

**ENTRY NO. 00815540**

06/08/2007 12:12:30 PM B: 1870 P: 0381

Notice PAGE 1 / 7

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE \$ 1087.00 BY PIVOTAL PROMONTORY DEVELOPMENT LLC



**When Recorded, Return To:**

Rich Sonntag  
Pivotal Promontory Development, LLC  
8758 N. Promontory Ranch Road  
Park City, Utah 84098

**NOTICE OF COMMUNITY ENHANCEMENT FEE AND ASSESSMENTS**

This Notice of Community Enhancement Fee and Assessments (this "Notice") is executed as of this 7<sup>th</sup> day of June, 2007, by THE PROMONTORY CONSERVANCY, (the "Conservancy"), having a mailing address at 8758 N. Promontory Ranch Road, Park City, Utah 84098.

The Conservancy does hereby claim and assert an interest in and to the real property hereinafter described (the "Property") by virtue of that certain Declaration of Covenants, Conditions, and Restrictions for Promontory dated January 2, 2002 and recorded January 3, 2002 as Entry Number 607465 in Book 1426 at Page 522 of the Official Records of the Summit County Recorder, as supplemented and amended (the "Declaration"), in which the Conservancy retained the right to (i) establish and collect assessments and (ii) establish and collect a Community Enhancement Fee upon each transfer of title to a Lot. Pursuant to the Declaration, the Community Enhancement Fee has been established and is charged to the seller of the each Lot, shall be payable to the Conservancy at closing of the transfer, and shall be secured by the Conservancy's lien for assessments under Section 8.8 of the Declaration. Pursuant to the Declaration, the assessments have been established and are charged to the owner of the each Lot, shall be payable to the Conservancy, and shall be secured by the Conservancy's lien for assessments under Section 8.8 of the Declaration. Each owner shall notify the Conservancy's Secretary, or designee, at least seven (7) days prior to the scheduled closing or transfer of title and provide the name of the buyer, the date of title transfer, and other information the Conservancy may reasonable require. Pursuant to the provisions of Sections 8.7 and 8.11 of the Declaration, the Declarant (Pivotal Promontory Development, L.L.C.) is not required to pay the Community Enhancement Fee and assessments. All capitalized terms contained herein shall have the definitions set forth herein or in the Declaration.

The Property is more particularly described on the Exhibit "A", attached hereto and incorporated herein by this reference.

The current, total amount of the Community Enhancement Fee and/or any unpaid assessments, including principal, interest, and costs can be obtained by contacting the Conservancy's Secretary, The Promontory Conservancy, 8758 N. Promontory Ranch Road, Park City, Utah 84098 (Telephone: 435-333- 4000).

IN WITNESS WHEREOF, Seller has executed this Notice as of the date first written above.

THE PROMONTORY CONSERVANCY

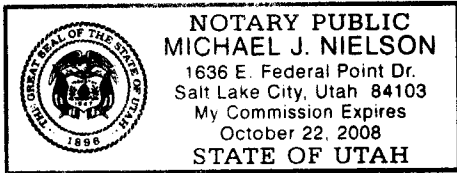
Its: President

By: \_\_\_\_\_

Rich Sonntag, President

State of Utah )  
 : ss.  
County of Summit )

On this the 7<sup>th</sup> day of JUNE, 2007, personally appeared before me, RICH SONNTAG, whose identity is personally known to me or has been proven on the basis of satisfactory evidence, and being first duly sworn, acknowledged that he was duly authorized by THE PROMONTORY CONSERVANCY to execute the foregoing NOTICE OF COMMUNITY ENHANCEMENT FEE AND ASSESSMENTS, and that he did so of his own voluntary act.



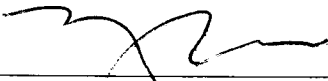
  
\_\_\_\_\_  
NOTARY PUBLIC FOR UTAH  
Residing in: Salt Lake City, UT  
My Commission Expires: 10-22-2008

EXHIBIT "A"

WV-1 THROUGH WV-53

Lots 1 through 53, West View Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

DC-1 THROUGH DC-103

Lots 1 through 103, Deer Crossing Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

WCAN-I-1-AM THROUGH WCAN-I-40-AM

Lots 1 through 40, Wapati Canyon, Phase 1 Subdivision, according to the official plat thereof as amended, on file and of record in the Summit County Recorder's Office.

WHLS-1 THROUGH WHLS-74

Lots 1 through 74, West Hills Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

RCCS-1 THROUGH RCCS-27

Lots 1 through 27, Ranch Club Cabins Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

PSSR-1 THROUGH PSSR-37

Lots 1 through 37, Sunset Ridge Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

LOR-1 THROUGH LOR-25

Lots 1 through 25, Lookout Ridge Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

SGNH-1 THROUGH SGNH-28

Lots 1 through 28, Signal Hill Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

HSD-1 THROUGH HSD-45

Lots 1 through 45, The Homesteads Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

RH-1 THROUGH RH-2

Lots 1 through 2, Range Hill Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

PSKY-1 THROUGH PSKY-43

Lots 1 through 43, Painted Sky Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

GCC-1 THROUGH GCC-25

Lots 1 through 45, Golf Club Cabins Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

PALSDS-1 THROUGH PALSDS-71

Lots 1 through 71, The Palisades Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

TCS-1 THROUGH TCS-64

Lots 1 through 64, Trappers Cabins Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

BB-1 THROUGH BB-69

Lots 1 through 45, Bison Bluffs Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

PROMR-1-1 THROUGH PROMR-1-8, PROMR-1-27, PROMR-1-40 THROUGH PROMR-1-46

Lots 1 through 8, Lot 27, and Lots 40 through 46, Promontory Ridge Phase 1 Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

PROMR-2-9 THROUGH PROMR-2-26, PROMR-2-28 THROUGH PROMR-2-39

Lots 9 through 26 and Lots 28 through 39, Promontory Ridge Phase 2 Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

BJ-1 THROUGH BJ-40

Lots 1 through 40, Buffalo Jump Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

DYECC-1 THROUGH DYECC-27

Lots 1 through 27, Dye Course Cabins Subdivision, according to the official plat thereof as amended and on file and of record in the Summit County Recorder's Office

AC-1 THROUGH AC-87

Lots 1 through 87, Aspen Camp Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

NGC-1 THROUGH NGC-79

Lots 1 through 79, Northgate Canyon Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

SUM-1 THROUGH SUM-61

Lots 1 through 61, Summit Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

PRRCH-1 THROUGH PRRCH-10

Lots 1 through 10, Promontory Ranches Subdivision, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

**Johnson/XWP/Ethier  
Boundary**

A parcel of land located in Section 18 Township 1 South, Range 5 East, Salt Lake Base and Meridian; and being more particularly described as follows:

Beginning at a point which bears South 89°00'11" West along the South Section Line 4431.43 feet from the Southeast Corner of Section 7, Township 1 South, Range 5 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°00'11" West 5291.05 feet between Southwest Corner and Southeast Corner of said Section 7, both corners being found monuments); and running thence South 38°28'53" East 2076.54 feet; thence South 55°34'21" West 167.15 feet; thence South 39°45'20" West 387.33 feet; thence South 18°57'11" West 347.87 feet; thence South 04°26'54" West 656.61 feet; thence South 07°09'19" West 992.64 feet; thence North 83°28'55" West 1448.17 feet; thence North 00°35'51" West 3807.23; thence North 89°00'11" East 859.63 feet to the POINT OF BEGINNING.

Containing 141.08 Acres Net, more or less.

**Jacobs  
Boundary**

A parcel of land located in Section 36 Township 1 North, Range 4 East, Salt Lake Base and Meridian; and being more particularly described as follows:

Beginning at point which is the Northwest Corner of Section 36, Township 1 North, Range 4 East, Salt Lake Base and Meridian, Summit County, Utah, said point also being on the boundary of Promontory, thence running along the North Section Line of said Section 36, North 89°29'26" East 1285.10 feet; thence South 00°38'13" West 1318.15 feet; thence South 89°32'17" West 1279.78 feet to the Easterly line of Promontory Boundary; thence North 00°24'23" East along the Promontory Boundary line 1316.99 feet to the POINT OF BEGINNING.

Containing 38.78 Acres Net, more or less.

**Gartner  
Boundary**

LOT 2 ROCKPORT RANCHES SECTION B IN SEC7 T1S R5E CONT 21.33 AC 289-320  
514-734 519-503-4 1690-741

Tax No: RR-B-2

**Smith  
Boundary**

Tax No: SS-70-2:

(LOT 6) IN SEC 19 T1SR5E; BEG AT PT ON WSEC LN SEC 19 T1SR5E SLBM SD PT  
BEING S  
0\*33'57" W ALG SD W LN 1316.095 FT FRNW COR SEC 19 (SD NW COR BEAR N  
0\*33'57"  
E FR SW COR & BEING BASIS OF BEAR) TH S0\*33'57" W ALG SD W LN 1357.301 FT;  
TH  
E 1267.560 FT; N 2\*52'55" E 1335.861 FT; N 89\* W 1321.526 FT TO PT OF BEG  
TOGETHER WITH AND SUBJECT TO 50 FT R/W "J" CONT 40.0 AC M131-79; and

Tax No: SS-70-3:

(LOT 7) IN SEC 19 T1SR5E; BEG AT PT ON WSEC LN SEC 19 T1SR5E SLBM, SD PT  
BEG N  
0\*33'57" E ALG SD W LN 1115.328 FT FR SWCOR SEC 19 (SD SW COR BEAR S 0\*33'57"  
W  
FR NW COR & BEING BASIS OF BEAR) TH N0\*33'57" E ALG SD W LN 1624.672 FT; TH  
E  
1267.560 FT; TH S 2\*52'55" W 369.708 FTS 13\*19'28" W 195.256 FT; S 20\*31'03" W  
870.201 FT; S 8\*25'37" E 136.473 FT; S82\*58'01" W 942.101 FT TO BEG TOGETHER  
WITH & SUBJ TO 50 FT R/W "J" CONT 40.0AC M131-81; and

Tax No: SS-70-4:

(LOT 8) SEC 19 T1SR5E; BEG AT PT THAT ISSW COR SEC 19 T1SR5E SLBM, TH N 0\*33'  
57" E ALG W SEC LN SEC 19, 11115.328 FT; N 82\*58'01" E 942.101 FT; S 32\*11'45" E

159.530 FT; S 67\*14'57" E 168.077 FT; N70\*05'47" E 315.356 FT; S 6\* E 1127.081  
FT TO S SEC LN SD SEC 19; TH S 89\*23'18" W ALG SD S LN 1600.447 FT TO PT OF  
BEG CONT 40.0 AC TOGETHER WITH & SUJBTO 50 FT R/W "J" CONT 40.0 AC M131-  
89.

**Rockport Ranches  
Boundary**

LOT 24 ROCKPORT RANCHES SECTION A IN SEC32 T1N R5E CONT 21.05 AC 360-611  
360-607 1739-62

Tax No: RR-A-24

LOT 23 ROCKPORT RANCHES SECTION A IN SEC32 T1N R5E CONT 20.66 AC 732-9

Tax No: RR-A-23

LOT 25 ROCKPORT RANCHES SECTION A IN SEC32 T1N R5E CONT 21.32 AC M145-  
490 318-735

Tax No: RR-A-25

LOT 28 ROCKPORT RANCHES SECTION A IN SEC32 T1N R5E CONT 20.41 AC M145-  
490 318-735

Tax No: RR-A-28

LOT 27 ROCKPORT RANCHES SECTION A IN SEC32 T1N R5E CONT 20.17 AC M122-  
717 1294-1408

Tax No: RR-A-27