

WHEN RECORDED, RETURN TO:

PARTIAL TERMINATION OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF
THE HARBOR BAY SUBDIVISION

THIS TERMINATION OF DECLARATION is made by the undersigned Association.

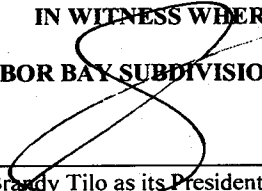
RECITALS

- A. Real property in Saratoga Springs City, Utah County, State of Utah, known as Harbor Bay Subdivision, according to official plat thereof on file with the Utah County Recorder's Office, State of Utah, was subjected to an Amended and Restated Declaration of Covenants, Conditions, and Restrictions recorded May 29, 2012, as Entry No. 44247:2012, in the Utah County Recorder's Office, Utah ("Declaration");
- B. A portion of the property described in Exhibit "A" to the Declaration is not subject to the Declaration, but rather is intended to be Additional Land, able to be subjected to the Declaration if certain events occur. However, the Additional Land was described as being subject to the Declaration.
- C. This termination shall be effective only against the property intended to be Additional Land, as described in Exhibit "A" to this Partial Termination, unless and until it is properly annexed into the Harbor Bay Subdivision;
- D. This termination shall not have any effect on the continued enforceability and validity of the remainder of the property described in Exhibit "A" to the Declaration;

NOW THEREFORE, the Declaration is hereby terminated and all property described in Exhibit "A" hereto is released from its terms and effect.

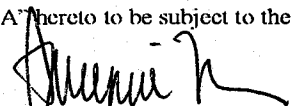
IN WITNESS WHEREOF, the Association has executed this instrument.

HARBOR BAY SUBDIVISION HOMEOWNERS ASSOCIATION, INC.

By:  Brandy Tilo as its President

STATE OF UTAH)
County of Salt Lake) ss.

On this 26 day of September 2012, personally appeared before me Brandy Tilo, who being by me duly sworn, did say that she is the proper agent for Harbor Bay Subdivision Homeowners Association, Inc., that she has been authorized to execute this partial termination on behalf of the Association, and that the Association did not intend to include the property described in Exhibit "A" hereto to be subject to the Declaration.


NOTARY PUBLIC

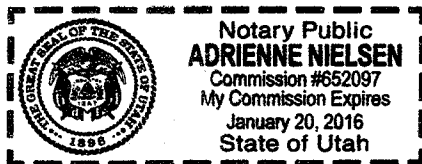


EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land located in Section 18, Township 6 South, Range 1 East, Salt Lake Base and Meridian, located in the City of Saratoga Springs, County of Utah, State of Utah, being more particularly described as follows:

Commencing at the South ¼ Corner of Section 18, Township 6 South, Range 1 East, Salt Lake Base and Meridian; thence along the south line of said Section 18, S89°45'55"E, 74.83 feet; thence North 56.03 feet to the true point of beginning; thence N33°32'19"W 427.38 feet; thence S62°02'24"W 244.68 feet; thence N33°32'19"W 303.28 feet; thence N32°54'18"W 384.22 feet; thence N25°56'08"W 320.90 feet; thence N23°19'52"W 510.14 feet; thence N23°51'55"W 227.47 feet; thence N25°42'32"W 465.22 feet; thence N26°21'33"W 153.11 feet; thence N26°18'35"W 133.08 feet; thence N26°32'07"W 168.59 feet; thence N26°30'11"W 264.34 feet; thence N25°18'29"W 230.98 feet; thence N22°30'16"W 89.86 feet; thence N20°57'25"W 211.01 feet to a the beginning of a curve to the right having a radius of 25.01 feet; thence northeasterly along the arc of said curve 48.55 feet through a central angle of 111°14'02"; thence S89°43'23"E 272.12 feet; thence S26°04'37"E 684.48 feet; thence N62°02'24"E 439.87 feet; thence S31°27'08"E 284.34 feet to the beginning of a curve to the right having a radius of 472.38 feet; thence southeasterly along the arc of said curve 35.66 feet through a central angle of 04°19'30"; thence N62°02'24"E 767.42 feet; thence S45°19'58"E 103.62 feet; thence S46°35'15"E 103.28 feet; thence S29°00'40"E 71.80 feet; thence S23°05'10"E 166.00 feet; thence S15°17'31"E 212.54 feet; thence S19°25'06"E 219.06 feet; thence S21°43'30"E 249.98 feet; thence S26°17'24"E 116.97 feet; thence S39°13'04"E 62.10 feet; thence S48°35'14"E 253.07 feet; thence S44°28'49"E 102.10 feet; thence S34°04'35"E 85.51 feet; thence S25°18'14"E 212.18 feet; thence S37°05'12"E 219.22 feet; thence S26°56'54"E 91.87 feet; thence S20°27'06"E 118.54 feet; thence S28°10'31"E 93.06 feet; thence S36°20'32"E 177.78 feet; thence S39°06'59"E 338.82 feet; thence S46°55'23"E 42.18 feet; thence S60°10'55"W 798.70 feet; thence N24°36'42"W 62.13 feet to the beginning of a curve to the left having a radius of 272.09 feet; thence northwesterly along the arc of said curve 30.70 feet through a central angle of 06°27'54"; thence N89°45'59"W 188.96 feet; thence S00°14'05"W 189.47 feet; thence N89°45'55"W 482.30 feet to the true point of beginning.

Parcel ID Nos: 45:228:0047 45:228:0048 45:228:0049 45:228:0050 45:228:0051 45:228:0052 45:228:0053
45:228:0091 45:228:0123 45:228:0124 45:228:0125 45:228:0135 45:228:0136 45:228:0137 45:228:0138
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