

WHEN RECORDED RETURN TO:

The Preserve Homeowners Association
c/o Sea to Ski Property Management
2100 Park Avenue
P.O. Box 682182
Park City, UT 84068

01202731 B: 2777 P: 0044

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Rhonda Francis Summit County Recorder

04/07/2023 08:44:16 AM Fee \$202.00

By SNELL & WILMER LLP

Electronically Recorded

Space above for County Recorder's Use

**AMENDED AND RESTATED NOTICE OF REINVESTMENT FEE COVENANT
(The Preserve)**

Pursuant to Utah Code Ann. 57-1-46 *et seq.*, this AMENDED AND RESTATED NOTICE OF REINVESTMENT FEE COVENANT (The Preserve) (this "Notice") is hereby given for that certain real property located in Summit County, Utah (the "Property") and more particularly described on Exhibit A attached hereto and incorporated herein, with respect to the following:

1. This Notice amends, restates, supersedes, and replaces in its entirety that certain Notice of Reinvestment Fee dated August 8, 2011, and recorded as Entry No. 00927816 on August 10, 2011 in the Summit County Recorder's Office.

2. Pursuant to that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for The Preserve at Park City dated March 2008, recorded as Entry No. 00840887 on March 28, 2008 in the Summit County Recorder's Office, as amended by that certain First Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for The Preserve at Park City dated September 30, 2019, and recorded as Entry No. 01118945 on October 1, 2019 in the Summit County Recorder's Office, and as further amended by that certain Second Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for The Preserve at Park City dated of approximately even date herewith, as amended and supplemented from time to time (collectively, as amended, the "Declaration"), and as evidenced in the official records of Summit County, The Preserve Homeowners Association, a Utah nonprofit corporation (the "Association") imposes a reinvestment fee (the "Reinvestment Fee") upon certain transfers of portions of the Property.

3. The Reinvestment Fee is payable to the Association at the closing of the transfer of the title of the affected portion of the Property.

4. The Reinvestment Fee shall be paid to the Association, at the following address:

The Preserve Homeowners Association
c/o Sea to Ski Property Management
2100 Park Avenue
P.O. Box 682182
Park City, UT 84068

5. The Association's authorized representative is Deborah Lake.
6. The Reinvestment Fee runs with the land and binds all successors in interest and assigns of the Property.
7. Unless terminated pursuant to the Declaration, the duration of the Reinvestment Fee is perpetual.
8. Pursuant to the Declaration, the Reinvestment Fee shall be used for purposes consistent with benefitting the Property, including payment for community planning, facilities and infrastructure; obligations arising from an environmental covenant, community programming, open space, recreation amenities, charitable purposes, and Association expenses.
9. The Reinvestment Fees paid under the Declaration are required to benefit the Property.
10. The Reinvestment Fee is the only reinvestment fee covenant to burden the Property, and no additional reinvestment fee covenant of any type or kind may be imposed on the Property.
11. This Notice supersedes and replaces any previously recorded notices of transfer fee covenants recorded on any portions of the Property, provided that this Notice does not amend, replace, or supersede the Reinvestment Fee or the Declaration.

[Signature on Following Page]

IN WITNESS WHEREOF, Deborah Lake, as the authorized representative for The Preserve Homeowners Association, has executed this Amended and Restated Notice of Reinvestment Fee (The Preserve) as of March 29, 2023.

ASSOCIATION:

The Preserve Homeowners Association, a Utah nonprofit corporation


J.B. Swan III, Notary Public

See the Attached CA.

Acknowledgment or

Jurat Form

03/29/2023

By: 

Name: Deborah Lake

Its: Authorized Officer and Trustee

STATE OF _____)

) ss.

COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2023 by Deborah Lake, a member of the Board of Trustees and Authorized Officer of The Preserve Homeowners Association, a Utah nonprofit corporation.

Notary Public

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.

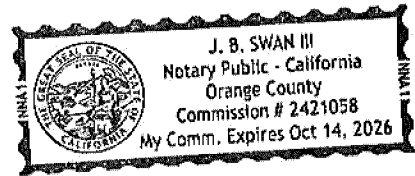
ACKNOWLEDGMENT

State of CALIFORNIA
County of ORANGE

On March 29, 2023 before me, J.B. Swan III, Notary Public,
(insert name and title of the officer) personally appeared Deborah Lake, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person 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)

Number of Pages: 3

Type of Documents: Amended and Restated Notice of Reinvestment Fee Covenant

Document Date: March 29, 2023

EXHIBIT A
TO
AMENDED AND RESTATED NOTICE OF REINVESTMENT FEE COVENANT

That certain real property located in Summit County, Utah, and more particularly described as follows:

EXHIBIT A:

1- LOTS 1 through 2, 4 through 10, and 15 through 20 and Open Spaces of THE PRESERVE as shown within The Preserve Phase I Plat recorded on December 17th, 2003 in Summit County, Utah as further described here:

PRESRV-1-1	PRESRV-1-5	PRESRV-1-9	PRESRV-1-17
PRESRV-1-2	PRESRV-1-6	PRESRV-1-10	PRESRV-1-18
	PRESRV-1-7	PRESRV-1-15	PRESRV-1-19
PRESRV-1-4	PRESRV-1-8	PRESRV-1-16	PRESRV-1-20

PRESRV-1-OS-1	PRESRV-1-OS-2	PRESRV-1-OS-3	PRESRV-1-OS-4
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2- LOT 3 of THE PRESERVE as shown within The Preserve Phase 1 Lot 3 Amended Plat recorded on April 5th, 2022 in Summit County, Utah as further described here:

PRESRV-1-3-AM

3- LOTS 21 through 26, 28, 33 through 42, 44, and 45 and Open Spaces of THE PRESERVE as shown within The Preserve Phase 2 Plat recorded on December 7th, 2004 in Summit County, Utah as further described here:

PRESRV-2-21	PRESRV-2-26	PRESRV-2-36	PRESRV-2-41
PRESRV-2-22	PRESRV-2-28	PRESRV-2-37	PRESRV-2-42
PRESRV-2-23	PRESRV-2-33	PRESRV-2-38	PRESRV-2-44
PRESRV-2-24	PRESRV-2-34	PRESRV-2-39	PRESRV-2-45
PRESRV-2-25	PRESRV-2-35	PRESRV-2-40	PRESRV-2-AOS-1

4- LOT 27 of THE PRESERVE as shown within The Preserve, Phase 2, Amendment to Lot 27 Plat recorded on July 1st, 2019 in Summit County, Utah as further described here:

PRESRV-2-27-AM

5- LOT 43 of THE PRESERVE as shown within The Preserve Phase 2 First Amendment to Lot 43 Plat recorded on December 5th, 2006 in Summit County, Utah as further described here:

PRESRV-2-43-1AM

6- LOTS 29 through 32 and 88 of THE PRESERVE as shown within The Preserve Phase 2A Plat recorded on October 31st, 2014 in Summit County, Utah as further described here:

PRESRV-2A-29	PRESRV-2A-30	PRESRV-2A-31	PRESRV-2A-32	PRESRV-2A-88
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7- LOTS 51 through 66 and 69 through 84 and Open Spaces of THE PRESERVE as shown within The Preserve Phase 3 Subdivision Plat recorded on August 8th, 2007 in Summit County, Utah as further described here:

PRESRV-3-51	PRESRV-3-60	PRESRV-3-71	PRESRV-3-80
PRESRV-3-52	PRESRV-3-61	PRESRV-3-72	PRESRV-3-81
PRESRV-3-53	PRESRV-3-62	PRESRV-3-73	PRESRV-3-82
PRESRV-3-54	PRESRV-3-63	PRESRV-3-74	PRESRV-3-83
PRESRV-3-55	PRESRV-3-64	PRESRV-3-75	PRESRV-3-84
PRESRV-3-56	PRESRV-3-65	PRESRV-3-76	PRESRV-3-OS-1
PRESRV-3-57	PRESRV-3-66	PRESRV-3-77	PRESRV-3-OS-2
PRESRV-3-58	PRESRV-3-69	PRESRV-3-78	PRESRV-3-OS-3
PRESRV-3-59	PRESRV-3-70	PRESRV-3-79	

8- LOTS 67 and 68 of THE PRESERVE as shown within The Preserve Phase 3 Subdivision Amending Lots 67 & 68 Plat recorded on December 7th, 2018 in Summit County, Utah as further described here:

PRESRV-3-67-AM	PRESRV-3-68-AM
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9- LOTS 85 through 87 of THE PRESERVE as shown within the Preserve Phase 3 Amended Lots 85-86-87 Plat recorded on March 31st, 2016 in Summit County, Utah as further described here:

PRESRV-3-85-AM	PRESRV-3-86-AM	PRESRV-3-87-AM
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10- Parcels SS-13-1, SS-13-2, SS-13-3, SS-152-9

SS-13-1:

Beginning at a point East 981 feet from the Northwest Corner of Section 5, Township 1 South, Range 4 East, Salt Lake Base and Meridian; thence East 326 feet along the section line; thence South 1000 feet; thence West 326 feet; thence North 1000 feet to the point of beginning.

Together with the right-of-way at least 50 feet in width over the Milton O. Bitner property conveyed by Craig L. Anderson and subject to all the rights of ways for existing roadways.

SS-13-2:

BEGINNING AT A POINT WHICH IS EAST 1307 FEET FROM THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE EAST ALONG THE SECTION LINE 435 FEET; THENCE SOUTH 1000 FEET; THENCE WEST 435 FEET; THENCE NORTH 1000 FEET TO THE POINT OF BEGINNING;

TOGETHER WITH A RIGHT OF WAY AT LEAST 50 FEET IN WIDTH OVER THE MILTON O. BITNER PROPERTY AS CONVEYED BY PRIOR DEED.

SS-13-3:

Beginning at a point East 2177 feet from the Northwest Corner of Section 5, Township 1 South, Range 4 East, Salt Lake Base and Meridian; thence East 423 feet along the section line; thence South 1029 feet; thence West 423 feet; thence North 1029 feet to the point of beginning.

Subject to easements, restrictions and rights of way currently of record and general property taxes for the year 2017 and thereafter.

SS-152-9:

Commencing at the Southwest corner of Section 32, Township 1 North, Range 4 East, SLB&M, and running thence North 225 feet; thence East 200 feet; thence South 225 feet; thence West 200 feet to point of beginning.