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5/10/2017 2:01:00 PM \$84.00
Book - 10556 Pg - 1804-1826
Gary W. Ott
Recorder, Salt Lake County, UT
MILLER HARRISON LLC
BY: eCASH, DEPUTY - EF 23 P.

SPACE ABOVE RESERVED FOR RECORDER'S USE ONLY

**AGREEMENT TO REMOVE ENSIGN PLACE PLANNED UNIT DEVELOPMENT FROM
THE UTAH CONDOMINIUM OWNERSHIP ACT**

This Agreement to Remove Ensign Place Planned Unit Development from the Utah Condominium Ownership Act is executed by the undersigned owners of record of all Lots comprising the Ensign Place Planned Unit Development ("Owners"), located in Salt Lake City, Salt Lake County, Utah, with consent from those entities holding mortgages and/or trustee deeds on such Lots ("Mortgagees"), with respect to the following:

RECITALS

A. This instrument affects the following described tract of land located in Salt Lake City, Salt Lake County, Utah:

See Exhibit "A" attached hereto;

hereinafter, the "Tract".

B. The Tract was heretofore platted as a planned unit development, not a condominium project.

a. See the Tract plat entitled "Ensign Place Planned Unit Development" recorded with the Salt Lake County Recorder on July 30, 1998 as Entry No. 7041001 in Book 9807P at Page 201("Plat").

C. Despite the Plat clearly designating the Tract as a planned unit development, the Tract was made subject to the Utah Condominium Ownership Act through the execution and recording of its declaration by the developer and declarant of Ensign Place Planned Unit Development ("Project").

a. See the Tract declaration entitled "Declaration of Covenants, Conditions and Restrictions of Ensign Place Planned Unit Development", recorded with the Salt Lake County Recorder on July 30, 1998 as Entry No. 7041002 in Book 8049, beginning at Page 2986 ("Declaration"); and then later amended by the "First Amendment to the Declaration of Covenants, Conditions and Restrictions of Ensign Place Planned Unit

- Development", recorded with the Salt Lake County Recorder on June 17, 2010 as Entry No. 10972982 in Book 9833, beginning at Page 7512 ("First Amendment")
- b. The term "Declaration" as used herein shall include the "First Amendment".

hereinafter the Plat and Declaration are collectively referred to as the "Project Documents".

D. The Project was not intended to be a condominium project and has never been operated as a condominium project. The subjection of the Tract and Project to the Utah Condominium Ownership Act was an oversight and done in error.

E. The parties to this Agreement desire to correct the error and bring into harmony the Plat and Declaration by clarifying that Ensign Place Planned Unit Development is not a condominium project, but rather a planned unit development that is subject to the Utah Community Association Act, not the Utah Condominium Ownership Act.

F. Therefore, the Owners desire to remove the Tract from the provisions of the Utah Condominium Ownership Act as was originally intended, and the Mortgagees consent to such action upon the following terms and conditions.

TERMS AND CONDITIONS

1. Agreement to Remove Property from Condominium Act. Subject to the terms and conditions set forth herein and through the recording of the Second Amendment to the Declaration ("Second Amendment"), the Owners hereby remove the Tract from the Utah Condominium Ownership Act, and hereby terminate, abandon, and vacate all references to such Act, and substitute in lieu thereof a PUD upon the terms set forth herein.

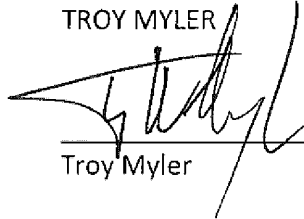
2. Plat Remains in Effect. The Plat already established a PUD ownership scheme that designated the ownership of Lots (as opposed to condominium units); therefore, the Plat does not need to be amended. Local municipalities have always treated the Project as a PUD.

3. Approval of Documents. Each party acknowledges that it has reviewed, approved, and consented to the recording of this Agreement and the Second Amendment, which was created to remove the condominium references to the Project in the Declaration. Each party, as its interests in the Tract may appear, agrees that its interests in the Tract shall be subject to said amendment, as well as the Declaration, to the extent that such provisions are not amended, replaced, and superseded by the Second Amendment.

[INTENTIONALLY LEFT BLANK; SIGNATURES BELOW]

Signature page for Owner of
Ensign Place PUD Lot 1

TROY MYLER



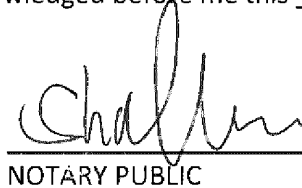
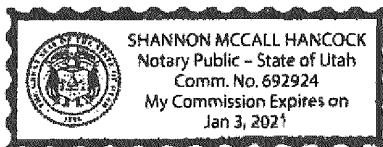
Troy Myler

Mailing Address for Tax Notices:

466 North 'D' Street
Salt Lake City, Utah 84103

STATE OF UTAH)
 :SS.
COUNTY OF Salt Lake

The foregoing instrument was acknowledged before me this 23 day of February
2017, by Troy Myler.



NOTARY PUBLIC

Signature page for Owners of
Ensign Place PUD Lot 2

JOY CLEGG

Joy Clegg
Joy Clegg

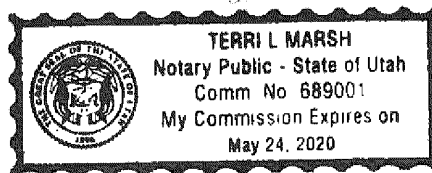
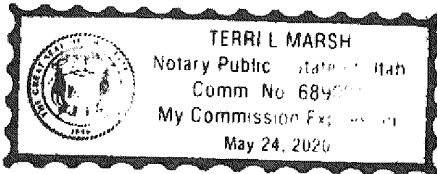
Mailing Address for Tax Notices:

464 North 'D' Street
Salt Lake City, Utah 84103

STATE OF UTAH)
COUNTY OF Salt Lake :ss.

The foregoing instrument was acknowledged before me this 23rd day of February,
2017 by Joy Clegg.

TERRI L MARSH
NOTARY PUBLIC



Signature page for Owners of
Ensign Place PUD Lot 2

ROBERT V. SANDERS

Robert V. Sanders
Robert V. Sanders

Mailing Address for Tax Notices:

464 North 'D' Street
Salt Lake City, Utah 84103

STATE OF UTAH)
 :SS.
COUNTY OF Salt Lake

The foregoing instrument was acknowledged before me this 23rd day of February,
2017 by Robert V. Sanders.

TERRI L MARSH
NOTARY PUBLIC



Signature page for Owners of
Ensign Place PUD Lot 2

GAIL F. SANDERS

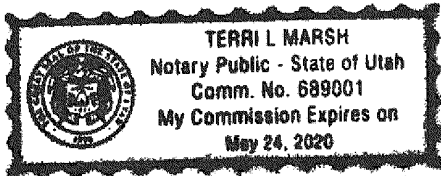
Gail F. Sanders
Gail F. Sanders

Mailing Address for Tax Notices:

464 North 'D' Street
Salt Lake City, Utah 84103

STATE OF UTAH)
 :SS.
COUNTY OF Salt Lake

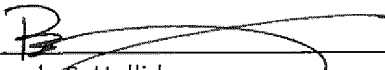
The foregoing instrument was acknowledged before me this 23rd day of February
2017 by Gail F. Sanders.



Terri L Marsh
NOTARY PUBLIC

Signature page for Owner of
Ensign Place PUD Lot 3

BRENDA S. HOLLIDAY



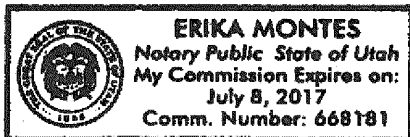
Brenda S. Holliday


Mailing Address for Tax Notices:

361 E Ninth Avenue
SLC, UT 84103

STATE OF UTAH)
 :SS.
COUNTY OF Salt Lake)

The foregoing instrument was acknowledged before me this 20~~th~~ day of March
2017, by Brenda S. Holliday.





NOTARY PUBLIC

Signature page for Owner of
Ensign Place PUD Lot 4

DENNIS WITTENBROOK

Dennis Wittenbrook
Dennis Wittenbrook

STATE OF UTAH)
 :SS.
COUNTY OF Salt Lake

The foregoing instrument was acknowledged before me this 17th day of March, 2017 by Dennis Wittenbrook.



Lauren Ricci
NOTARY PUBLIC

MAIA N. WITTENBROOK

M. Wittenbrook
Maia N. Wittenbrook

Mailing Address for Tax Notices:

363 E Ninth Avenue
SLC, UT 84103

STATE OF UTAH)
 :SS.
COUNTY OF Salt Lake

The foregoing instrument was acknowledged before me this 24 day of February, 2017, by Maia N. Wittenbrook.

Heather Hagen
NOTARY PUBLIC



Signature page for Owner of
Ensign Place PUD Lot 5

DENISE E. WARD

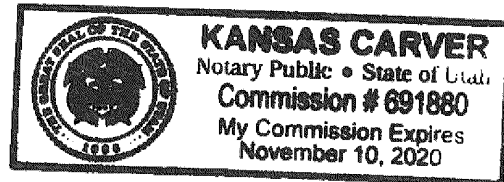
Denise E. Ward
Denise E. Ward

STATE OF UTAH)

COUNTY OF Salt Lake :ss.

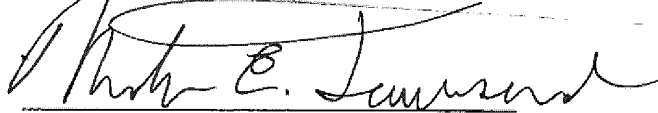
The foregoing instrument was acknowledged before me this 14 day of February,
2017 by Denise E. Ward.

Kansas Carver
NOTARY PUBLIC



Signature page for Owner of
Ensign Place PUD Lot 5

MARTIN E. TOWNSEND



Martin E. Townsend

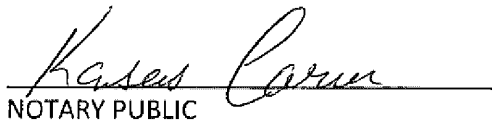
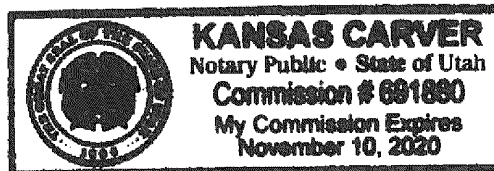
Mailing Address for Tax Notices:

367 E Ninth Avenue
SLC, UT 84103

STATE OF UTAH)

COUNTY OF Salt Lake :ss.

The foregoing instrument was acknowledged before me this 14 day of February,
2017 by Martin E. Townsend.


NOTARY PUBLIC

Signature page for Owner of
Ensign Place PUD Lot 6

STEVEN A. WEIGHT



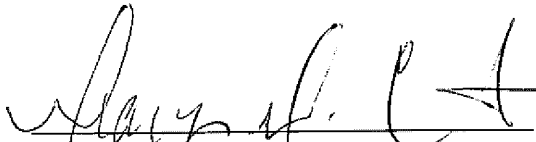
Steven A. Weight

Mailing Address for Tax Notices:

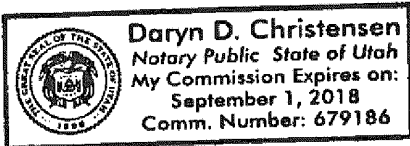
369 E Ninth Avenue
SLC, UT 84103

STATE OF UTAH)
 5011 :ss.
COUNTY OF Garfield)

The foregoing instrument was acknowledged before me this 16th day of February,
2011 by Steven A. Weight.

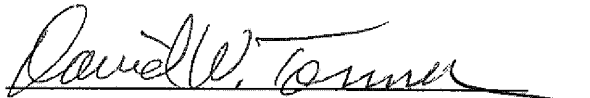


NOTARY PUBLIC



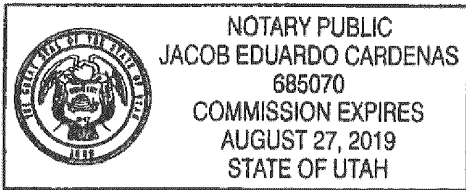
Signature page for Owner of
Ensign Place PUD Lot 7


DAVID WAYNE TANNER AND LINDA JEAN HASLER-TANNER
LIVING TRUST

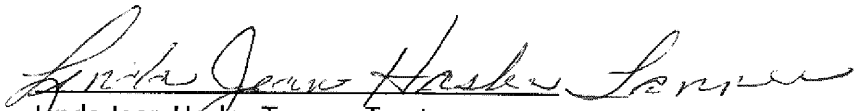

David Wayne Tanner, Trustee

STATE OF UTAH)
 :SS.
COUNTY OF Salt Lake)

The foregoing instrument was acknowledged before me this 14th day of February,
2017, by David Wayne Tanner.




NOTARY PUBLIC

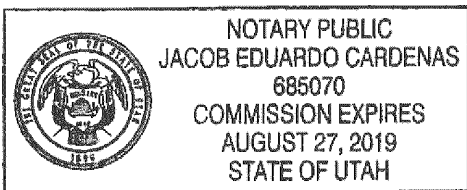

Linda Jean Hasler-Tanner, Trustee


Mailing Address for Tax Notices:

373 E Ninth Avenue
SLC, UT 84103

STATE OF UTAH)
 :SS.
COUNTY OF Salt Lake)

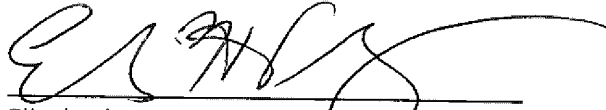
The foregoing instrument was acknowledged before me this 14th day of February,
2017, by Linda Jean Hasler-Tanner.




NOTARY PUBLIC

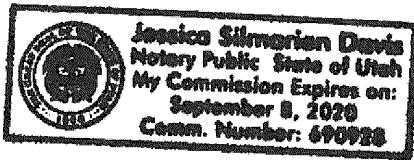
Signature page for Owners of
Ensign Place PUD Lot 8

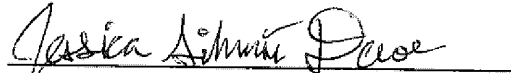
ELIZABETH MAUREEN HANLEY STEINER


Elizabeth Maureen Hanley Steiner


STATE OF UTAH)
 :SS.
COUNTY OF Salt Lake

The foregoing instrument was acknowledged before me this 17 day of Feb
2017, by Elizabeth Maureen Hanley Steiner.




NOTARY PUBLIC

ANDREW STEINER

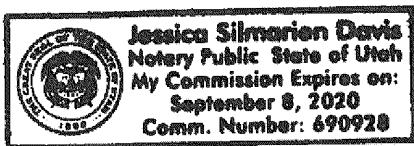

Andrew Steiner

Mailing Address for Tax Notices:

375 E Ninth Avenue
SLC, UT 84103

STATE OF UTAH)
 :SS.
COUNTY OF Salt Lake

The foregoing instrument was acknowledged before me this 10 day of Feb
2017, by Andrew Steiner.




NOTARY PUBLIC

Lot 9

Signature page for Owner of
Ensign Place PUD Lot 9

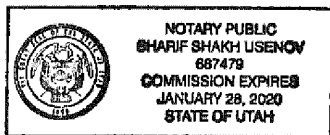
LARISA THOMPSON

Larisa V Thompson

Larisa Thompson

STATE OF UTAH)
 :SS.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 27 day of MARCH,
2017, by Larisa Thompson.



[Signature]
NOTARY PUBLIC

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES

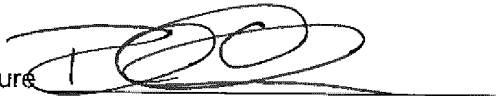
On April 10, 2017 before me, RAUL A. CABRERA JR., NOTARY PUBLIC
(insert name and title of the officer)

personally appeared Larisa ArbashevsKaya
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

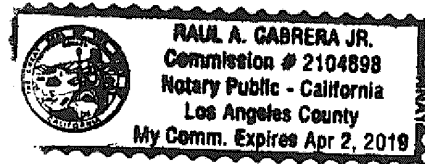
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



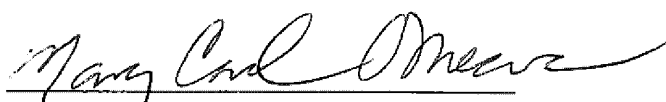
(Seal)



LOT 10

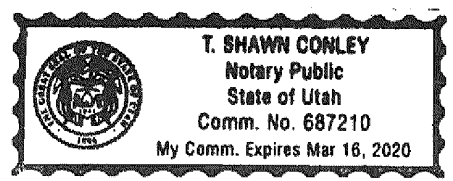
Signature page for Owner of
Ensign Place PUD Lot 10

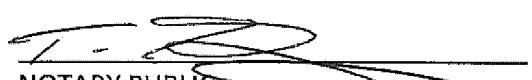
MARY CAROL O'MEARA LIVING TRUST


Mary Carol O'Meara, Trustee

STATE OF UTAH)
 :SS.
COUNTY OF SALT LAKE

The foregoing instrument was acknowledged before me this 30TH day of MARCH
2017, by Mary Carol O'Meara.



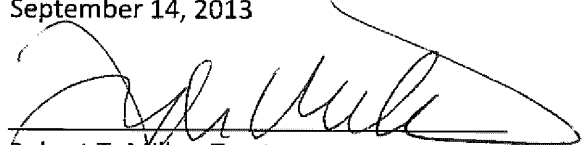

NOTARY PUBLIC

Mailing Address for Tax Notices:

377 E Sallie Avenue
SLC, UT 84103

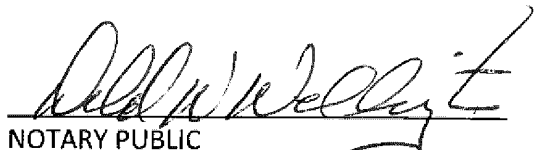
Signature page for Owner of
Ensign Place PUD Lot 11

THE TYLER AND JEANETTE MILLER LIVING TRUST, U/D/T
September 14, 2013


Robert T. Miller, Trustee

STATE OF GEORGIA)
 :SS.
COUNTY OF COBB)

The foregoing instrument was acknowledged before me this 22 day of MARCH
2017 by Robert T. Miller.


NOTARY PUBLIC

Jeanette Miller, Trustee

Mailing Address for Tax Notices:

1204 Huntington St.
Huntington Beach, CA 92648

STATE OF _____)
 :SS.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____
201 , by John M. Mastakas.

NOTARY PUBLIC

Signature page for Owner of
Ensign Place PUD Lot 11

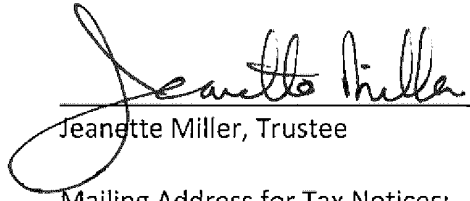
THE TYLER AND JEANETTE MILLER LIVING TRUST, U/D/T
September 14, 2013

Robert T. Miller, Trustee

STATE OF _____)
 :ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
201_, by Robert T. Miller.

NOTARY PUBLIC



Jeanette Miller, Trustee

Mailing Address for Tax Notices:

1204 Huntington St.
Huntington Beach, CA 92648

STATE OF _____)
 :ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
201_, by John M. Mastakas.

see Attached Form

NOTARY PUBLIC

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

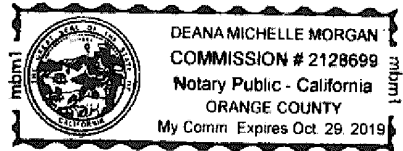
On March 23, 2017 before me, Deana Michelle Morgan
(insert name and title of the officer)

personally appeared Jeanette Miller
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature] (Seal)



Signature page for Owner of
Ensign Place PUD Lot 12

NANCY YOUNG

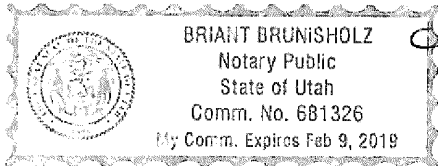
Nancy Young
Nancy Young

Mailing Address for Tax Notices:

375 E Ninth Avenue
SLC, UT 84103

STATE OF UTAH)
 :SS.
COUNTY OF Salt Lake

The foregoing instrument was acknowledged before me this 22 day of March,
2017 by Laura S. Nelson.
Nancy Young



[Signature]
NOTARY PUBLIC

EXHIBIT "A"
LEGAL DESCRIPTION OF PROPERTY

The real property as identified, described, and set forth on the "Ensign Place PUD" plat map recorded with the Salt Lake County Recorder on July 30, 1998, in Book 9807P, Page 201, Entry Number 7041001.

Tax Parcel Nos. 09-31-253-018-0000 through 09-31-253-030-0000

EXHIBIT "B"
Lot Parcel Descriptions
12 Lots and Common Area

All of the Lots as shown on the Ensign Place P.U.D. plat map.

09-31-253-018-0000
09-31-253-019-0000
09-31-253-020-0000
09-31-253-021-0000
09-31-253-022-0000
09-31-253-023-0000
09-31-253-024-0000
09-31-253-025-0000
09-31-253-026-0000
09-31-253-027-0000
09-31-253-028-0000
09-31-253-029-0000
09-31-253-030-0000 (Common Area)