WHEN RECORDED RETURN TO:
Summerlane Development Inc.
Richard Welch
273 N. East Capitol Street
Salt Lake City, Utah 84103
(801) 456-2430
CT- 871092-KF

12446048 12/30/2016 4:27:00 PM \$16.00 Book - 10517 Pg - 973-976 Gary W. Ott Recorder, Salt Lake County, UT COTTONWOOD TITLE BY: eCASH, DEPUTY - EF 4 P.

TAXID# 26-36-376-052

## DECLARATION OF REMOVAL OF PROPERTY FROM THE PROVISIONS OF THE UTAH COMMUNITY ASSOCIATION ACT AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS, AND BYLAWS AS PART OF THE

## PLANNED SOLAMEER PROPERTIES DEVELOPMENT

STATE OF UTAH	)
	ss:
COUNTY OF SALT LAKE	)

COMES NOW Solameer Development Inc., a Utah corporation ("Affiant") and attests that Solameer Townhomes L.L.C., a Utah limited liability company ("Original Declarant"), is the record owner of the real property described with particularity on Exhibit "A" attached hereto and incorporated herein by this reference (the "Property"); that there are no other owners of said Property; and that Original Declarant has assigned to Affiant, and Affiant has assumed from Original Declarant all of Original Declarant's right, title, claim and interest in and to the Recreational Amenities Declaration (as defined below)

The original Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements, and Bylaws as part of the Planned Solameer Properties Development was recorded in the office of the County Recorder of Salt Lake County, Utah on February 28, 2014 as Entry No. 11811681 in Book 10214 at Pages 4752-4787 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Recreational Amenities Declaration").

Any and all mortgages, deeds of trust, security instruments or other encumbrances that now exist against the Property shall transfer, unaltered, to the individual interests that survive the results of the recording of this Declaration of Removal. All of the beneficiaries to indebtedness secured by the Property by their signature(s) below do hereby consent to the removal of the Property from the provisions of the Utah Community Association Act (the "Act") and the Recreational Amenities Declaration.

The undersigned wishes, pursuant to the Act, Utah Code Ann., Sections 57-8a-101 et seq. (2014) as amended and supplemented, to remove the Property from the provisions of the Act, as amended and supplemented, and the Recreational Amenities Declaration.

It is the intent of the undersigned to submit the Property to the Declaration of Covenants, Conditions and Restrictions and Reservation of Easement, and Bylaws for Solameer Apartments recorded February 28, 2014 As Entry No. 11811812 in Book 10214 at Pages 5815-5831 of the official records of the Salt Lake County Recorder, as amended (the "Apartments Declaration").

Accordingly, the undersigned does hereby withdraw and remove the Property from the provisions of the Act and the Recreational Amenities Declaration and the Recreation Amenities Association is hereby terminated.

This document and the withdrawal and removal shall become effective on the date this document is recorded in the Office of the County Recorder of Salt Lake County, Utah.

Further, Affiant saith not.

SIGNATURES CONTAINED ON FOLLOWING PAGE

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

IN WITNESS WHEREOF, Declarant has executed this instrument the day of December, 2016.

## **DECLARANT:**

Solameer Development Inc., a Utah corporation

Bryson D. Garbett, President.

STATE OF UTAH

ss:

COUNTY OF SALT LAKE )

On the day of December, 2016, before me personally appeared Bryson D. Garbett to me personally known, who by me being duly sworn, did say that they are the President of Solameer Development Inc., a Utah corporation, the company that executed the within instrument, known to me to be the persons who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its Operating Agreement.

NOTARY PUBLIC

RICHARD C WELCH
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 665405
COMM. EXP. 04-22-2017

## EXHIBIT "A" LEGAL DESCRIPTION

The Property referred to in the foregoing document is located in Salt Lake County, Utah and is described more particularly as follows:

All of Lot B, contained within HERRIMAN TOWNES PHASE 1, as the same is identified in the Plat recorded in Salt Lake County, Utah as Entry No. 11859698 in Book 2014P of Plats at Page 122 of the official records of the County Recorder of Salt Lake County, Utah and in the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements and Bylaws for Solameer Townhomes (a part of the planned Solameer Properties Development) recorded in Salt Lake County, Utah as Entry No. 11811782 in Book 10214 at Page 5477 of the official records of the County Recorder of Salt Lake County, Utah.