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ARTICLES OF INCORPORATION
PATRIOT POINTE HOMEOWNERS
ASSOCIATION
A UTAH NONPROFIT CORPORATION

I, the undersigned Incorporator, being a natural person of legal age (18 years or older), hereby adopt and execute these Articles of Incorporation for the purpose of forming a nonprofit corporation, which shall be governed by and subject to the provisions of the Utah Revised Nonprofit Corporation Act, Utah Code 16-6a-101 *et seq.*, as it may be amended from time to time (the "Nonprofit Act").

ARTICLE I Incorporator Information

The name and address of the Incorporator are as follows:

Mike Bastian
1877 W 4000 S
Roy, UT 84067

ARTICLE II Corporation Name and Initial Office

The name of the nonprofit corporation is **PATRIOT POINTE HOMEOWNERS ASSOCIATION** (the "Corporation"). The address of the Corporation's principal office shall be:

1877 W 4000 S
Roy, UT 84067

The Corporation may change its principal office address from time to time by the Declarant during the period of administrative control or by resolution of the Board of Directors.

ARTICLE III Registered Agent

The Corporation shall maintain a registered office and a registered agent in the state of Utah, as required by law. The initial registered agent of the Corporation in the state of Utah shall be:

Mike Bastian
1877 W 4000 S
Roy, UT 84067

The Corporation may change its registered agent from time to time by the Declarant during the period of administrative control or by resolution of the Board of Directors.

ARTICLE IV Duration

The duration of the Corporation shall be perpetual.

ARTICLE V Purpose

The Corporation shall operate for the purpose of acquiring, constructing, managing, maintaining, and caring for the property of the Association in accordance with the Nonprofit Act, other applicable laws, its duly recorded Declaration of Covenants, Conditions, and Restrictions (as may be adopted, amended, or restated from time to time, the "Declaration"), and the Association's other governing documents.

No part of the net earnings of the Association shall be distributed to its Directors, Officers, committee members, volunteers, members, or other individuals, except when returning excess assessments to members in compliance with applicable law.

ARTICLE VI Homeowners Association

A homeowners association with the same name as the Corporation has been, or shall be, established in accordance with the **Utah Community Association Act** (Utah Code § 57-8a-101 *et seq.*) (the "Act"). Upon the filing of the required governing documents of the Association, it shall be deemed organized as a Utah nonprofit corporation—i.e., the Corporation—pursuant to Section 228(2) of the Act.

Except as the context may otherwise require, the terms "Corporation" and "Association" as used herein generally refer to the same entity.

ARTICLE VII Fiscal Year

The fiscal year of the Association shall begin on the first day of January and end on the thirty-first day of December of each year, except that the first fiscal year shall begin on the date of the Association's incorporation.

ARTICLE VIII Election to File Under Section 528 of the Internal Revenue Code

The Corporation hereby elects to be taxed as a homeowners association under Section 528 of the Internal Revenue Code of 1986, as amended, and shall annually file Form 1120-H (U.S. Income Tax Return for Homeowners Associations) to report its income and expenses in accordance with the requirements set forth under Section 528. The Corporation shall operate for the purpose of acquiring, constructing, managing, maintaining, and caring for the property of the Association, as required under Section 528(c)(1).

ARTICLE IX Declarant of the Homeowners Association

Castle Creek Homes II, LLC, a Utah limited liability company, (the "Declarant") is the Declarant of the Association and shall retain a period of administrative control over the Association, the terms of which shall be specified in the Declaration.

ARTICLE X Powers, Limitations, and Restrictions

The powers of the Association shall include all those granted by the Declaration, these Articles of Incorporation, the Bylaws, and the general powers enumerated in the Nonprofit Act, including Section 302, as well as any other applicable laws. These powers shall be subject to any limitations imposed by the Declaration, Articles of Incorporation, or the Bylaws.

ARTICLE XI Board of Directors

The Association shall have a board of directors (the "Directors" or the "Board of Directors") which shall be appointed and organized in accordance with the Bylaws. Notwithstanding the foregoing, the initial Directors shall be comprised of the following individual(s):

Mike Bastian	Leslie Harris	Nate Shulz
1877 W 4000 S	1877 W 4000 S	1877 W 4000 S
Roy, UT 84067	Roy, UT 84067	Roy, UT 84067

During the Declarant's period of administrative control as described in the Declaration and pursuant to Section 801(2)(b) of the Nonprofit Act, the individual(s) listed above as the initial Directors, regardless of their number, are authorized to exercise all the powers that would otherwise be vested in the Board of Directors, and all such exercises of power shall be considered as acts of the Board of Directors.

Consistent with Section 805(2) of the Nonprofit Act, and unless otherwise provided in the Bylaws, the terms of the initial Directors shall expire at the first meeting of the members of the Association following the termination of the Declarant's period of administrative control, during which Directors from the membership shall be elected in accordance with the Bylaws.

No Director shall be compensated for their services, except as otherwise provided in the Declaration or Bylaws. However, Directors may be reimbursed for reasonable expenses incurred in the performance of their duties, subject to Board approval.

ARTICLE XII Officers

The Association shall have officers (the "Officers") which shall be appointed and organized in accordance with the Bylaws. Notwithstanding the foregoing, the initial Officers, including the offices of president, vice president, secretary, and treasurer, as applicable, shall be the initial Director(s), as determined among themselves from time to time.

No Officer shall be compensated for their services, except as otherwise provided in the Declaration or Bylaws. However, Officers may be reimbursed for reasonable expenses incurred in the performance of their duties, subject to Board approval.

ARTICLE XIII Director and Officer Liability and Indemnification

To the fullest extent permitted by law, no Director or Officer (including the initial Director(s) and Officers) shall be liable to the Corporation, the Association, or its members for monetary damages, except in cases of willful misconduct, gross negligence, or other conduct expressly precluded by law.

To the fullest extent permitted by the Nonprofit Act as amended from time to time, the Corporation shall indemnify its Directors and Officers (including the initial Director(s) and Officers) for any actions or inactions taken in good faith on behalf of the Corporation, the Association, or its members except as limited by applicable law, the Declaration, the Bylaws, or the Association's other governing documents.

ARTICLE XIV Membership, Voting Rights, and Stock

The Association shall have members with voting rights, and may have members without voting rights, as provided in the Declaration. Persons shall be admitted as members in accordance with the Declaration, the Bylaws, and other governing documents of the Association.

The Association is, or shall be, organized as a nonprofit corporation—i.e., the Corporation—and shall not issue stock or, except as otherwise provided in the Association's governing documents, any interests in water or other property rights.

ARTICLE XV Bylaws

The initial Directors shall adopt and record the bylaws of the Association (the "Bylaws"), which shall not be inconsistent with applicable law, the Declaration, or these Articles of Incorporation.

ARTICLE XVI Designation of Agent

The Corporation may, from time to time and by notarized instrument executed by the Declarant or at least one authorized member of the Board of Directors, designate an agent (the "Designated Agent") to manage the affairs of the Association and conduct the business of the Corporation. All such actions taken by the Designated Agent shall be considered as actions of the Board of Directors. Such management and business shall include, but is not limited to: (1) Real Property; (2) Banks and Other Financial Institutions; (3) Operation of Entity or Business; (4) Insurance and Annuities; (5) Claims and Litigation; and (6) Taxes, as described in Utah Code, Title 75, Chapter 9 – Uniform Power of Attorney Act, as amended from time to time, regardless of whether those provisions were intended to apply to the Corporation or the Association.¹

The Designated Agent may also serve as the manager of the Association and may delegate its authority to act on behalf of the Association to one or more of its representatives or employees, subject to prior approval by the Board of Directors.

¹ The reference to categories of authority described in Utah Code Title 75, Chapter 9 (Uniform Power of Attorney Act) is provided solely for organizational convenience in outlining the scope of agency powers. It is not intended to incorporate or impose upon the Corporation, the Association, the Declarant, or any Director, Officer, or Designated Agent the fiduciary duties, obligations, or legal framework otherwise applicable to powers of attorney under Title 75, except where expressly required by other applicable law. The Designated Agent acts solely in a corporate representative capacity and not as a personal attorney-in-fact under the Uniform Power of Attorney Act.

ARTICLE XVII Conflict

In the event of any conflict or inconsistency between these Articles of Incorporation and the Declaration, the provisions of the Declaration shall prevail.

ARTICLE XVIII Amendment

The Association may amend these Articles of Incorporation by an assenting vote of sixty-seven percent (67%) of the voting membership, in accordance with the voting provisions set forth in the Declaration. Such amendments shall not be effective until duly filed with the Utah Department of Commerce.

Notwithstanding the foregoing, during the Declarant's period of administrative control, as described in the Declaration, the Declarant or the Board of Directors may unilaterally amend these Articles of Incorporation.

ARTICLE XIX Perpetual Existence and No Voluntary Dissolution

The Corporation is intended to exist in perpetuity. Because the Corporation holds non-transferable obligations and maintains property and improvements essential to the ongoing use and value of the lots within the community, the Corporation may not be voluntarily dissolved by vote of the members or otherwise, and no such action shall be permitted or recognized unless required by a final order of a court of competent jurisdiction and consistent with applicable law. In the event the Corporation is nevertheless involuntarily dissolved or otherwise terminated, the procedures set forth in ARTICLE XX shall apply.

ARTICLE XX Dissolution, Reinstatement, and Reincorporation

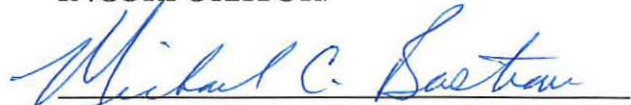
In the event the Corporation is administratively dissolved, voluntarily dissolved, or otherwise terminated, the Declarant or the Board of Directors shall take appropriate action to reinstate the Corporation in accordance with applicable law. If neither the Declarant nor the Board of Directors takes timely action, any member of the Association may take such action.

If reinstatement is not reasonably practicable, the Association may be reincorporated pursuant to Utah Code § 57-8a-221 by the Declarant, the Board of Directors, or—if neither takes timely action—any member of the Association acting as the incorporator. If any members of the previous Board were actively serving at the time of dissolution or termination and are available and willing to serve, they shall be designated as the initial or acting directors and shall be listed in the Articles of Incorporation filed for reincorporation. If no such individuals are available or willing to serve, then no directors shall be listed in the Articles of Incorporation, and a new Board shall be elected in accordance with the Bylaws as soon as reasonably practicable following reincorporation.

Signatures

DATED this 27 day of May in the year 2025.

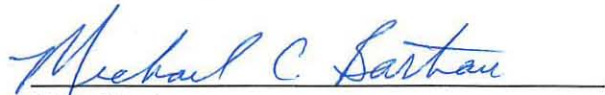
INCORPORATOR:


Mike Bastian

Acceptance of Appointment and Consent to Serve as Registered Agent

I hereby acknowledge, accept, and consent to my designation or appointment as a registered agent in Utah on behalf of Patriot Pointe Homeowners Association—the represented entity. I understand that it is my responsibility to receive any process, notice, or demand that is served on me as the registered agent of the represented entity, to forward such notices to the represented entity at the address most recently provided by the entity, to keep current the information required by Utah Code §§ 16-17-203(1) or 16-17-204(1) in the most recent registered agent filing for the entity, and, in the event of my resignation, to promptly notify the represented entity in a record of the date on which a statement of resignation was filed.

REGISTERED AGENT:


Mike Bastian

Date: 5.27.25