW LN LOGAN, UT 84341-3153 |
| 27 | Owner Name Owner Address Owner City State Zip | NATHANAEL WESLEY & KRISTIN F DIXON 2022 MOUNTAIN VIEW LN LOGAN, UT 84341-3153 |
| 28 | Owner Name Owner Address Owner City State Zip | STEPHEN & KENDALL NICOLE LEWIS 2032 MOUNTAIN VIEW LN LOGAN, UT 84341-3153 |
| 29 | Owner Name Owner Address Owner City State Zip | DEBORAH & PAUL BOZICH 470 W 15 S UNIT F202 PROVIDENCE, UT 84332-6127 |

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| 30 | Owner Name Owner Address Owner City State Zip | MYUNGHO KIM 763 W 1060 S LOGAN, UT 84321-6970 |
| 31 | Owner Name Owner Address Owner City State Zip | RICHARD V GREENE 38 S RIO GRAND AVE FARMINGTON, UT 84025-2183 |
| 32 | Owner Name Owner Address Owner City State Zip | WILLIAM S & SANDRA K WERNER 1586 ASPEN DR LOGAN, UT 84341-3048 |
| 33 | Owner Name Owner Address Owner City State Zip | ERIN DAVIS 2014 PEBBLE CREEK LN LOGAN, UT 84341-6900 |
| 34 | Owner Name Owner Address Owner City State Zip | BRIGHAM TODD & STEPHANINA MICHAELIS 1421 E 260 N LOGAN, UT 84321-6708 |
| 35 | Owner Name Owner Address Owner City State Zip | BRUCE K & JANET PARKER 1530 E 1580 N LOGAN, UT 84341-2984 |
| 36 | Owner Name Owner Address Owner City State Zip | DAVID J & JUDY L TRS BROWN 2015 PEBBLE CREEK LN LOGAN, UT 84341-6900 |
| 37 | Owner Name Owner Address Owner City State Zip | DAVID J & JUDY L, TRS BROWN 2015 PEBBLE CREEK LN LOGAN, UT 84341-6900 |
| 38 | Owner Name Owner Address Owner City State Zip | CYNTHIA & FRANK JR, TRS MONTOYA 2006 DEER CREST LN LOGAN, UT 84341-2149 |
| 39 | Owner Name Owner Address Owner City State Zip | JESSE & RAMONA HEERS 1365 N 1720 E LOGAN, UT 84341-3073 |
| 40 | Owner Name Owner Address Owner City State Zip | STEVEN M & HOLLI YOUNG 514 W 1490 N APT 104 LOGAN, UT 84341-6781 |
| 41 | Owner Name Owner Address Owner City State Zip | JASON & BROOKE LAMBERT 2027 DEER CREST LN LOGAN, UT 84341-2149 |
| 42 | Owner Name Owner Address Owner City State Zip | SCOTT & AMANDA MORTON 1426 N 1720 E LOGAN, UT 84341-2937 |
| 43 | Owner Name Owner Address Owner City State Zip | ZACHARY ANDREW ANDERSON 160 N MAIN ST LOGAN, UT 84321-4566 |
| 44&45 | Owner Name Owner Address Owner City State Zip | BRUCE R & KAREN L TRS MUMFORD 2018 CRESTWOOD LN LOGAN, UT 84341-1204 |

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| 46 | Owner Name Owner Address Owner City State Zip | BRUCE R TR MUMFORD 2018 CRESTWOOD LN LOGAN, UT 84341-1204 |
| 47 | Owner Name Owner Address Owner City State Zip | BRIAN K DUNN 1665 ASPEN DR LOGAN, UT 84341-6990 |
| 48 | Owner Name Owner Address Owner City State Zip | JAMISON A HILL 1627 E 1700 N LOGAN, UT 84341-2147 |
| 49 | Owner Name Owner Address Owner City State Zip | JAMISON A HILL 1627 E 1700 N LOGAN, UT 84341-2147 |
| 50 | Owner Name Owner Address Owner City State Zip | ERIN TROUTH & JONATHAN SCOTT HOFMANN 1939 DEER CREST CIR LOGAN, UT 84341-2156 |
| 51 | Owner Name Owner Address Owner City State Zip | TYLER & CAITLIN GREEN 681 E 1200 N LOGAN, UT 84341-2505 |
| 52 | Owner Name Owner Address Owner City State Zip | BRONSON LABRUM 463 N 650 E HEBER CITY, UT 84032-3014 |
| 53 | Owner Name Owner Address Owner City State Zip | JOHN EDWIN & LINDA NAVE HARRISON FRANCIS 1693 ASPEN DR LOGAN, UT 84341-6990 |
| 54 | Owner Name Owner Address Owner City State Zip | JOHN EDWIN & LINDA NAVE HARRISON FRANCIS 1693 ASPEN DR LOGAN, UT 84341-6990 |
| 55 | Owner Name Owner Address Owner City State Zip | CHRISTOPHER WARREN 1858 NORTHPOINTE CT LOGAN, UT 84341-2485 |
| 56 | Owner Name Owner Address Owner City State Zip | CHRISTOPHER L STOLINSKI 1868 NORTHPOINTE CT LOGAN, UT 84341-2485 |
| 57 | Owner Name Owner Address Owner City State Zip | DEREK J LARSEN 1878 NORTHPOINTE CT LOGAN, UT 84341-2485 |
| 58 | Owner Name Owner Address Owner City State Zip | RON JAMES 271 EASTRIDGE LN LOGAN, UT 84321-4999 |
| 59 | Owner Name Owner Address Owner City State Zip | TAYLOR BEAU & KADRA NICOLE JAMES 1898 NORTHPOINTE CT LOGAN, UT 84341-2485 |
| 60 | Owner Name Owner Address Owner City State Zip | JAMES BEAZER 552 EDGEHILL DR PROVIDENCE, UT 84332-9446 |

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| 61 | Owner Name Owner Address Owner City State Zip | LAYNE BUTTARS & CHERYL POPE PACKER 395 EAGLE SMT REXBURG, ID 83440-2608 |
| 62 | Owner Name Owner Address Owner City State Zip | BRYNN WESTWOOD 1901 SOUTHPOINTE CT LOGAN, UT 84341-1203 |
| 63 | Owner Name Owner Address Owner City State Zip | HYUNSUCK SONG 1889 SOUTHPOINTE CT LOGAN, UT 84341-1203 |
| 64 | Owner Name Owner Address Owner City State Zip | SIERRA MARIE & SCOTT RAYMOND LYON 1879 SOUTHPOINTE CT LOGAN, UT 84341-1203 |
| 65 | Owner Name Owner Address Owner City State Zip | CLIFTON P & DIANE G ALSTON 1869 SOUTHPOINTE CT LOGAN, UT 84341-1203 |
| 66 | Owner Name Owner Address Owner City State Zip | TYLER L RENSHAW 1859 SOUTHPOINTE CT LOGAN, UT 84341-1203 |
| 67 | Owner Name Owner Address Owner City State Zip | ARTHUR CHASE & TAYLOR WENGREEN 1860 SOUTHPOINTE CT LOGAN, UT 84341-1203 |
| 68 | Owner Name Owner Address Owner City State Zip | MICHAEL FOLLAND 1870 SOUTHPOINTE CT LOGAN, UT 84341-1203 |
| 69 | Owner Name Owner Address Owner City State Zip | CARLOS V & LAURA G LICON 1880 SOUTHPOINTE CT LOGAN, UT 84341-1203 |
| 70 | Owner Name Owner Address Owner City State Zip | JUDY LORACE BAUGH, TR FREED 1890 SOUTHPOINTE CT LOGAN, UT 84341-1203 |
| 71 | Owner Name Owner Address Owner City State Zip | JACKSON & KATHRYN GRAHAM 1900 SOUTHPOINTE CT LOGAN, UT 84341-1203 |
| 72 | Owner Name Owner Address Owner City State Zip | NATHAN & HANNAH ANN WOODFORD 1910 SOUTHPOINTE CT LOGAN, UT 84341-1203 |
| 73 | Owner Name Owner Address Owner City State Zip | JEREMY JENSEN 1414 S 1300 E PRESTON, ID 83263-5464 |
| 74 | Owner Name Owner Address Owner City State Zip | JEREMY JENSEN 1414 S 1300 E PRESTON, ID 83263-5464 |
| 75 | Owner Name Owner Address Owner City State Zip | JACOB WOLFORD 1938 DEER CREST CIR LOGAN, UT 84341-2156 |

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| 76 | Owner Name Owner Address Owner City State Zip | RYAN SHORT 1090 S 400 E PROVIDENCE, UT 84332-9461 |
| 77 | Owner Name Owner Address Owner City State Zip | ELDENE, TR KILPATRICK 1631 N BONNEVILLE CT LOGAN, UT 84341-7105 |
| 78 | Owner Name Owner Address Owner City State Zip | LENDEL KADE NARINE 1948 DEER CREST CIR LOGAN, UT 84341-2156 |
| 79 | Owner Name Owner Address Owner City State Zip | GERALD L, TR LOW 1713 MOUNT LOGAN DR LOGAN, UT 84321-6718 |
| 80 | Owner Name Owner Address Owner City State Zip | JAY A & JANE B TRS MONSON 1645 ASPEN DR LOGAN, UT 84341-6990 |
| 81 | Owner Name Owner Address Owner City State Zip | SHERMAN R & REBECCA B TRS CONGER 1607 ASPEN DR LOGAN, UT 84341-6990 |
| 82 | Owner Name Owner Address Owner City State Zip | MICHELLE & CLARK DOVE 1250 E 1300 N APT B211 LOGAN, UT 84341-2883 |
| 83 | Owner Name Owner Address Owner City State Zip | MICHAEL & SHERI SUHAKA 1182 NEWPORT LN KAYSVILLE, UT 84037-1382 |
| 84 | Owner Name Owner Address Owner City State Zip | JARED ROOS 1615 N BONNEVILLE CT LOGAN, UT 84341-7105 |
| 85 | Owner Name Owner Address Owner City State Zip | MARCUS & LINGXIAOYAN CRAPSE 755 W 1100 S LOGAN, UT 84321-6543 |
| 86 | Owner Name Owner Address Owner City State Zip | WILLIAM RALPH & DONNA SCARCLIFF CADDELL 1915 PEBBLE CREEK CT LOGAN, UT 84341-6991 |
| 87 | Owner Name Owner Address Owner City State Zip | ROBERT ALEXANDER & MICHELLE BELL 1687 E 1460 N LOGAN, UT 84341-2983 |
| 88 | Owner Name Owner Address Owner City State Zip | ADAM JOHNSON & ABRIL BELL 1167 N 320 W LOGAN, UT 84341-2266 |
| 89&90 | Owner Name Owner Address Owner City State Zip | BRYCE & LAURIE H FIFIELD 1948 PEBBLE CREEK CT LOGAN, UT 84341-6991 |
| 91 | Owner Name Owner Address Owner City State Zip | DAVID & DARCIE BESSINGER 1583 ASPEN DR LOGAN, UT 84341-3048 |

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| 92 | Owner Name | PETER MA |
| | Owner Address | 2834 MILITARY AVE |
| | Owner City State Zip | LOS ANGELES, CA 90064-4022 |
| 93 | Owner Name | JEFF & MELINDA LOFLAND |
| | Owner Address | 1360 N 1600 E |
| | Owner City State Zip | LOGAN, UT 84341-2855 |
| 94 | Owner Name | ANGELA SAHELY |
| | Owner Address | 1183 N 320 W |
| | Owner City State Zip | LOGAN, UT 84341-2266 |

EXHIBIT I

A true and correct copy of the ARTICLES OF INCORPORATION OF COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC., for the Utah nonprofit corporation that was registered on December 14, 2023, as entity no. 13732606-0140 (4 pages) follows this page.

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EXPEDITE

ARTICLES OF INCORPORATION
COMMUNITIES AT DEER CREST OWNERS
ASSOCIATION, INC.
A UTAH NONPROFIT CORPORATION

DEC 14 '23 AM 10:17

I, the "Incorporator," a natural person age 18 years or older, do hereby adopt these Articles of Incorporation thereby forming a nonprofit corporation under and subject to the Utah Revised Nonprofit Corporation Act, Utah Code § 16-6a-101 *et seq.*, as such act may be amended from time to time (the "Nonprofit Act").



ARTICLE I Incorporator Name and Address

The name and address of the Incorporator are:

Ralph Caddell
1915 Pebble Creek Ct.
Logan, Utah 84341

ARTICLE II Corporation Name and Initial Office

The name of the nonprofit corporation is **COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC.**, which nonprofit corporation is a homeowners association of the same name (the "Association" and the "Corporation"). The address of the initial office of the Corporation is:

1915 Pebble Creek Ct.
Logan, Utah 84341

The Corporation may change its office address from time to time by action of its Board.

NOTE: Pursuant to section 57-8a-221 of the Utah Community Association Act as it may be amended from time to time (the "Association Act") to which the Association is subject, these Articles of Incorporation are being filed to cause the reincorporation of the Utah entity of the same Corporation name listed above, which entity unintentionally expired on June 7, 2010, and for which the its articles of incorporation were filed on February 6, 2007, to which these Articles of Incorporation are substantially similar.

ARTICLE III Registered Agent

The registered agent of the Corporation within the state of Utah is:

Ralph Caddell
1915 Pebble Creek Ct.
Logan, Utah 84341

The Corporation may change its registered agent from time to time by action of its Board.

State of Utah
Department of Commerce
Division of Corporations and Commercial Code
hereby certified that the foregoing has been filed
and approved on this 14 day of Dec, 2023
in this office of this Division and hereby issued
This Certificate thereof.

Examiner TJ Date 12/15/23



L. Veillette
Leigh Veillette
Division Director

13732606-0140

DEC 14 '23 AM 10:17

ARTICLE IV Duration

The duration of the Corporation is perpetual, unless dissolved in accordance with applicable law; assets of the Corporation will be distributed upon dissolution in a manner consistent with such law.

ARTICLE V Purpose

The Corporation is organized exclusively for the purpose of operating, maintaining, and governing the Association in accordance with the Nonprofit Act and its duly-recorded declaration of covenants, conditions and restrictions as such may be adopted, amended, or restated from time to time (the "Declaration"), other applicable law, and its other governing documents. Except as otherwise provided in the Declaration or Bylaws, no dividend or any part of the net income of the Association, if any, shall be paid to its directors, officers, committee members, volunteers, or members.

ARTICLE VI Powers, Limitations, and Restrictions

Subject to the purpose declared above, the powers of the Association, as well as the limitations and restrictions on such powers, shall be as provided by the Nonprofit Act and in the Declaration and Bylaws, all as amended or restated from time to time, and shall include, without limiting the generality of the foregoing, the power to fix, levy and collect the charges and Assessments provided for in the Declaration.

ARTICLE VII Board of Directors

The Association shall have a board of directors (the "Board") which shall be organized as provided in its Bylaws. Notwithstanding the foregoing, the initial Board shall be comprised of the following director(s):

Ralph Caddell
1915 Pebble Creek Ct.
Logan, Utah 84341

Jamison Hill
1959 Deer Crest Circle
Logan, Utah 84341

Robert Alexander Bell
1918 Pebble Creek Ct.
Logan, Utah 84341

Except as otherwise provided in the Declaration or Bylaws, no director shall be compensated. Each member of the initial Board shall continue to serve as a director of the Association until removed or replaced in accordance with the Association Act, the Nonprofit Act, the Declaration, or the Bylaws.

ARTICLE VIII Director Liability and Indemnification

DEC 14 '23 AM 10:17

To the fullest extent provided by present or future law, no director shall be liable to the Corporation or its members for monetary damages, except for willful misconduct or gross negligence.

To the fullest extent allowed by and in accordance with the Nonprofit Act as it may be amended from time to time, the Corporation shall indemnify the directors of the corporation for inactions or actions taken on its behalf.

ARTICLE IX Membership, Voting Rights, and Stock

The Association shall have members with voting rights, and persons shall be admitted as members, as provided in the Declaration and Bylaws. The Association is a nonprofit corporation and shall not issue stock or, except as otherwise provided in the Declaration, interests in water or other property rights.

All of the owners of lots designated on the plat(s) entitled THE COMMUNITIES AT DEER CREST recorded as entry no. 955932 in the Cache County, Utah, recorder's office on October 2, 2007, as such may be amended from time to time, shall be members of the Association. 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 such lot. No person or entity other than an owner of such a lot may be a member of the Association. Membership in the Association shall begin immediately and automatically upon becoming an owner of such a lot and shall cease immediately and automatically upon ceasing to be an owner.

ARTICLE X Bylaws

The Board shall adopt and record bylaws of the Association (the "Bylaws") which shall not be inconsistent with applicable law, the Declaration, or these Articles of Incorporation. The Board shall have the power to alter, amend, or repeal the Bylaws in force from time to time and adopt new Bylaws. The Bylaws may contain any provision convenient for the regulation or management of the affairs of the Association which are not inconsistent with these Articles of Incorporation, as they may be amended, the Declaration, or applicable law.

ARTICLE XI Conflict

In the event of any conflict or inconsistency between these Articles of Incorporation and any other governing documents of the Association, these shall be resolved in accordance with section 57-8a-228(5) of the Association Act.

ARTICLE XII Amendment

The Corporation may amend these Articles of Incorporation by the assenting vote of a majority of the Board; such amendments shall not be effective until duly filed with the Utah Department of Commerce.

ARTICLE XIII Dissolution

DEC 14 '23 AM 10:17

The Corporation may be dissolved in accordance with Utah law, the Declaration, and the Bylaws of the Association.

INCORPORATOR:

DATED this 13 day of December in the year 2023.

Ralph Caddell
Ralph Caddell

ACKNOWLEDGEMENT:

I, Ralph Caddell, hereby acknowledge that I am the initial registered agent of The Communities at Deer Crest Owners Association, Inc., and that I consent to act as such.

DATED this 13 day of December in the year 2023.

Ralph Caddell
Ralph Caddell

EXHIBIT J

A true and correct copy of the Articles of Amendment to Articles of Incorporation (Non-Profit) for Entity Number 13732606-0140 that was filed on December 20, 2023, (1 page) follows this page.

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State of Utah
DEPARTMENT OF COMMERCE
Division of Corporations & Commercial Code
Articles of Amendment to Articles of Incorporation (Non-Profit)

DEC 20 '23 AM 9:59



Entity Number: 13732606-0140

EXPEDITE

Non-Refundable Processing Fee: \$17.00

Pursuant to UCA §16-6a part 10, the individual named below causes this Amendment to the Articles of Incorporation to be delivered to the Utah Division of Corporations for filing, and states as follows:

1. The name of the corporation is: COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC.
2. The date the following amendment(s) was adopted: December 15, 2023
3. If changing the corporation name, the new name of the corporation is:
THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC.
4. The text of each amendment adopted (include attachment if additional space needed):

AMENDMENT:

WHEREAS, this nonprofit corporation is a reincorporation of expired Utah nonprofit corporation entity no. 6481777-0140, and
WHEREAS, the "THE" at the beginning of the name of this nonprofit corporation was inadvertently omitted in the Articles of Incorporation;
THEREFORE, the name of this nonprofit corporation is hereby amended to be "THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC.," which name is intended to be identical to the name of the expired nonprofit corporation.

5. Indicate the manner in which the amendment(s) was adopted (mark only one):

- The amendment was adopted by the board of directors or incorporators without member action and member action was not required.
- The amendment was adopted by the members AND the number of votes cast for the amendment by each voting group entitled to vote separately on the amendment was sufficient for approval by that voting group.

6. Delayed effective date (if not to be effective upon filing) _____ (MM-DD-YYYY not to exceed 90 days)

Under penalties of perjury, I declare that this Amendment of Articles of Incorporation has been examined by me and is, to the best of my knowledge and belief, true, correct and complete.

By: Rash Cuddell Title: Director

Dated this 28 day of December, 2023

Under GRAMA (63G-2-201), all registration information maintained by the Division is classified as public record. For confidentiality purposes, you may use the business entity physical address rather than the residential or private address of any individual affiliated with the entity.

filing/Faxing Information: www.corporations.utah.gov/contactus.html Division's Website: www.corporations.utah.gov

By: [Signature] Title: Director

Dated this 26 day of December, 2023

State of Utah
Department of Commerce
Division of Corporations and Commercial Code
I hereby certify that the foregoing has been filed
and approved on this 26 day of Dec 2023
in this office of this Division and hereby issued
This Certificate thereof.

By: [Signature] Title: Director

Dated this 2 day of January, 2024

08/23

SVE Date 1/2/24
[Signature]
Leigh Veillette
Division Director



EXHIBIT K

A true and correct copy of the approved minutes of the BOARD MEETING AGENDA – THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC., held on January 2, 2024, (2 pages) follows this page.

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BOARD MEETING AGENDA

COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC.

1. **Date and Time.** January 2, 2023, at 7:00 pm.
2024
2. **Location.** 1915 Pebble Creek Ct., Logan, Utah
3. **Attendees:** Alex Bell, Ralph Caddell, Jamison Hill,
L. Alan Collins, Esq., Julie Collins
4. **Meeting Called.** This Board meeting was called by the acting Board of Directors (Alex Bell, Ralph Caddell, and Jamison Hill) upon acceptance of Articles of Incorporation by the State of Utah for reincorporation of the HOA pursuant to Utah Code 57-8a-221. The purpose of this Board meeting is for considering the actions listed below, each for finalizing reincorporation and beginning initial operations of the HOA.
5. **Action Items:**
 - a. Approve purchase of HOA insurance as required by Utah Code 57-8a, Part 4, and the HOA's governing documents: Yes or No
 - b. Retain CCI Law, L. Alan Collins, as the HOA's attorney for purposes of finalizing reincorporation and beginning initial operations of the HOA: Yes or No
 - c. Draft Bylaws as required by Utah Code 57-8a-216, 221(2)(a), and 16-6a-206(1)(a) to finalize reincorporation: Yes or No
 - d. Draft a "Notice of Reincorporation and Initial Operation" of the HOA for recording: Yes or No
 - e. Obtain a Federal Employer Identification Number (FEIN) as required for filing the HOA's annual tax returns: Yes or No
 - f. Register the HOA with the State of Utah (\$37) at as required by Utah Code 57-8a-105: Yes or No
 - g. Authorize the preparation of an operating and reserve budget for consideration by the HOA's Board: Yes or No

[AGENDA CONTINUED ON THE FOLLOWING PAGE]

- h. Accept the deeding of the HOA's common area property from the HOA's old, expired LLC ("DEER CREST COMMUNITIES OF LOGAN HOMEOWNERS' ASSOCIATION, LLC," Entity No. 6043025-0160, November 2, 2005 – February 12, 2007, to the HOA's Utah nonprofit corporation: Yes or No
- i. Ratify the filing of Articles of Incorporation by Incorporator Ralph Caddell of 1915 Pebble Creek Cr., Logan, Utah, 84341, for purposes of reincorporating the HOA pursuant to Utah Code 57-8a-211 as such Articles of Incorporation were approved by the State of Utah on December 14, 2023 (Utah Entity No. 13732606-0140): Yes or No
- j. Authorize the filing of an amendment to the Articles of Incorporation for purposes of adding "THE" to the beginning of the HOA's nonprofit name so that the name will be identical to what it was before the prior nonprofit expired on June 7, 2010, that is: "THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC.": Yes or No
- k. Authorize future reimbursement by the HOA of amounts paid on behalf of the HOA by Board-authorized persons for Board-authorized purposes, including amounts paid by Ralph Caddell as Incorporator for purposes of reincorporation of the HOA: Yes or No

6. **Close Meeting.** Review and approval of minutes, close meeting.

Approval of Minutes:

I certify that these Board meeting minutes include a list of all actions taken by the Board during the Board meeting indicated above, that each action checked "Yes" on these minutes indicates that at least a majority of the Board approved taking the corresponding action, and that the Board approved these minutes as of the date first listed above.

Ralph Caddell
Ralph Caddell, Director

1/2/24
Date

EXHIBIT L

A true and correct copy of the warranty deed that conveyed the HOA's Common Area to THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC., (2 pages) follows this page.

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WARRANTY DEED
(CORPORATE FORM)

WHEREAS, the lands, property, and improvements described herein below were dedicated to DEER CREST COMMUNITIES OF LOGAN HOMEOWNERS' ASSOCIATION, LLC, in a plat entitled THE COMMUNITIES AT DEER CREST, A PLANNED UNIT DEVELOPMENT, (the "Plat") that was recorded in the Cache County, Utah, recorder's office on November 1, 2005, as entry no. 903427; and

WHEREAS, DEER CREST COMMUNITIES OF LOGAN HOMEOWNERS' ASSOCIATION, LLC, a Utah limited liability company, (the "LLC") was registered with the State of Utah on November 2, 2005; and

WHEREAS, a Declaration of Covenants, Conditions, Easements and Restrictions for The Communities at Deer Crest (the "Declaration") was recorded in the Cache County, Utah, recorder's office on November 4, 2005, as entry no. 903772 four days after the Plat, which Declaration acknowledges the Plat by name;¹ and

WHEREAS, the Plat and Declaration established a homeowners association (the "Association"); and

WHEREAS, counter to the Plat, the Declaration required that the Association be organized as THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC., a Utah nonprofit corporation,² as opposed to the LLC; and

WHEREAS, pursuant to the Declaration, the Association organized as THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC., a Utah nonprofit corporation, registered with the State of Utah on February 2, 2007 (the "Nonprofit"); and

WHEREAS, an amended plat entitled THE COMMUNITIES AT DEER CREST (2007 AMENDMENT), A PLANNED UNIT DEVELOPMENT, (the "Amended Plat") was recorded in the Cache County, Utah, recorder's office on October 2, 2007, as entry no. 955932, in which the lands, property, and improvements described herein below were, consistent with the Declaration, dedicated to the Nonprofit as opposed to the LLC; and

WHEREAS, the intent of the Declaration and the Amended Plat was and is for the Nonprofit, as opposed to the LLC, to own the lands, property, and improvements described herein below for the benefit of the lot owners within the Association;

NOW THEREFORE:

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

¹ Decl., Recitals B & Art. 1.33.

² Decl., Recitals D & Art. 1.6.

DEER CREST COMMUNITIES OF LOGAN HOMEOWNERS' ASSOCIATION, LLC,

a Utah limited liability company, Utah entity no. 6043025-0160, the **GRANTOR**, does hereby grant, convey, and warrant unto:

THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC.,

a Utah nonprofit corporation as such may have been or may yet be reincorporated from time to time pursuant to Utah Code 57-8a-221, the **GRANTEE**, for the sum of TEN DOLLARS and other good and valuable consideration, cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, the following described lands and property, together with all improvements located thereon, lying in Cache County, State of Utah, to-wit:

Tracts A and B, lanes and courts, and easements of THE COMMUNITIES AT DEER CREST, A PLANNED UNIT DEVELOPMENT, (collectively designated hereby as the "Common Area" to be owned by the GRANTEE for the benefit of the lot owners within the planned unit development) as shown on the official plat thereof recorded in the Cache County, Utah, recorder's office on November 1, 2005, as entry no. 903427, as such Common Area was amended by the official amended plat thereof recorded in the Cache County, Utah, recorder's office on October 2, 2007, as entry no. 955932.

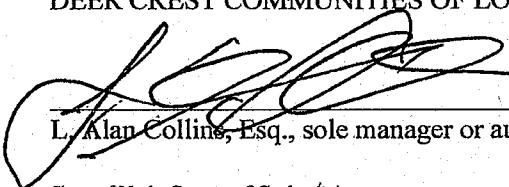
The foregoing Common Area also known as parcel no. 05-109-0095.

SUBJECT TO the Declaration and the Amended Plat, including but not limited to all covenants, conditions, easements, and restrictions, described therein as such instruments may have been or may yet be amended or restated from time to time.

IN WITNESS WHEREOF, this deed was executed by the undersigned on the date first indicated below.

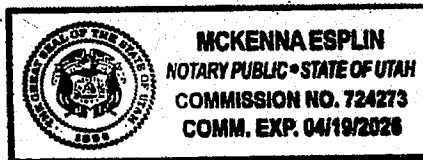
GRANTOR:

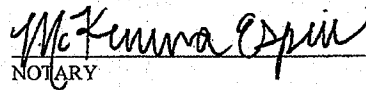
DEER CREST COMMUNITIES OF LOGAN HOMEOWNERS' ASSOCIATION, LLC, by:


L. Alan Collins, Esq., sole manager or authorized representative of the members³

State of Utah, County of Cache (ss)

On the 24 day of JANUARY, 2024, personally appeared before me the above-named individual who, being by me duly sworn, did say that he is the sole manager of the LLC pursuant to Utah Code 48-3a-703(4) or that he is the representative for the LLC's members as authorized by the Association's board of directors, that this instrument was signed on behalf of said LLC, and that said LLC thereby executed the same.




NOTARY

³ Sole manager pursuant to Utah Code 48-3a-703(4) or, if the LLC still has members, as the authorized representative for such members by the consent of the Association's board of directors representing the Association's lot owners pursuant to UCA 57-8a-501(5), which lot owners are the members of the LLC pursuant to the Declaration as the LLC's operating agreement in accordance with UCA 48-3a-102(16).

EXHIBIT M

A true and correct copy of the approved minutes of the BOARD MEETING AGENDA – THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC., held on January 16, 2024, (2 pages) follows this page.

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BOARD MEETING AGENDA

COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC.

1. **Date and Time.** January 16, 2024, at 6:30 pm.
2. **Location.** via Zoom pursuant to Utah Code 16-6a-812(3)
3. **Attendees:** Alex Bell, Ralph Caddell, Jamison Hill, L. Alan Collins, Esq.
4. **Meeting Called.** This Board meeting was called by the acting Board of Directors (Alex Bell, Ralph Caddell, and Jamison Hill) to discuss an initial budget and the draft Bylaws with the HOA's counsel, and to consider the following action items.
5. **Action Items:**
 - a. Approve the draft Bylaws for recording: Yes or No or Postpone
 - b. Approve engaging North HOA to manage the HOA: Yes or No or Postpone
 - c. Approve the 2024 HOA budget as attached hereto: Yes or No or Postpone
BOARD APPROVED \$57,160.00 Budget \$05.00 monthly R-15 PER attached
 - d. In addition to action item 5(k) from the 2024-01-02 board meeting agenda, authorize future reimbursement by the HOA of amounts paid on behalf of the HOA by Board-authorized persons for Board-authorized purposes, including amounts paid by Ralph Caddell for purposes of HOA snow removal: Yes or No
6. **Progress on action items approved at the 2024-01-02 board meeting:** items 5(a)-(c), (e), (f), (i), and (j) have been completed; items 5(d) & (g) are in process; and item 5(h) the deed has been drafted, the required amendment to the LLC's certificate of organization has been filed with and accepted by the state, and the deed should be recorded by end-of-day Friday, 2024-01-19.
7. **Close Meeting.** Review and approval of minutes, close meeting.

Approval of Minutes:

I certify that these Board meeting minutes include a list of all actions taken by the Board during the Board meeting indicated above, that each action checked on these minutes indicates that at least a majority of the Board approved taking the corresponding checked action, and that the Board approved these minutes as of the date first listed above.

Ralph Caddell
Ralph Caddell, Director

1/16/2024
Date

Deer Crest HOA

UNITS

| | |
|---------------------------|-----------|
| Total Dwellings | 66 |
| Total Empty Lots | 24 |
| TOTAL INCOME UNITS | 90 |

| INCOME--MONTHLY HOA FEE | UNIT | MONTH | YEAR | Annual Per Lot | |
|-------------------------|------|-------|--------------------|---------------------|-----------------|
| Dwellings | \$ | 65.00 | \$ 4,290.00 | \$ 51,480.00 | \$ 780.00 |
| Empty Lots | \$ | 16.25 | \$ 390.00 | \$ 4,680.00 | \$ 195.00 |
| Reinvestment Fee Income | | | | \$ 1,000.00 | 3 lots for sale |
| Miscellaneous Income | | | | | |
| TOTAL INCOME | | | \$ 4,680.00 | \$ 57,160.00 | |

| MANAGEMENT CHARGES | UNIT | MONTH | YEAR | STARTUP FEE | ANNUAL TOTAL |
|---|-----------|-------------|------|-------------|--------------------|
| TOTAL MANAGEMENT CHARGES¹ | \$ | 8.00 | | | \$ 9,140.00 |

| DIRECT EXPENSES | MONTH | YEAR | ANNUAL TOTAL |
|---|-------|--------------|---------------------|
| Insurance ² | | \$ 750.00 | \$ 750.00 |
| Legal ³ | | \$ 2,600.00 | \$ 2,600.00 |
| Utilities ⁴ | | \$ - | \$ - |
| 24/25 Season Snow ⁵ | | \$ 16,728.60 | \$ 16,728.60 |
| Landscape ⁶ | | \$ 2,000.00 | \$ 2,000.00 |
| Maintenance ⁷ | | \$ 24,000.00 | \$ 24,000.00 |
| Pool & CPO ⁸ | | \$ - | \$ - |
| Misc Expenses ⁹ | | \$ 1,000.00 | \$ 1,000.00 |
| Insurance Deductible Fund ¹⁰ | | \$ 1,000.00 | \$ 1,000.00 |
| TOTAL DIRECT EXPENSES | | | \$ 48,078.60 |

ANNUAL NET INCOME-RESERVE ALLOCATION¹¹ \$ (58.60)

EXHIBIT N

A true and correct copy of the approved minutes of the BOARD MEETING AGENDA – THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC., held on January 23, 2024, (1 page) follows this page.

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Board Meeting Agenda

THE COMMUNITIES AT DEER CREST OWNERS ASSOCIATION, INC.

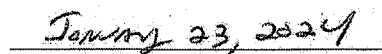
1. **Date and Time:** January 23, 2024, at 5:30pm.
2. **Location:** 1915, Pebble Creek Ct, Logan, UT 84341
3. **Attendees:** Alex Bell, Ralph Caddell, Jamison Hill, L. Alan Collins, Esq.
4. **Meeting Called.** This Board meeting was called by the acting Board of Directors (Alex Bell, Ralph Caddell, and Jamison Hill). The purpose of this Board meeting is for consideration of the actions listed below, each required for beginning initial operations of the HOA.
5. **Action Items:**
 - a. Approve Bylaws including Reinvestment Fee as required by Utah Code 57-8a-216, 221(2)(a), and 16-6a-206(1)(a) to finalize reincorporation: Yes or No
YES, NO
 - b. Approve Bylaws excluding Reinvestment Fee as required by Utah Code 57-8a-216, 221(2)(a), and 16-6a-206(1)(a) to finalize reincorporation: Yes or No
 - c. Approve Revised 2024 Operating and Reserve Budget, \$57,456.00, \$66.50 per month: Yes or No
6. **Close Meeting:** Review and approval of minutes, close meeting.

Approval of Minutes:

I certify that these Board meeting minutes include a list of all actions taken by the Board during the Board meeting indicated above, that each action checked "Yes" on these minutes indicates that at least a majority of the Board approved taking the corresponding action, and that the Board approved these minutes as of the date listed above.



Ralph Caddell, Director



Date