

RETURNED
APR 19 2012

E 2656264 B 5504 P 80-90
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
04/19/2012 09:56 AM
FEE \$53.00 Pgs: 11
DEP RT REC'D FOR TIFFANY THORNOCK

WHEN RECORDED MAIL TO:

Serengeti Investments, L.L.C.
C/O Tiffany Thornock
334 East 1050 North
Bountiful, UT 84010

Space above this line for Recorder's Use Only

Serial #'s: 05-129-0001 through and including 05-129-0012

**DECLARATION OF REMOVAL OF PROPERTY
FROM THE PROVISIONS OF THE UTAH CONDOMINIUM
OWNERSHIP ACT AND DECLARATION OF CONDOMINIUM FOR
SOUTH POINTE CONDOMINIUMS**

STATE OF UTAH)
 ss:
COUNTY OF DAVIS)

RECITALS:

A. The undersigned are all the record owners of that certain real property described more particularly on Exhibit "A" attached hereto and incorporated herein by reference (the "Property") or there are no other owners of the Property who have not consented in writing to the removal of the Property from the Utah Condominium Ownership Act, Utah Code Ann., Sections 57-8-1 et seq. (1963) (the "Act") and the Condominium Declaration described below.

B. The Property is subject to the following instruments:

1. The original Condominium Declaration which was recorded in the office of the Davis County Recorder as Entry No. 1814730 in Book 3189 at Page 552.
2. The related Plat Map which has also been recorded in the office of the Davis County Recorder.

C. The undersigned is converting the Condominium Project to a Planned Unit Development to facilitate the financing, refinancing and marketing of the Units.

D. A Declaration of Covenants, Conditions and Restrictions, and Bylaws for South Pointe, a Planned Unit Development, will be recorded concurrently.

E. The related Plat Map for South Pointe, a Planned Unit Development, will also be recorded concurrently.

F. Any and all mortgages, deeds of trust, security instruments or other encumbrances that now exist against the Property shall transfer, unaltered, to the individual interests that survive the recording of this Declaration of Removal.

REMOVAL, WITHDRAWAL AND VACATION OF LAND

1. **Declaration of Removal.** For the reasons stated the undersigned does hereby remove, withdraw and vacate the Property from the provisions of the Act and the Condominium Declaration pursuant to the provisions of Section 57-8-21 of the Act.

2. **Effective Date.** This document and the removal, withdrawal and vacation of said Property shall become effective on the date it is recorded in the Office of the Davis County Recorder.

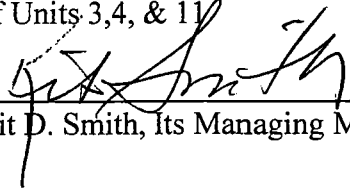
Further, Affiant saith not.

IN WITNESS WHEREOF, Declarant has executed this instrument the 18th day of October, 2011.

[Signatures on next pages]

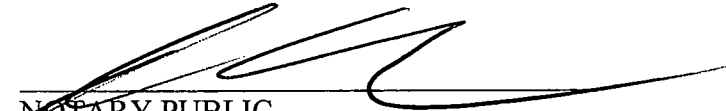
DECLARANT:

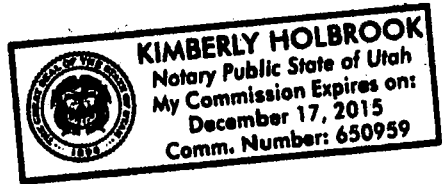
SERENGETI INVESTMENTS, L.L.C.,
a Utah limited liability company
Owner of Units 3,4, & 11

By: 
Kit D. Smith, Its Managing Member

STATE OF UTAH)
 :SS
COUNTY OF DAVIS)

On this 17th day of April, 2012, personally appeared before me **KIT D. SMITH**, and who, being by me duly sworn, says that he is the Managing Member of **SERENGETI INVESTMENTS, L.L.C.**, the limited liability company that executed the above and foregoing instrument and that said instrument was signed by him/her in behalf of said limited liability company.


NOTARY PUBLIC



A.P.

P. P.
PIZZARRO

DAVID ~~PIZZARO~~ and PATRICIA ~~PIZZARO~~,
Owners of Unit 1 R
PIZZARRO

David Pizarro

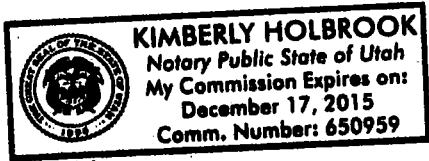
DAVID ~~PIZZARO~~ PIZZARRO

Patricia Pizarro

PATRICIA ~~PIZZARO~~ PIZZARRO

STATE OF UTAH)
 :SS
COUNTY OF DAVIS)

On this 18th day of October, in the year 2011, before me personally appeared DAVID PIZZARO, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same.

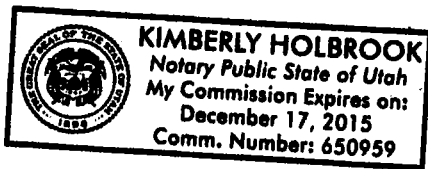


[Signature]

NOTARY PUBLIC

STATE OF UTAH)
 :SS
COUNTY OF DAVIS)

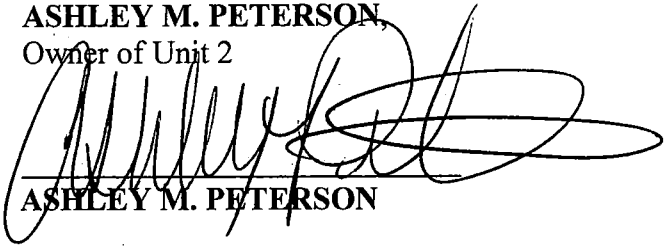
On this 18th day of October, in the year 2011, before me personally appeared PATRICIA PIZZARO, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same.



[Signature]

NOTARY PUBLIC


ASHLEY M. PETERSON,
Owner of Unit 2



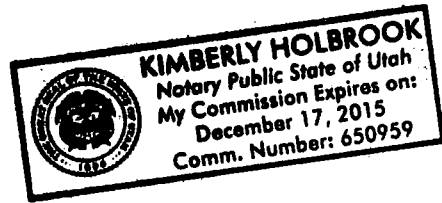
ASHLEY M. PETERSON

STATE OF UTAH)
 :SS
COUNTY OF DAVIS)

On this 19th day of December, in the year 2011, before me personally appeared ASHLEY M. PETERSON, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same.



NOTARY PUBLIC



IRMGARD ZANDER
Owner of Unit 5

Sylvia M. Wagner

by: SYLVIA M. WAGNER, Co-Personal
Representative of the Estate of IRMGARD
ZANDER, Deceased.

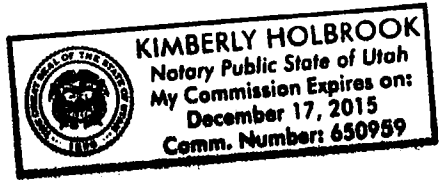
Steven S. Zander

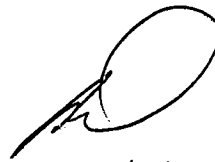
by: STEVEN S. ZANDER, Co-Personal
Representative of the Estate of IRMGARD
ZANDER, Deceased.

STATE OF UTAH)
)
) :ss
COUNTY OF DAVIS)

On the 18th day of April, 2012, personally appeared before me SYLVIA M. WAGNER and
STEVEN Z. ZANDER, Co-Personal Representatives of the Estate of IRMGARD ZANDER, Deceased,
PROBATE NO. 123700037, signer(s) of the within instrument, who duly acknowledged to me that they
executed the same.

[Signature]
Notary Public





Diebal

JERRY LEE DEIBAL,
Owner of Unit 6

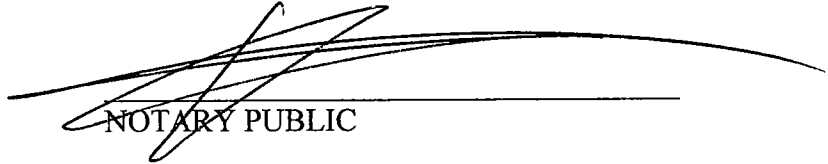
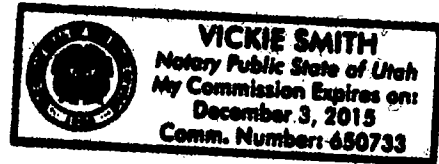


JERRY LEE DEIBAL
DIEBAL

STATE OF UTAH)
 :SS
COUNTY OF DAVIS)

On this 9 day of April, in the year 2011, before me personally appeared **JERRY LEE DEIBAL**, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same.

DIEBAL


NOTARY PUBLIC

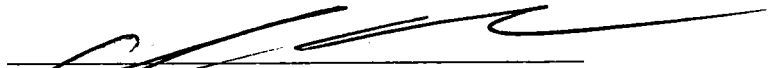
BERNADINE SISNEROS,
Owner of Units 8 & 10



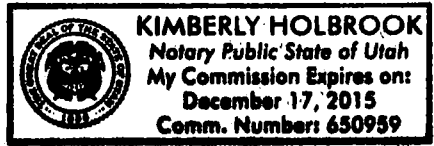
BERNADINE SISNEROS

STATE OF UTAH)
 :SS
COUNTY OF DAVIS)

On this 14th day of December, in the year 2011, before me personally appeared **BERNADINE SISNEROS**, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same.



NOTARY PUBLIC

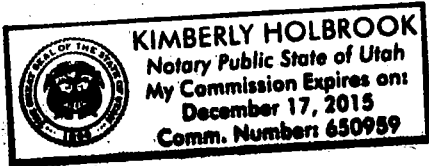


**POUL ANDERSEN AND ELSIE ANDERSEN,
TRUSTEES OF THE POUL AND ELSIE
ANDERSEN LIVING TRUST DATED MARCH
27, 2006**

Owner of Unit 7

Poul Andersen

**POUL ANDERSEN, TRUSTEE OF THE POUL
AND ELSIE ANDERSEN LIVING TRUST
DATED MARCH 27, 2006**



Elsie Andersen

**ELSIE ANDERSEN, TRUSTEE OF THE POUL
AND ELSIE ANDERSEN LIVING TRUST
DATED MARCH 27, 2006**

STATE OF UTAH)
)
:SS
COUNTY OF DAVIS)

On this 18th day of December, 2011, personally appeared before me **POUL ANDERSEN**, and who, being by me duly sworn, says that he is the Trustee of **THE POUL AND ELSIE ANDERSEN LIVING TRUST DATED MARCH 27, 2006** and that said instrument was signed by him/her in behalf of said trust.

[Signature]

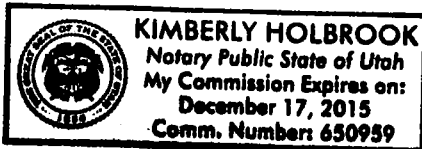
NOTARY PUBLIC

STATE OF UTAH)
)
:SS
COUNTY OF DAVIS)

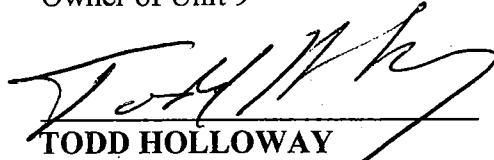
On this 18th day of December, 2011, personally appeared before me **ELSIE ANDERSEN**, and who, being by me duly sworn, says that he is the Trustee of **THE POUL AND ELSIE ANDERSEN LIVING TRUST DATED MARCH 27, 2006** and that said instrument was signed by him/her in behalf of said trust.

[Signature]

NOTARY PUBLIC



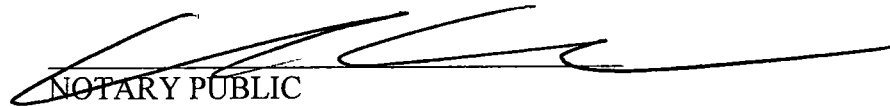
TODD HOLLOWAY,
Owner of Unit 9



TODD HOLLOWAY

STATE OF UTAH)
 :SS
COUNTY OF DAVIS)

On this 10th day of December, in the year 2011, before me personally appeared **TODD HOLLOWAY**, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same.



NOTARY PUBLIC

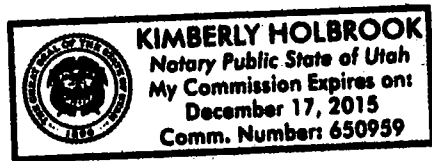


EXHIBIT "A"
TO
DECLARATION OF REMOVAL

LEGAL DESCRIPTION OF THE PROPERTY

Real Property located in the State of Utah, County of Davis more particularly described as follows:

BEGINNING AT A POINT WHICH IS SOUTH 89°53'57" WEST 1576.61 FEET ALONG THE SECTION LINE AND SOUTH 0°06'52" WEST 236.77 FEET ALONG THE WEST LINE PROJECTED OF VILLA NOVA CONDOMINIUMS FROM THE NORTH QUARTER CORNER OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 0°06'52" WEST 132.00 FEET, THENCE SOUTH 89°53'57" WEST 244.91 FEET, THENCE NORTH 0°06'02" WEST 55.00 FEET, THENCE NORTH 64°51'37" WEST 58.63 FEET, THENCE SOUTH 89°53'57" WEST 31.00 FEET TO THE EASTERLY LINE OF MAIN STREET, THENCE ALONG SAID LINE NORTH 31°15'30" EAST 60.89 FEET, THENCE NORTH 89°53'57" EAST 297.75 FEET TO THE POINT OF BEGINNING.