

WHEN RECORDED RETURN TO:

Holmes DB Condos, LLC
126 West Segoe Lily Dr., Ste 250
Sandy, Utah 84070

**ORDER OF REMOVAL FROM CONDOMINIUM & RESCISSION OF THE
DECLARATION OF CONDOMINIUM FOR DB CONDOMINIUMS**

This Order of Removal From Condominium & Rescission of the Declaration of Condominium for DB Condominiums ("**Removal From Condominium**") is made and executed on the date set forth below, by Holmes DB Condos, LLC, as Declarant and the DB Condominium Owners Association, a Utah nonprofit corporation.

RECITALS

A. This Removal From Condominium affects the real property situated in Salt Lake County, described with particularity on Exhibit A, which is incorporated herein by reference (the "**Subject Property**") and shall be binding on all parties having or acquiring any right, title, or interest to the Subject Property or any part thereof.

B. The Declaration of Condominium for DB Condominiums was recorded with the Salt Lake County Recorder's Office on March 23, 2021, as Entry No. 13607323 ("**Declaration**").

C. Pursuant to Article XV, Section 15.1 of the Declaration, the Declarant has the sole authority to amend the Declaration during the Period of Declarant Control, which includes the right to withdraw property from the terms and restrictions of the Declaration.

D. As of the date of the recording of this First Amendment, the Declarant owns Units in the Project, and the Period of Declarant Control remains in effect.

E. Declarant now desires to withdraw the Subject Property and rescind the Declaration from the Subject Property, and all terms and restrictions contained therein.

F. This Removal From Condominium shall be considered a valid amendment to the Declaration pursuant to Declarant's unilateral amendment right.

NOW THEREFORE, in consideration of the recitals set forth above, Holmes DB Condos, LLC in its capacity as the Declarant hereby declares and certifies as follows:

1. Termination of Condominium. Declarant does hereby remove the Subject Property from the application of the Utah Condominium Ownership Act. The Subject Property shall no longer be held, conveyed, encumbered, leased, or improved as common area of a condominium project or subject to the Utah Condominium Ownership Act.

2. Withdrawal of Land. The land described in Exhibit "A" is hereby withdrawn from the DB Condominiums Project and Declarant rescinds the Declaration from the Subject

Property in its entirety, including all amendments and supplements thereto.

3. Termination of Covenants. The covenants, conditions, restrictions, assessments, and easements as contained in the Declaration shall no longer apply to or be a burden upon the Subject Property.

4. Termination of Membership. Effective herewith, the owner of the Subject Property shall not be a member of the DB Condominiums Owners Association, and all rights and obligations of such membership shall be terminated upon recording of this Removal From Condominium.

5. Declaration. Except as modified by this Removal From Condominium, the Declaration will remain in full force and effect on the remainder of the DB Condominiums Project.

6. Defined Terms. All defined terms or capitalized terms as used in this Removal From Condominium shall have the same meaning as defined in the Declaration, unless otherwise set forth herein.

7. Severability. Any determination by any court of competent jurisdiction that any provision of this Removal From Condominium is invalid or unenforceable shall not affect the validity or enforceability of any of the other provisions hereof.

8. Effective Date. This Removal From Condominium shall take effect upon being recorded with the Salt Lake County Recorder.

IN WITNESS WHEREOF, the Declarant has caused this Removal From Condominium to be executed by a duly authorized representative this 21st day of November, 2024.

DECLARANT & PARCEL 2 OWNER
HOLMES DB CONDOS, LLC
a Utah limited liability company
By its Manager Holmes Condos, LLC

By: [Signature]

Name: Eric K. Davenport

Title: Secretary

STATE OF UTAH)
) ss.
COUNTY OF Salt Lake)

On the 21 day of November, 2024, personally appeared before me Eric K. Davenport who by me being duly sworn, did say that she/he is an authorized representative of Holmes DB Condos, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

Notary Public: [Signature]



IN WITNESS WHEREOF, the Condominium Owners Association consents to this Removal From Condominium this 21st day of November, 2024.

PARCEL 1 OWNER
DB CONDOMINIUM OWNERS ASSOCIATION
a Utah nonprofit corporation

By: [Signature]

Name: DARON SMITH

Title: Board Member

STATE OF UTAH)
) ss.
COUNTY OF Salt Lake)

On the 21 day of November, 2024, personally appeared before me Daron Smith who by me being duly sworn, did say that she/he is an authorized representative of DB Condominium Owners Association, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

Notary Public: [Signature]

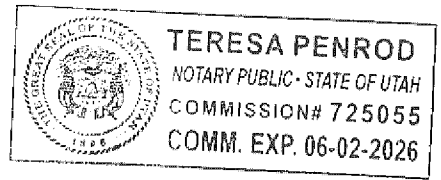


EXHIBIT "A"
SUBJECT PROPERTY/WITHDRAWN LAND

Parcel 1

A parcel of land described as follows:

BEG S 89°55'30" E 2519.69 FT & N 3642.56 FT FR SW COR OF SEC 24, T3S, R2W, SLM; N 36°32'54" W 132.047 FT; N 53°27'06" E 81.755 FT; N 36°32'54" W 137.979 FT; N 53°27'06" E 24 FT; S 36°32'54" E 56.813 FT; ALG 10 FT RADIUS TANGENT CURVE TO L, 15.708 FT; N 53°27'06" E 5.323 FT; N 52°00'02" E 44.014 FT; N 53°27'06" E 11.677 FT; S 36°32'54" E 165.886 FT; S 53°27'06" W 11.677 FT; S 54°54'09" W 44.014 FT; S 53°27'06" W 10.323 FT; S 36°32'54" E 47.916 FT; S 53°27'06" W 9.789 FT; S 36°32'54" E 14.858 FT; S 67°31'47" W 57.014 FT; SW'LY ALG 532.50 FT RADIUS CURVE TO L, 46.627 FT (CHD S 65°01'17" W) TO BEG. LESS & EXCEPT ANYTHING WITHIN SOUTH STATION PLAT 3 CONDO PH 1A AMD. (BEING THE REMAINDER COMMON AREA FOR SOUTH STATION PLAT 3 CONDO PH 1A)

Tax Parcel Number: 26241810120000

Parcel 2

A parcel of land described as follows:

BEG S 89°55'30" E 244.05 FT & N 3748.53 FT FR SW COR OF SEC 24, T3S, R2W, SLM; N 36°32'54" W 137.979 FT; N 53°27'06" E 81.755 FT; S 36°32'54" E 137.979 FT; S 53°27'06" W 81.755 FT TO BEG. LESS & EXCEPT ANYTHING WITHIN SOUTH STATION PLAT 3 CONDO PH 1C AMD. (BEING THE REMAINDER COMMON AREA FOR SOUTH STATION PLAT 3 CONDO PH 1C).

Tax Parcel Number: 26241830120000