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Gary W. Ott
Recorder, Salt Lake County, UT
TITLE GUARANTEE S JORDAN
BY: eCASH, DEPUTY - EF 5 P.

When Recorded Return to:
Investment Capital Realty
320 W 700 N
Salt Lake City, Utah 84103

**DECLARATION OF REMOVAL OF THE
HEATHERGLEN LOT NO. 1 CONDOMINIUMS
FROM THE PROVISIONS OF
THE UTAH CONDOMINIUM OWNERSHIP ACT**

This instrument is executed, consented to, or approved, as the case may be, on the date hereinafter set forth by the undersigned owners of all units in the above stated condominiums and the sole and complete successors to the original Declarant(s) Trendsetter Affiliates, Inc..

RECITALS:

A. **DECLARATION AND MAP.** The Condominium Plat of the HEATHERGLEN LOT NO. 1 CONDOMINIUMS was recorded in the office of the Salt Lake County Recorder on April 25, 1979 as Entry No. 3269531 in Book of Maps 79-4 at Page 129 (hereinafter referred to as the Heatherglen Lot No. 1 Condominiums Plat). In connection with the recording of the Original Heatherglen Lot No. 1 Condominiums Plat that certain instrument styled "Declaration of Covenants, Conditions and Restrictions of Heatherglen Lot No. 1" Condominium Project was recorded on April 25, 1979 as Entry No. 3269530 in Book 4850 at Pages 843 (hereinafter sometimes referred to herein collectively as the Heatherglen Lot No. 1 Condominium Regime).

B. **CREATION OF A CONDOMINIUM PROJECT.** The recording of the Heatherglen Lot No. 1 Condominiums Declaration and Plat and related instruments created a condominium project under the Utah Condominium Ownership Act (Title 57, Chapter 8, Utah Code annotated 1953), as amended, hereinafter the "Act". Said Condominium Units are more particularly described as follows:

Unit No. A, contained within The Heatherglen Lot No.1, a Utah Condominium Project, as the same is identified in the record of survey map recorded in Salt Lake County on April 25, 1979 as Entry No. 3269531 in Book of Maps 79-4 at Page 129 (as said record of survey map may have heretofore been amended or supplemented) and in the Declaration recorded in Salt Lake County on April 25, 1979 as Entry No. 3269531 in Book 4850 at Page 843 (as said Declaration may have heretofore been amended or supplemented.)

Together with the appurtenant undivided interest in said project's common areas as established in said Declaration and allowing for periodic alteration both in the magnitude of said undivided interest and in the composition of the common areas and facilities to which said interest relates.

C. **OWNERSHIP OF CONDOMINIUM UNITS.** The undersigned successor Declarants are the owners of all condominium units in the Heatherglen Lot No. 1 Condominiums.

D. **INTENTION OF DECLARANTS.** The Declarants now desire to remove the property described above heretofore submitted to condominium ownership from the provisions of the Act. Upon

such removal the property shall be described in terms of the Heatherglen Subdivision according to the official plat thereof recorded in the office of the Salt Lake County Recorder as set forth below.

E. MORTGAGE INTEREST. Any and all Deeds of Trust or other encumbrance that now exist concerning the specific units of ownership as they now exist shall transfer, unaltered to the individual interests that survive the results of this declaration.

NOW, THEREFORE, in pursuance of the foregoing, the undersigned declare and certify as follows:

1. REMOVAL. The real property, more particularly described above, heretofore submitted to the provisions of the Act and subject to the Condominium Regimes set forth above, including, but not limited to the Declarations and Maps, ARE HEREBY REMOVED FROM THE PROVISIONS OF THE ACT pursuant to the removal provisions of Section 57-8-22 of the Act.

2. CONSENT. All of the beneficiaries and other holders of indebtedness on the Property covered by this Instrument do hereby consent to the removal of the real property described above from the Act, and agree that any Deed of Trust, Mortgage or other Security Instrument shall attach and be transferred exclusively to the surviving interest of the private owners as pertains to the formerly encumbered Unit.

3. DESCRIPTION OF PROPERTY REMOVED. The real property to which this Declaration of removal shall apply shall be described as a portion of the prior Lot 1, HEATHERGLEN SUBDIVISIONS according to the official plat thereof as originally recorded in the office of the Salt Lake County Recorder on February 16, 1978 as Entry No. 3066121 in Book of Plats 78-2 at Page 55 (herein the original Subdivision) and more particularly described as follows:

A. Beginning at a Point at the Southeast corner of Lot 1, HEATHERGLEN SUBDIVISION, which point is also on the West Right of Way of 2200 West Street; thence South $89^{\circ}49'50''$ West 121.95 feet; thence North $0^{\circ}06'20''$ East 43.24 feet along the East Line of Lot 6, HEATHERGLEN SUBDIVISION; thence South $89^{\circ}18'23''$ East along a line, a portion of which being the center of a common wall between Unit "A" and Unit "B" of said Lot 1, 121.96 feet more or less to a point on the Right of Way of 2200 West Street; thence South $0^{\circ}06'20''$ West 41.40 along the said Right of Way to the Point of Beginning.

[Formerly described of record as Unit A, Heatherglen Lot No. 1 Condominiums - Formerly known as Tax Parcel No. 21-04-431-002.] NEW TAX PARCEL NO. 21-04-431-_____ Address: 4494 S 2200 W, Taylorsville, Utah 84119

B. Lot 1 HEATHERGLEN SUBDIVISION, according to the plat thereof as recorded in the office of the Salt Lake County Recorder. Less and Excepting there from the following described Parcel:

Commencing at the Southeast corner of Lot 1, HEATHERGLEN SUBDIVISION, thence North $0^{\circ}06'20''$ East 41.40 feet along the West Right of Way of 2200 West Street to the Point of Beginning; thence North $89^{\circ}18'23''$ West along a line, a portion of which being the center of a common wall between Unit "A" and Unit "B" of said Lot 1, 121.96 feet

CONSENT OF SECURITY HOLDER attached as a Counterpart to the Declaration of Removal for the Heatherglen Lot No. 1 Condominium Project from the Utah Condominium Ownership Act

Former Unit A of Heatherglen Lot No. 1 Condominium Project

Mortgage Electronic Registration Systems, Inc.

By: Lorna L. Slaughter
Lorna L. Slaughter
Its: Vice President

State of Maryland
County of Washington

On this 12th day of April, 2013, before me, the undersigned officer, personally appeared Lorna L. Slaughter, who acknowledged himself/herself/themselves to be the Vice President of Mortgage Electronic Registration Systems, Inc., a Delaware Corporation, and that he/she/they, as such Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself/themselves as Vice President.

In witness whereof I hereunto set my hand and official seal.



Jennifer L. Foster
Notary Public
My Commission expires 8/24/2014

**RE-ACKNOWLEDGEMENT PAGE TO:
“DECLARATION OF REMOVAL OF THE HEATHERGLEN LOT NO. 1
CONDOMINIUMS FROM THE PROVISIONS OF THE UTAH CONDOMINIUM
OWNERSHIP ACT”**

**THIS DOCUMENT IS BEING RE-ACKNOWLEDGED AND RE-RECORDED TO
CORRECT A MISSING NOTARY SIGNATURE AND STAMP FOR THE CLO
OF TRANSWEST CREDIT UNION-SCOTT PETERSON.**

TRANSWEST CREDIT UNION

BY: _____

SCOTT PETERSON

6/3/13
DATE

ITS: CLO

State of Utah }
 } ss:
County of SALT LAKE _____ }

On the 3 day of JUNE, 2013, personally appeared before me SCOTT PETERSON AS CLO OF TRANSWEST CREDIT UNION, the signor of the above instrument who duly acknowledged to me that he executed the same.

Stephanie Hatt
Notary Public

