

When Recorded, Mail To:
Richard F. Armknecht, III
7862 S. Danish Downes Court
Salt Lake City, Utah 84121

ENT 73815:2001 PG 1 of 3
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2001 Jul 26 2:17 pm FEE 169.00 BY SS
RECORDED FOR ARMKNECHT, RICHARD

NOTICE OF LAWSUIT AFFECTING PURCHASERS OF PROPERTY

(FEDERAL LAWSUIT FILED UNDER FAIR HOUSING ACT)

Condominium Declarations referenced in this Notice of Lawsuit Affecting Purchasers of Property:

- 1) DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE WILLOW SPRINGS CONDOMINIUMS, AN EXPANDABLE UTAH CONDOMINIUM PROJECT, recorded in the records of the County Recorder of Utah County, State of Utah, on August 22, 2000, as **Entry No. 65650, in Book 2000**, pages 1, et seq.
- 2) SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE WILLOW SPRINGS CONDOMINIUMS, AN EXPANDABLE UTAH CONDOMINIUM PROJECT, recorded in the records of the County Recorder of Utah County, State of Utah, on April 11, 2001, as **Entry No. 33703, in Book 2001**, pages 1, et seq.

This Notice of Lawsuit Affecting Purchasers of Property is made on the date hereinafter set forth by the Disabled Rights Action Committee, a Utah nonprofit corporation, for the purpose of giving notice (to any purchaser of a condominium unit herein identified) that a lawsuit has been filed in the United States District Court for the District of Utah (Case No. 2:01CV-0567 filed July 25, 2001) alleging that The Willow Springs Condominiums, an Expandable Utah Condominium Project contains various violations of the design and construction and fair advertising requirements of the Fair Housing Act and demanding as relief: (1) permanent injunction requiring Defendants, their agents, employees and assigns from discrimination on the basis of handicap in violation of the Fair Housing Act, and requiring Defendants to make all necessary modifications to eliminate all barriers that prevent access by persons with handicaps; (2) actual damages in an amount to be proved at trial; (3) punitive damages; (4) injunction requiring Defendants to make necessary modifications to any condominium at Willow Springs where the owner of such condominium desires that such unit be brought into compliance with the Fair Housing Act; (5) establishment of an escrow fund in an amount deemed appropriate by the Court for expenditures to bring all condominiums at Willow Springs into compliance with the Fair Housing Act over a term of years (and, at the conclusion of such term of years, for expenditures to improve accessibility to the disabled in Utah according to such terms and conditions as are deemed appropriate by the Court); (6) permanent injunction requiring

Defendants, their agents, employees and assigns to cease advertising discrimination on the basis of handicap in violation of the Fair Housing Act, and requiring Defendants to publish notice (including appropriate signage at Willow Springs) to clarify the changes to afford accessibility will be made at Willow Springs; (7) an award of restitution for unjust enrichment in an amount to be proved at trial; (8) Plaintiffs' attorney's fee, including litigation expenses, and costs of suit; and (9) such other and further relief deemed appropriate by the Court.

In accordance with Title 42, Section 3413(d) of the United States Code, the above-referenced lawsuit does not affect any contract, sale, encumbrance or lease consummated (by a *bona fide* purchaser, encumbrancer, or tenant) before the date that this Notice of Lawsuit Affecting Purchasers of Property has been filed.

DESCRIPTION OF THE PROPERTY

EACH AND EVERY UNIT (ALL UNITS) in the WILLOW SPRINGS CONDOMINIUMS, AN EXPANDABLE UTAH CONDOMINIUM PROJECT, as shown in the Record of Survey Map of WILLOW SPRINGS CONDOMINIUMS, AN EXPANDABLE UTAH CONDOMINIUM PROJECT recorded in the records of the County Recorder of Utah County, State of Utah, on August 22, 2000, as Entry No. 65649, in Book 2000, Map #8699, and as described in the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE WILLOW SPRINGS CONDOMINIUMS, AN EXPANDABLE UTAH CONDOMINIUM PROJECT, recorded in the records of the County Recorder of Utah County, State of Utah, on August 22, 2000, as Entry No. 65650, in Book 2000, pages 1, et seq. AND EACH AND EVERY UNIT (ALL UNITS) in the WILLOW SPRINGS CONDOMINIUMS, AN EXPANDABLE UTAH CONDOMINIUM PROJECT, as shown in the Record of Survey Map of WILLOW SPRINGS CONDOMINIUMS, AN EXPANDABLE UTAH CONDOMINIUM PROJECT recorded in the records of the County Recorder of Utah County, State of Utah, on April 11, 2001, as Entry No. 33702, in Book 2001, Map #9022, and as described in the SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE WILLOW SPRINGS CONDOMINIUMS, AN EXPANDABLE UTAH CONDOMINIUM PROJECT, recorded in the records of the County Recorder of Utah County, State of Utah, on April 11, 2001, as Entry No. 33703, in Book 2001, pages 1, et seq.

VERIFICATION

The undersigned officer of the DISABLED RIGHTS ACTION COMMITTEE, a Utah nonprofit corporation, being first duly sworn, deposes and says:

That such officer of the DISABLED RIGHTS ACTION COMMITTEE has read the above and foregoing **Notice of Lawsuit Affecting Purchasers of Property**; that such officer of the DISABLED RIGHTS ACTION COMMITTEE knows the contents thereof; and that the same is true of such officer's own knowledge, except for those matters therein stated on information and belief, and as for those matters such officer believes to be true.

DISABLED RIGHTS ACTION COMMITTEE

By Barbara Poomer

Its: Corporate Secretary

STATE OF Utah)

COUNTY OF Salt Lake)

On this 25th day of July, 2001, before me Jean Layton, personally appeared Barbara Poomer, known or identified to me to be the corporate secretary of the Disabled Rights Action Committee, a Utah nonprofit corporation, who executed the foregoing Notice of Interest in the name of the Disabled Rights Action Committee and acting in an official capacity as an officer of the Disabled Rights Action Committee.

Subscribed and sworn to before me:

Jean Layton
Notary Public

My commission expires: _____
Residing at: _____

