

176209

State of Utah  
Department of Commerce  
Division of Corporations and Commercial Code

I hereby certify that the foregoing has been filed and approved on the 11 day of APR, 1995 in the office of this Division and hereby issue this Certificate thereof.

**ARTICLES OF INCORPORATION**

**RECEIVED**

**APR 11 1995**

Examiner: YSC Date: 4-11-95

**OF**

UT DIV. OF CORP. & COMM. CODE



Karla S. Woods  
KORLA T. WOODS  
Division Director

**Park Hotel Condominiums  
Association of Unit Owners, Inc.**

**A Nonprofit Corporation**

Neal R. Bergstrom, the undersigned natural person over the age of twenty-one years, acting as incorporator of a non-profit corporation pursuant to the Utah Non-profit Corporation and Co-Operative Association Act, hereby adopts the following Articles of Incorporation for such nonprofit corporation.

ARTICLE I

NAME

The name of the nonprofit corporation is Park Hotel Condominiums Association of Unit Owners, Inc.

ARTICLE II

DURATION

The Corporation shall exist perpetually, or until dissolved pursuant to law.

ARTICLE III

PURPOSES

The Corporation is organized as a nonprofit Corporation and shall be operated exclusively for the purpose of managing, operating and governing Park Hotel Condominiums Association of Unit Owners, Inc., hereinafter referred to as "The Project" which is located on the following described real property being located in Summit County, State of Utah.

All of Lots 1, 2 & 3, Block 8, AMENDED PLAT OF PARK CITY SURVEY

ALSO:

BEGINNING at the Southeasterly corner of Block 8, Park City Survey, Park City, Utah and running thence South 66 degrees 54' West along the Southeasterly corner of Lot 1 of said Block 8; thence South 23 degrees 38' East 0.70 feet to a point within the right-of-way of Sixth Street (as signed; Second Street as platted); thence North 66 degrees 22' East 75.00 feet to the point of BEGINNING

#### ARTICLE IV

#### POWERS

Subject to the purposes declared in Article III above any limitations herein expressed, the Corporation shall have and may exercise each and all of the following powers and privileges:

(a) The power to do any and all things that the Corporation is authorized or required to do under the Declaration, as the same may from time to time be amended, including, without limiting the generality of the foregoing, the specific power to fix, levy and collect the charges and assessments provided for in the said Declaration and all things incidental thereto; and

(b) The power to purchase, acquire, own, hold, lease, mortgage, sell and dispose of any and all kinds of and character of real, personal, and mixed property (the foregoing particular enumeration in no sense being used by way of exclusion or limitation), and while the owner of any of the foregoing, to exercise all rights, powers, and privileges thereto; and

(c) The power to do any and all things that a nonprofit Corporation may now or hereto do under the laws of the State of Utah.

## ARTICLE V

### MEMBERSHIP

The Members of the Association shall be all record owners of Condominiums in the Project, as such owners are shown on the records of the County Recorder of Summit County, State of Utah. The term record owner shall not include any mortgagee, trustee, or beneficiary under any mortgage, trust deed, or other security instrument by which a Condominium or any part thereof is encumbered (unless such mortgagee, trustee or beneficiary has acquired title for other than security purposes), nor shall it include persons or entities purchasing a Condominium under contract (until such contract is fully performed and legal title conveyed of record). If record ownership of a condominium in the Project is jointly held, the Membership appertaining to such Condominium shall also be jointly held. Membership in the Association shall be mandatory and not optional. Each Membership in the Association shall be appurtenant to and shall not be separated from the Condominium to which it relates. No person or entity other than an owner of a Condominium in the Project may be a Member of the Association.

## ARTICLE VI

### MEMBERSHIP CERTIFICATES

The Corporation may issue certificates of Membership, but such certificates shall not be necessary to evidence Membership in the Corporation. Membership in the Corporation shall begin immediately and automatically upon becoming a record owner of the Condominium interests to which such Membership appertains and shall cease immediately and automatically upon ceasing to be a record owner of such interests.

## ARTICLE VII

### VOTING RIGHTS

All voting rights of the Corporation shall be exercised by the Members, each Membership being entitled to the number of votes relating to the Condominium interest appertaining to such Membership, as set forth in the Declaration. If a Membership is jointly held, any and all holders thereof may attend any meeting of the Members, but such holders must act unanimously to cast the votes relating to their joint Membership. Any designation of a proxy to act for joint holders of Membership must be signed by all such holders. With respect to matters to be voted upon by the Members as provided in the Declaration, the voting requirements and proportions shall be as set forth in the Declaration.

ARTICLE VIII

ASSESSMENTS

Members of the Corporation shall be subject to assessments by the Corporation from time to time in accordance with the provisions of the Declaration and shall be liable to the Corporation for payment of such assessments. Members shall not be individually or personally liable for the debts or obligations of the Corporation.

ARTICLE IX

PRINCIPAL OFFICE

*615* Main Street

The address of the initial principal office of the Corporation is P.O. Box 1224, Park City, Utah 84060.

ARTICLE X

BOARD OF TRUSTEES

The affairs of the Corporation shall be managed by a Board of Trustees, consisting of not less than three (3) nor more than nine (9) Trustees, as prescribed in the By-Laws. The Board of Trustees will function as the management committee as the term is defined in the Declarations and By-Laws with it being understood that the below described Board of Trustees is in fact the existing management committee being duly elected in conformity with the Declarations and By-Laws. The responsibility for electing Trustees has been turned over to the Members. The names and addresses of the persons who are currently serving as Trustees are as follows:

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	NAME	ADDRESSES	TERMS
1.	William Lang	4163 South 590 East, Murray, UT 84107	April 1996
2.	Nelda Israelsen	4640 South 2525 West, Roy, UT 84067	April 1995
3.	Robert Hale	998 East North Union Ave., Midvale., UT 84047	April 1996
4.	William Peterson	1237 East 200 South, Pleasant Grove, UT 84062	April 1995
5.	Ruth Lucido	2384 West Old Hwy. Road, Morgan, UT 84050	April 1995

ARTICLE XI

MANAGER

The Board of Trustees may by written contract delegate to a professional management organization or individual such of its managerial duties, responsibilities, functions, and powers as are properly delegable.

ARTICLE XII

BY-LAWS, RULES AND REGULATIONS

The Board of Trustees may adopt, amend, repeal, and enforce By-Laws and reasonable rules and regulations governing the operation of the Corporation and the operation and use of the Project, to the extent that the same are not inconsistent with these Articles of Incorporation or the Declaration. Copies of all By-laws of the Corporation and all amendments and modifications thereof shall be recorded in the Office of the County Recorder of Summit County, State of Utah.

ARTICLE XIII

INCORPORATOR

The name and address of the incorporator of the Corporation is as follows:

NAME	ADDRESS
Neal R. Bergstrom	4500 South 404 East, Suite A-34, S.L.C., UT 84107

ARTICLE XIV

AMENDMENTS

Except as otherwise provided by law or by the Declaration, these Articles of Incorporation may be amended in accordance with Utah law upon the affirmative vote of not less than fifty-one percent (51%) of the Total Votes of the Association.

ARTICLE XV

REGISTERED AGENT

The initial registered agent of the Association is Neal R. Bergstrom, 4500 South 404 East, Suite A-34, S.L.C., UT 84107

DATED this 11 day of April, 1995 1995 Y/B

*[Signature]*  
Neal R. Bergstrom

Acceptance of Appointment as Registered Agent:

*[Signature]*  
Neal R. Bergstrom

VERIFICATION

STATE OF UTAH )  
 )ss.  
COUNTY OF SALT LAKE )

On the 11 day of April, 1995, personally appeared before me Neal R. Bergstrom, who being by me duly sworn did say that he is the incorporator of Park Hotel Condominiums Association of Unit Owners, Inc., that he signed the foregoing Articles of Incorporation as incorporator of such nonprofit corporation, and that the statements therein contained are true and correct. He also did acknowledge that he did accept appointment as the initial registered agent of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand this 11 day of April, 1995.

*Sally H. Duncan*  
Notary Public  
Residing at: Salt Lake, Utah

