

ENTRY NO. 00131912

10/19/2006 02:22:22 PM B: 0314 P: 0792
Termination of Lease PAGE 1 / 2 Notice of Obsolescence
VERJEAN CARUSO, KANE COUNTY RECORDER
FEE \$ 21.00 BY JENKINS JENSEN & BAYLES LLP

Recorded at the request of:
Swain's Creek Pines Lot Owners' Association

After Recording mail to:
Jenkins Jensen & Bayles, LLP
Attn: Bruce C. Jenkins
1240 East 100 South, Ste. 9
St. George, UT 84790

**NOTICE OF OBSOLESCENCE
(Association Obligation for Culinary Water)**

The Articles of Incorporation of Swain's Creek Pines Lot Owners' Association (the "Association"), provide the inherent right for the Association to acquire, own, manage and control culinary water facilities and the distribution of water to owners of lots within the subdivisions managed by the Association. However, the members of the Association have transferred to the Kane County Water Conservancy District, the Association's water rights, water tank property and well, and said District is now the provider of culinary water service to the Association's members. Therefore, those portions of the Articles of Incorporation empowering the Association to acquire, own, manage and control culinary water facilities and to distribute water to the owners of lots managed by the Association are now obsolete and of no further effect as such rights and obligations have been conveyed to the Kane County Water Conservancy District, which will now own and manage the culinary water supply system.

This Notice of Obsolescence affects the property described below located in Kane County, Utah:

Swain's Creek, Unit No. 1 (11), according to the official plat thereof on file and of record in the Office of the Kane County Recorder;

Swain's Creek Pines, Unit No. 1, Amended (25-A), according to the official plat thereof on file and of record in the Office of the Kane County Recorder;

Swain's Creek Pines, Unit No. 2 (64), according to the official plat thereof on file and of record in the Office of the Kane County Recorder;

Swain's Creek Pines, Unit No. 3 (81), according to the official plat thereof on file and of record in the Office of the Kane County Recorder;

Swain's Creek Pines, Unit No. 4 (121), according to the official plat thereof on file and of record in the Office of the Kane County Recorder;

Sections 26, 27, 33, and 34, Township 38 South, Range 7 West, Salt Lake Base and Meridian;

SC.3.NOTICE OF OBSOLESCENCE

(85)
Harris Spring Ranches, according to the official plat thereof on file and of record in the Office of the Kane County Recorder.

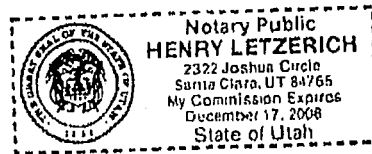
SWAIN'S CREEK PINES LOT OWNERS' ASSOCIATION

By: [Signature]
Its: President

STATE OF UTAH)
 : SS
County of Washington

On this 2 day of October, 2006, personally appeared before me Henry Letzerich, who being by me duly sworn, did say that he is the President of Swain's Creek Pines Lot Owners' Association, the authorized individual empowered to sign this Notice of Obsolescence and that the Notice was signed on behalf of said Association and said person acknowledged to me that the Board of said Association authorized the execution of same.

[Signature]
Notary Public



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