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Gary Christensen Washington County Recorder
04/12/2021 01:01:33 PM Fee \$72.00 By MILLER
HARRISON LLC

When Recorded Return To:

Holmes Whitworth Estates, LLC
126 West Sego Lily Dr., Ste 250
Sandy, Utah 84070

NOTICE OF REINVESTMENT FEE COVENANT

(Whitworth Estates)

Pursuant to Utah Code § 57-1-46(6), the Whitworth Estates Owners Association, a Utah non-profit corporation (the "**Association**"), hereby gives notice of a Reinvestment Fee Covenant which burdens all the real property described in Exhibit A (the "**Burdened Property**"), attached hereto, and any additional land that is annexed into and made subject to the Declaration of Covenants, Conditions, and Restrictions for Whitworth Estates, that was recorded on March 18, 2020, as Entry No. 20200013493, in the records of Washington County, Utah, and any amendments or supplements thereto (the "**Declaration**").

The Reinvestment Fee Covenant requires, among other things, that upon the transfer of any of the Burdened Property subject to the Declaration, the transferee, other than the Declarant, is required to pay a reinvestment fee determined by the Association's Board of Directors in accordance with Section 5.19 of the Declaration, unless the transfer falls within an exclusion listed in Utah Code § 57-1- 46(8).

BE IT KNOWN TO ALL OWNERS, SELLERS, BUYERS, AND TITLE COMPANIES owning, purchasing, or assisting with the closing of Burdened Property conveyance within the **Whitworth Estates** subdivision that:

1. The name and address of the beneficiary of the Reinvestment Fee Covenant is:

Whitworth Estates Owners Association
126 West Sego Lily Dr., Ste 250
Sandy, Utah 84070

2. The burden of the Reinvestment Fee Covenant is intended to run with the Burdened Property and to bind successors in interest and assigns.

3. The existence of this Reinvestment Fee Covenant precludes the imposition of any additional Reinvestment Fee Covenant on the Burdened Property.

4. The duration of the Reinvestment Fee Covenant is perpetual. The

Association's members, by and through a vote as provided for in the amendment provisions of the Declaration, may amend or terminate the Reinvestment Fee Covenant.

5. The purpose of the Reinvestment Fee is to assist the Association in covering the costs of: (a) common planning, facilities and infrastructure; (b) obligations arising from an environmental covenant; (c) community programming; (d) resort facilities; (e) open space; (f) recreation amenities; (g) common expenses of the Association; or (h) funding Association reserves.

6. The fee required under the Reinvestment Fee Covenant is required to benefit the Burdened Property.

IN WITNESS WHEREOF, the Declarant has executed this Notice of Reinvestment Fee Covenant on behalf of the Association on the date set forth below, to be effective upon recording with the Washington County Recorder.

DATED this 24th day of January, 2020 th 2019.

DECLARANT

HOLMES WHITWORTH ESTATES, LLC

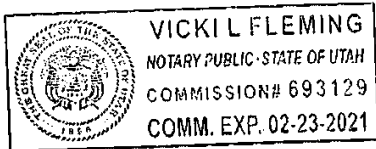
By: [Signature]

Its: As GENERAL MANAGER

STATE OF UTAH)

COUNTY OF Salt Lake) ss.

On the 24th day of January, 2020 th 2019, personally appeared before me Daron Smith who by me being duly sworn, did say that she/he is an authorized representative of Holmes Whitworth Estates, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.



[Signature]
Notary Public

EXHIBIT A

[Legal Description]

All of **WHITWORTH ESTATES**, according to the official plat on file in the office of the Washington County Recorder as Entry Number 20200013492.

Including Lots 1 – 26 and common area

Parcel Numbers: **W-WHIT-1** through **W-WHIT-26**

More particularly described as:

BEGINNING AT A POINT NORTH 01°02'48" EAST 1642.58 FEET ALONG THE SECTION LINE AND NORTH 90°00'00" EAST 16.40 FEET TO A POINT ON THE EAST RIGHT OF WAY OF 240 WEST STREET FROM THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG SAID RIGHT OF WAY NORTH 01°02'48" EAST 348.08 FEET; THENCE SOUTH 89°12'45" EAST 1297.14 FEET TO A POINT ON THE WEST RIGHT OF WAY OF 20 EAST STREET; THENCE RUNNING ALONG SAID RIGHT OF WAY SOUTH 00°46'55" WEST 343.79 FEET; THENCE NORTH 89°24'06" WEST 1298.75 FEET TO THE POINT OF BEGINNING.

CONTAINING: 10.307 ACRES