

SUGARPLUM MASTER ASSN  
C/O FRANK PERKINS  
P.O. Box 920071  
SNOWBIRD, UTAH 84092-0071

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Gary W. Ott  
Recorder, Salt Lake County, UT  
FOUNDERS TITLE  
BY: eCASH, DEPUTY - EF 11 P.

RESCISSION OF THE  
AMENDED AND RESTATED MASTER DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS OF

SUGARPLUM,

A PLANNED UNIT DEVELOPMENT

THE AMENDED AND RESTATED MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SUGARPLUM, A PLANNED UNIT DEVELOPMENT, was adopted by EMIGRATION PLACE DEVELOPMENT, L.C., a Utah limited liability company and the successor Declarant, and the undersigned Maintenance Associations, and was recorded as Entry 11594747 on March 12, 2013, in Book 10116, Page 3828-3882 in the Salt Lake County Recorder's Office (the "Amended Declaration").

At a meeting held March 6, 2014, the undersigned Maintenance Associations voted to rescind, revoke and otherwise declare the Amended Declaration void *ab initio* and of no effect and the Declarant hereby agrees with the action taken.

The Master Declaration of Covenants, Conditions and Restrictions of Sugarplum a Planned Unit Development (the "Original Declaration") recorded on August 12, 1983, as Entry No. 3830328, in Book 5482, Page 1173 at the office of the Salt Lake County Recorder, together with the Amendment to Master Declaration of Covenants, Conditions and Restrictions of Sugarplum a Planned Unit Development (the "First Amendment") recorded on March 29, 2006, as Entry No. 9678292, in Book 9273, Page 1439 at the office of the Salt Lake County Recorder, remain in full force and effect. The Original Declaration, as amended by the First Amendment, is hereinafter referred to as the "Original Declaration."

The Original Declaration affects certain real property (the "PUD") located in the Town of Alta, Salt Lake County, commonly known as Lots 1 through 9, and Lot A, Sugarplum, a Planned Unit Development, and more particularly described on Exhibit "A" attached hereto and incorporated by reference herein.

The undersigned Maintenance Associations, on behalf of themselves only, hereby acknowledge that the development contemplated by the Original Declaration has been completed, and release Declarant and all predecessor declarants from any obligations or liability of any nature whatsoever arising under or relating to the Original Declaration.

As to the parties signatory to each of the following referenced documents, nothing in this Rescission is intended to revoke, rescind or otherwise modify the Settlement Agreement and Mutual Release or any other settlement documents entered into in connection with the settlement of that certain lawsuit captioned The View Condominium Owners Association v. MSICO, L.L.C., et al, filed in the Third District Court in and for Salt Lake County, State of Utah, Case No. 000910067, or that certain Waiver and Release executed on February 8, 2013 by Sugarplum



MEMBER:

SUGARPLUM PHASE II CONDOMINIUMS  
ASSOCIATION OF UNIT OWNERS  
A Utah nonprofit corporation

By: Bruce Hotaling  
Bruce Hotaling

Title: Management Committee Member for Sugarplum Phase II Condominiums  
Association of Unit Owners

Date: 5/28/14

STATE OF Pennsylvania )  
COUNTY OF Delaware ) : SS

The foregoing instrument was acknowledged before me this 28 May, 2014, by  
Bruce Hotaling as a Member of the Management Committee for Sugarplum Phase II  
Condominiums Association of Unit Owners.

[Signature]  
Notary Public

My Commission Expires:  
9.22.2016

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
VALERIE CLARK RODEN, Notary Public  
Upper Dublin Twp., Montgomery County  
My Commission Expires September 22, 2016

MEMBER:

SUGARPLUM 459 HOMEOWNERS ASSOCIATION,  
A Utah nonprofit corporation

By: *Frank Perkins*  
Frank Perkins

Title: President

Date: 5/6/14

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

The foregoing instrument was acknowledged before me this 6 day of MAY, 2014, by Frank Perkins, as President of SUGARPLUM 459 HOMEOWNERS ASSOCIATION.

My Commission Expires:  
2-2-2018

*Ann Marie Borgione*  
Notary Public





MEMBER:

*John X. Watson*

SUPERIOR POINT CONDOMINIUMS  
ASSOCIATION OF UNIT OWNERS  
A Utah nonprofit corporation

By: John X. Watson  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

STATE OF ~~UTAH~~ <sup>Missouri</sup> )  
                  Jackson : ss.  
COUNTY OF ~~SALT LAKE~~ )

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of April,  
2014, by John X. Watson as President of SUPERIOR  
POINT CONDOMINIUMS ASSOCIATION OF UNIT OWNERS.

*Pamela J. Kenefake*

Notary Public

My Commission Expires:  
Oct. 11, 2017

**PAMELA J. KENEFAKE**  
Notary Public - Notary Seal  
State of Missouri, Clay County  
Commission # 13781532  
My Commission Expires Oct 11, 2017

026332.0001 2810981.1



## EXHIBIT "A"

### LEGAL DESCRIPTION OF PROJECT

BEGINNING AT A 2" STEEL PIPE PLACED IN THE ROCK KERN OF CORNER #2 OF THE BLACKJACK MINING LODE CLAIM, SURVEY #5288, SAID CLAIM CORNER BEING LOCATED S 32°13'19" W 3,377.23 FEET, MORE OR LESS, FROM THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE S 18°16' E 263.39 FEET ALONG THE WEST LINE OF SAID BLACKJACK CLAIM; THENCE N 71°45' E 187.88 FEET; THENCE S 17°07' W 221.95 FEET TO THE BEGINNING POINT OF A 442.256 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHERLY 132.00 FEET ALONG THE ARC OF SAID CURVE TO A POINT ON SAID WEST LINE OF THE BLACKJACK CLAIM; THENCE S 18°16' E 37.99 FEET TO CORNER #3 OF SAID BLACKJACK CLAIM; THENCE N 71°42'58" E 57.42 FEET ALONG THE SOUTH LINE OF SAID BLACKJACK CLAIM TO A POINT ON THE ARC OF A 376.256 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHERLY 183.785 FEET ALONG THE ARC OF SAID CURVE; THENCE S 30°46' E 51.10 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF THE SNOWBIRD CLAIM, SURVEY #5152; THENCE N 22°44'53" E 307.27 FEET ALONG SAID SOUTHEASTERLY LINE TO A POINT ON SAID SOUTH LINE OF THE BLACKJACK CLAIM; THENCE N 71°42'58" E 490.31 FEET TO A POINT ON THE NORTH LINE OF THE MARTHA CLAIM, SURVEY #5897; THENCE N 49°42' E 403.65 FEET ALONG SAID NORTH LINE; THENCE N 16°32'40" W 323.28 FEET; THENCE S 22°40' W 212.12 FEET; THENCE N 67°20' W 152.0 FEET; THENCE N 22°41'34" E 134.98 FEET; THENCE S 73°29'05" W 116.41 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF THE HELLGATE NO. 2 MINERAL MINING LODE CLAIM, SURVEY #5282; THENCE N 22°40' E 153.85 FEET TO CORNER #1 OF SAID HELLGATE NO. 2 CLAIM; THENCE N 66°37' W 35.28 FEET ALONG THE NORTH LINE OF SAID HELLGATE NO. 2 CLAIM TO A POINT ON THE SOUTH LINE OF THE HELLGATE MINERAL MINING LODE CLAIM, SURVEY #5282; THENCE N 65°32'42" E 550.52 FEET TO CORNER #2 OF SAID HELLGATE CLAIM; THENCE N 15°50'49" W 239.0 FEET ALONG THE EAST LINE OF SAID HELLGATE CLAIM; THENCE N 42°35'38" W 73.70 FEET; THENCE N 22°42' W 65.0 FEET; THENCE S 53°53' W 68.0 FEET; THENCE S 76°19' W 54.0 FEET; THENCE SOUTHWESTERLY 1595 FEET MORE OR LESS ALONG THE CENTERLINE OF LITTLE COTTONWOOD CREEK TO A POINT ON THE SOUTH LINE OF SAID HELLGATE NO. 2 CLAIM; THENCE S 67°14'21" E 186.96 FEET MORE OR LESS ALONG SOUTH LINE TO A POINT ON THE NORTH LINE OF SAID BLACKJACK CLAIM; THENCE S 71°42'58" W 113.55 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN ACCESS EASEMENT, BEING A FORTY FOOT WIDE NON-EXCLUSIVE RIGHT OF WAY FOR INGRESS, AND EGRESS, TWENTY FEET TO EITHER SIDE OF A CENTER LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 13 FEET SOUTH OF ENGINEERING STATION 56 + 30.35 OF UTAH STATE BYPASS HIGHWAY IN LITTLE COTTONWOOD CANYON, SALT LAKE COUNTY, UTAH SAID POINT BEING N 79°58'58" W 116.39 FEET FROM UTAH DEPARTMENT OF HIGHWAYS MONUMENT NO. SL-A-13, WHICH SAID MONUMENT

IS S 13°39'21" W 2531 FEET FROM THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTHWESTERLY TO THE CORNER NO. 1 OF THE SURVEYED HELLGATE NO. 2 MINERAL MINING LODE CLAIM, SURVEY NO. 5282; THENCE S 22°40' W ALONG THE SOUTHEAST BOUNDARY LINE OF SAID HELLGATE NO. 2 MINERAL MINING LODE CLAIM 200,0 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF LOT 1 OF BLACKJACK VILLAGE SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED IN SALT LAKE COUNTY, STATE OF UTAH; THENCE N 73°32'30" E 116.41 FEET TO THE BOUNDARY OF THE SUBJECT PROJECT DESCRIBED ABOVE.

CONTAINS 25.78 ACRES

| LOT  | PARCEL NO.                                   |
|------|--|
|      | <b>Sugarplum Meadows AMD</b>                 |
| 101  | 30-06-429-002-0000                           |
| 102  | 30-06-429-004-6000                           |
| 103  | 30-06-429-012-0000                           |
| 104  | 30-06-429-005-0000                           |
| 105  | 30-06-429-014-0000                           |
| 106  | 30-06-429-006-0000                           |
| 107  | 30-06-429-015-0000                           |
| 108  | 30-06-429-007-0000                           |
| 109  | 30-06-429-019-0000                           |
| 110  | 30-06-429-018-0000                           |
| 112  | 30-06-429-019-0000                           |
| 113  | 30-06-429-013-0000                           |
| Area | 30-06-429-011-0000                           |
|      | <b>Sugarplum Phase I Condos</b>              |
| 2    | 30-03-404-003-0000                           |
| 3    | 30-03-404-004-0000                           |
| 4    | 30-03-404-005-0000                           |
| 5    | 30-03-404-006-0000                           |
| 6    | 30-03-404-007-0000                           |
| 1 A  | 30-03-404-008-0000                           |
| 1B   | 30-03-404-009-0000                           |
|      | <b>Superior Point Condos</b>                 |
| A    | 30-06-405-002-0000                           |
| B    | 30-03-405-003-0000 and<br>30-06-406-002-0000 |
| C    | 30-06-405-004-0000                           |



|      |  |
|------|--|
| D    | 30-06-405-005-0000                                     |
| Area | 30-06-408-004-0000                                     |
| A    | 30-06-406-001-0000                                     |
| B    | 30-06-406-002-0000                                     |
| C    | 30-06-406-003-0000                                     |
| Area | 30-06-408-004-0000                                     |
| A    | 30-06-407-001-0000                                     |
| B    | 30-06-407-402-0000                                     |
| Area | 30-06-408-004-0000                                     |
| A    | 30-06-408-001-0000                                     |
| B    | 30-06-408-002-0000                                     |
| Area | 30-06-408-004-0000                                     |
|      | <b>Sugarplum 459 PUD</b>                               |
| 1    | 30-06-428-029-0000                                     |
| 2    | 30-06-428-030-0000                                     |
| 3    | 30-06-428-031-0000                                     |
| 4    | 30-06-428-032-0000                                     |
| 4    | 30-06-428-033-0000                                     |
| 5    | 30-06-428-034-0000                                     |
| 6    | 30-06-428-035-0000                                     |
| 7    | 30-06-428-036-0000                                     |
| 8    | 30-06-428-026-0000                                     |
| 9    | 30-06-428-027-0000                                     |
| 10   | 30-06-428-028-0000                                     |
|      | <b>Sugarplum Phase II (Lots 6-7) See Village below</b> |
| 6    | 30-06-430-002-0000                                     |
| 7    | 30-06-430-003-0000                                     |
| 8    | 30-06-430-004-0000                                     |
| 9    | 30-06-430-005-0000                                     |
| 10   | 30-06-430-006-0000                                     |
| 11   | 30-06-430-007-0000                                     |
| 12   | 30-06-430-008-0000                                     |
| 13   | 30-06-430-009-0000                                     |
| 14   | 30-06-430-010-0000                                     |
| 15   | 30-06-430-011-0000                                     |
| 16   | 30-06-430-012-0000                                     |
| Area | 30-06-436-004-0000                                     |

|      | <b>The View Condos</b>   |
|------|--|
| M    | 30-06-432-023-0000   |
| 1    | 30-06-432-002-0000   |
| 2    | 30-06-432-003-0000   |
| 3    | 30-06-432-004-0000   |
| 4    | 30-06-432-005-0000   |
| 5    | 30-06-432-006-0000   |
| 6    | 30-06-432-007-0000   |
| 7    | 30-06-432-008-0000   |
| 8    | 30-06-432-009-0000   |
| 9    | 30-06-432-010-0000   |
| 10   | 30-06-432-011-0000   |
| 11   | 30-06-432-012-0000   |
| 12   | 30-06-432-013-0000   |
| 13   | 30-06-432-014-0000   |
| 14   | 30-06-432-015-0000   |
| 15   | 30-06-432-016-0000   |
| 16   | 30-06-432-017-0000   |
| 17   | 30-06-432-018-0000   |
| 18   | 30-06-432-019-0000   |
| 19   | 30-06-432-020-0000   |
| 20   | 30-06-432-021-0000   |
| 21   | 30-06-432-022-0000   |
| Area | 30-06-432-001-0000   |
|      | <b>Village at Sugarplum Pt<br/>2 Ph 2 (Lots 6 &amp; 7 &amp; A<br/>Sugarplum PUD)</b> |
| A    | 30-06-431-006-0000   |
| B    | 30-06-431-007-0000   |
| C    | 30-06-431-008-0000   |
| D    | 30-06-431-009-0000   |
| E    | 30-06-431-010-0000   |
| F    | 30-06-431-011-0000   |
| G    | 30-06-431-012-0000   |
| 1    | 30-06-431-001-0000   |
| 2    | 30-06-431-002-0000   |
| 3    | 30-06-431-003-0000   |
| 4    | 30-06-431-004-0000   |

|      |   |
|------|---|
| 5    | 30-06-431-005-0000  |
|      | <b>Village at Sugarplum: Pt 3 Ph 2 (Lot 7 and others Sugarplum)</b> |
| 17   | 30-06-433-001-0000  |
| 18   | 30-06-433-002-0000  |
|      | <b>Village at Sugarplum Pt 4 Ph 2 (Lot 7 Sugarplum PUD AMD)</b>     |
| H    | 30-06-434-002-0000  |
| I    | 30-06-434-003-0000  |
| J    | 30-06-434-004-0000  |
| K    | 30-06-434-005-0000  |
| 21   | 30-06-434-001-0000  |
|      | <b>Village at Sugarplum Pt 5 Ph 2 (Lot 7 Sugarplum PUD AMD)</b>     |
| L    | 30-06-435-0064000   |
| 19   | 30-06-435-002-0000  |
| 20   | 30-06-435-003-0000  |
| 22   | 30-06-435-004-0000  |
| 23   | 30-06-435-005-0000  |
| Area | 30-06-435-001-0000  |
|      | <b>Village at Sugarplum Pt 6 Ph 2 (Lot 7 Sugarplum PUD AMD)</b>     |
| M    | 30-06-436-002-000   |
| N    | 30-06-436-003-0000  |
| 24   | 30-06-436-001-0000  |
|      | <b>Village at Sugarplum Pt 6 Ph 2</b>                               |
| 25   | 30-06-437-001-0000  |
| 26   | 30-06-437-002-0000  |
| Area | 30-06-437-003-0000  |