

Mark O. Morris (4636)
Annika L. Jones (16483)
SNELL & WILMER L.L.P.
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101-1004
Telephone: (801) 257-1900
Facsimile: (801) 257-1800

Attorneys for Plaintiff

01131661 B: 2569 P: 0224

Page 1 of 3

Rhonda Francis Summit County Recorder

05/05/2020 03:26:26 PM Fee \$40.00

By Snell & Wilmer LLP

Electronically Recorded

**IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SUMMIT COUNTY, STATE OF UTAH**

**THE PRESERVE HOMEOWNERS
ASSOCIATION,**

Plaintiff,

vs.

FCOI PRESERVE LLC,

Defendant.

LIS PENDENS

Civil No. 200500043

Honorable Judge Richard Mrazik

Pursuant to Utah Code § 78B-6-1303, Plaintiff The Preserve Homeowners Association (“Plaintiff”), through counsel, hereby gives notice of the pendency of the above-captioned action, which is pending in the above-named court and which, among other things, affects the title to or the right of possession of certain real property located in Summit County, Utah, as more particularly described in Exhibit A attached hereto (the “Property”).

The above-captioned action involves, among other things, Plaintiff’s claim that Defendant FCOI Preserve LLC (“FCOI”) was obligated to convey the Property to Plaintiff, and failed to do so. A copy of the Complaint and Answer can be viewed at the Courthouse for the Third Judicial District Court for Summit County, State of Utah, 6300 Justice Center Road Ste. A, Park City, UT

EXHIBIT A

Legal Description of the Property

The Property referred to herein is situated in Summit County, State of Utah, more particularly described as follows:

- 1) Open Space, THE PRESERVE PHASE 3 SUBDIVISION, according to the official plat thereof, on file and of record in the Summit County Recorder's Office.

Summit County Tax ID No. PRESRV-3-OS-1

- 2) Open Space 2, THE PRESERVE PHASE 3 SUBDIVISION, according to the official plat thereof, on file and of record in the Summit County Recorder's Office.

Summit County Tax ID No. PRESRV-3-OS-2

- 3) Beginning at a point which is North 00°07'16" West along Section Line 59.14 feet from the West Quarter Corner of Section 5, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 00°07'16" West 2130.13 feet between said West Quarter Corner and the North West Corner of said Section 5); and running thence North 00°07'16" West along said Section line, 1071.39 feet; thence East 35.04 feet; thence South 1066.00 feet; thence South 80°39'21" West 33.22 feet to the point of beginning.

AND

Beginning at a point which is North 00°02'19" East along the Section line 1634.69 feet from the South West Corner of Section 5, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 00°02'19" East 2699.96 feet between said South West Corner and the West Quarter Corner of said Section 5); and running thence North 00°02'19" East along said Section line 384.14; thence South 54°46'01" East 315.91 feet; thence South 22°33'54" West 153.16 feet; thence South 67°35'02" West 65.79 feet; thence South 75°41'33" West 143.14 feet to the point of beginning.

Summit County Tax Serial No. SS-13-B