

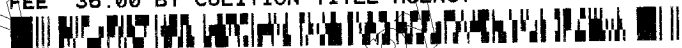
WHEN RECORDED, RETURN TO:
DVP, LLC

ENTRY NO. 01077410

09/12/2017 12:25:10 PM B: 2427 P: 1464

Declaration PAGE 1/4

MARY ANN TRUSSELL, SUMMIT COUNTY RECORDER
FEE 36.00 BY COLITON TITLE AGENCY



(Space Above For Recorder's Use)

**DECLARATION AND NOTICE OF TERMINATION, VACATION AND RESCISSION
OF CONDOMINIUM DECLARATION AND RECORD OF SURVEY MAP
FOR MONT CERVIN VILLA,
A UTAH CONDOMINIUM PROJECT**

THIS DECLARATION AND NOTICE OF TERMINATION, VACATION AND RESCISSION OF CONDOMINIUM DECLARATION AND RECORD OF SURVEY MAP FOR MONT CERVIN VILLA, A UTAH CONDOMINIUM PROJECT (this "Declaration and Notice") is executed this 26 day of April, 2017, by DVP, LLC, a Utah limited liability company ("DVP").

RECITALS

A. DVP is the sole owner of that certain parcel of real property located in Deer Valley, Park City, Summit County, State of Utah, which is more particularly described in Exhibit "A" attached hereto and incorporated hereby this reference (the "Property").

B. On March 10, 1992, there was recorded in the Office of the Recorder of Summit County, Utah, that certain Record of Survey Map of Mont Cervin Villa, a Utah Condominium Project (the "Map"), as Entry No. 355350.

C. On March 10, 1992, there was recorded in the Office of the Recorder of Summit County, Utah, that certain Condominium Declaration for Mont Cervin Villa, a Utah Condominium Project (the "Declaration") as Entry No. 355351 in Book 650, beginning at Page 57.

D. The Map and the Declaration were executed by Mont Cervin Villa Partners, a Utah partnership (the "Declarant"). The Declaration recites that, pursuant to the Declaration and the Map, the Declarant desired and intended to submit the Property and the buildings and other improvements that Declarant intended to construct thereon to the provisions of the Utah Condominium Ownership Act.

E. Notwithstanding the fact that the Declarant caused to be recorded the Map and the Declaration, none of the buildings or improvements depicted on the Map and described in the Declaration were ever constructed. The Map and the Declaration provide for the construction and creation of 21 separate residential condominium units designated and identified as Units 101 through 107, inclusive, Units 201 through 207, inclusive, and Units 301 through 307, inclusive (collectively referred to herein as the "Condominium Units").

F. The Declaration provides for the creation of an association of unit owners with a name

of Mont Cervin Villa Association, Inc., a Utah non-profit corporation (the "Association"). Although the Association was formed and organized as a Utah non-profit corporation on November 2, 1990, the Association was involuntarily dissolved on May 1, 1992, and is no longer in existence.

G. DVP, as the sole owner of all of the Property and as the sole owner of all the Condominium Units, has elected to terminate, vacate and rescind the Map and the Declaration, so that DVP may proceed to develop the Property in a manner different than the development plan provided for in the Map and the Declaration.

NOW, THEREFORE, DVP, as the sole owner of the Property and as the sole owner of all of the Condominium Units, hereby declares and provides written notice pursuant to Section 57822 of the Utah Code and pursuant to Article XXVII of the Declaration: (1) that the Property and all of the Condominium Units are hereby removed from all of the provisions of the Utah Condominium Ownership Act as set forth in Chapter 8 of Title 57 of the Utah Code, and (2) that the Map and the Declaration are hereby terminated, vacated and rescinded in their entirety so that the Property and all of the Condominium Units are hereby released from the legal effect of the Map and the Declaration and from all of the terms, provisions, requirements and restrictions thereof.

IN WITNESS WHEREOF, DVP has caused this Declaration and Notice to be executed by an officer duly authorized to execute the same as of the date first above written.

DVP, LLC,
a Utah limited liability company

By: *C. Hope Eccles*

Title: *Manager*

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

The foregoing instrument was acknowledged before me this 24th day of April, 2017, by _____, in such person's capacity as the _____ of DVP, LLC, a Utah limited liability company.

ACKNOWLEDGMENT

State of Utah
County of Salt Lake
On this 24th day of April, 2017, C. Hope Eccles
personally appeared before me,
 who is personally known to me,
 whose identity I verified on the basis of _____
 whose identity I verified on the oath/affirmation of _____
a credible witness,
to be the signer of the foregoing document, and he/she acknowledged that he/she signed it.



Ellen Hammond
Notary Signature
My Commission Expires: May 16, 2020

NOTARY PUBLIC

Residing at:

My Commission Expires:

4834-5858-1319 v1

**EXHIBIT A
TO**

**DECLARATION AND NOTICE OF TERMINATION, VACATION AND RESCISSION
OF CONDOMINIUM DECLARATION AND RECORD OF SURVEY MAP FOR MONT
CERVIN VILLA, A UTAH CONDOMINIUM PROJECT**

Legal Description of the Property

The Property consists of that certain real property located in Deer Valley, Park City, Summit County, State of Utah, more particularly described as follows:

Lot "F" of the Resubdivision of Lots No. 1 and No. 2 of Silver Lake Village No. 1 Subdivision, as recorded in the Office of the Recorder of Summit County, Utah.

The Property is also described as Units 101, 102, 103, 104, 105, 106, 107, 201, 202, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, 306 and 307 of MONT CERVIN VILLA, A UTAH CONDOMINIUM PROJECT as shown and depicted on the Record of Survey Map for MONT CERVIN VILLA, A UTAH CONDOMINIUM PROJECT that was recorded in the Office of the Recorder of Summit County, Utah, on March 10, 1992, as Entry No. 355350.

Tax Serial Number: MC V-(Unit #)...

A-1

4834-5858-1319 v1

Tax Serial No.

MCV-101
MCV-102
MCV-103
MCV-104
MCV-105
MCV-106
MCV-107

MCV-201
MCV-202
MCV-203
MCV-204
MCV-205
MCV-206
MCV-207

MCV-301
MCV-302
MCV-303
MCV-304
MCV-305
MCV-306
MCV-307