

Notice Page 1 of 2
Russell Shirts Washington County Recorder
06/25/2010 04:34:27 PM Fee \$56.00 By
RICHARDS, KIMBLE & WINN, P.C.

WHEN RECORDED, RETURN TO:

RICHARDS, KIMBLE & WINN, PC
2040 Murray Holladay Rd., Ste 106
Salt Lake City, UT 84117
(See Below for HOA Contact Info)

NOTICE OF REINVESTMENT FEE COVENANT
(Pursuant to Utah Code Ann. §57-1-46)

Pursuant to the requirements of Utah Code Ann. §57-1-46 (2010), this instrument is a notice of reinvestment fee covenant ("Notice") that satisfies the requirements of Utah Code Ann. §57-1-46(7) (2010). This Notice serves as notice of a reinvestment fee covenant which was authorized and established pursuant to a First Amended and Restated Declaration of Covenants, Conditions and Restrictions for the Sky Mountain Project, a Planned Community, recorded as Doc # 00728723 in the Recorder's Office for Washington County, Utah.

BE IT KNOWN TO ALL SELLERS, BUYERS AND TITLE COMPANIES that:

1. A **Reinvestment Fee Covenant** (sometimes referred to as a "Community Enhancement Fee" or "Transfer Fee") is due upon transfer of title in an amount determined by the Association, via its Board, which may increase or decrease from time to time in its sole discretion. Such amount shall be in addition to any pro rata share of assessments due and adjusted at settlement. The name and address of the beneficiary under the above referenced reinvestment fee covenant is Sky Mountain Home Owner's Association, 985 N. 2600 W, Hurricane, UT 84737. **Phone: (435) 635-7781.** If and when the contact information in this paragraph becomes outdated, contact with the Association may be made through its registered agent. The current registered agent of the Association can be found through the Utah Department of Commerce Division of Corporations.
2. The burden of the above referenced reinvestment fee covenant is intended to run with the land described in **Exhibit A** and to bind successors in interest and assigns. The duration of the above referenced reinvestment fee covenant is perpetual.
3. The reinvestment fee covenant itself was applicable before March 16, 2010, and therefore the exceptions provided in Utah Code Section 57-1-46(8) do not apply.

DATE: 6/25, 2010

**SKY MOUNTAIN HOME OWNER'S
ASSOCIATION**

By: John D. Richards, Esq.
Its: Authorized Agent

STATE OF UTAH)
)
) :ss
COUNTY OF SALT LAKE)

John D. Richards personally appeared before me and acknowledged that he has knowledge of the facts set forth in the Notice and that he believes that all statements made in this Notice are true and correct. Subscribed and sworn to before me on June 25, 2010.

[Signature]
Notary Public

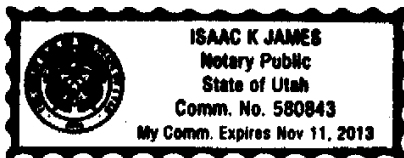


EXHIBIT A

LEGAL DESCRIPTION

The following lots are subject to this Amendment to the Master Declaration of Covenants, Conditions and Restrictions of the Sky Mountain Project, A Planned Community.

The Clubhouse Series at Sky Mountain Phase 1A Amended: Lots 1-31

The Clubhouse Series at Sky Mountain Phase 2: Lots 32-38

The Courtyard Townhomes at Sky Mountain Phase 1B Amended: Lots 1A-29A & 30B

Parcel #: H-3-1-29-322-RD2 Lot 1A: S: 29 T: 41S R: 13W BEG N0*05'13 W ALG 1/4 SEC/L 877.47 FT & N90* W 81.96 FT FM S1/4 COR SEC 29 T41S R13W TH N50*12'59 W 75.04 FT; TH N37*58' E 150.44 FT TO PT CURV NON-TNGT CUR CNCV NE HAV RAD 533 FT CTL ANG 01*18'01 CHD 12.10 FT BEAR S46*40'49 E CUR BEING ON WLY R/W/L 2600 WEST ST; TH SELY ALG CUR & R/W/L 12.10 FT; TH S47*19'09 E ALG R/W/L 63.17 FT; TH S37*58' W 146.50 FT TO POB

Parcel # H-3-1-29-321-RD2 Lot 1 B: BEG S1/4 COR SEC 29 T41S R13W TH N0*05'13W ALG 1/4 SEC/L 877.47 FT; TH N90*W 81.96 FT; TH N50*12'59W 75.04 FT TO POB; TH N50*12'59W 89.96 FT; TH N47*42'29E 160.34 FT TO PT CURV NON-TNGT CUR CNCV NON TNGT CUR CNCV NE RAD 533 FT CTRL ANG 06*50'45" CHD 63.68 FT; TH S37*58"W 150.44 FT TO POB

Parcel # H-3-1-29-231-RD2 Lot F: S: 29 T: 41S R: 13W BEG SW COR LOT 16 CLUBHOUSE SERIES AT SKY MTN PH 1A, TH S89*40'47 E 149.05 FT ALG SLY L/L LOT 16 TO WLY R/W/L 2600 WEST ST ALSO BEING ON CUR HAV RAD 167 FT (RAD BEARS N83*24'54 W); TH SWLY ALG ARC CUR 60.13 FT THRU CTL ANG 20*37'48; TH S27*12'53 W 16.83 FT TO CUR HAV RAD 283 FT (RAD BEARS S62*47'07 E); TH SLY ALG ARC CUR 14.04 FT THRU CTL ANG 02*50'31; TH N89*40'47 W 134.41 FT; TH N0*23'56 E 40.97 FT; TH N20*19'11 E 46.85 FT TO POB.

Parcel # H-3-1-29-232-RD2 Lot G: S: 29 T: 41S R: 13W BEG S20*19'11 W 46.85 FT & S0*23'56 W 40.97 FT FM SW COR LOT 16 CLUBHOUSE SERIES AT SKY MTN PH 1A, TH S89*40'47 E 134.41 FT TO WLY R/W/L 2600 WEST ST ALSO BEING ON CUR HAV RAD 283 FT (RAD BEARS S65*37'38 E); TH SWLY ALG ARC CUR 88.40 FT THRU CTL ANG 17*53'51 ; TH N89*40'47 W 111.59 FT; TH N0*23'56 E 85 FT TO POB.

Parcel # H-3-1-29-233-RD2 Lot H: S: 29 T: 41S R: 13W BEG S20*19'11 W 46.85 FT & S0*23'56 W 125.97 FT FM SW COR LOT 16 CLUBHOUSE SERIES AT SKY MTN PH 1A TH S89*40'47 E 111.59 FT TO WLY R/W/L 2600 WEST ST ALSO BEING ON CUR HAV RAD 283 FT (RAD BEARS S83*31'28 E); TH SWLY ALG ARC CUR 30.01 FT THRU CTRL ANG 06*04'36 ; TH S0*23'56 W 40.09 FT TO CUR HAV RAD 30 FT (RAD BEARS N89*36'04 W); TH SWLY ALG ARC CUR 47.08 FT THRU CTL ANG 89*55'17 ; TH ALG NLY R/W/L 600 NORTH ST N89*40'47 W 80.04 FT; TH N0*23'56 E 100 FT TO POB