

**RETURNED**

**SEP 06 2012**

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WHEN RECORDED, MAIL TO:  
ANGEL STREET PARTNERS, LLC  
1156 South State Street, #105  
Orem, UT 84097  
(801) 224-4634

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RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
09/06/2012 10:44 AM  
FEE \$58.00 Pgs: 8  
DEP RT REC'D FOR ANGEL STREET PART  
NERS LLC

**NOTICE OF TERMINATION OF CLASS B CONTROL PERIOD, CONSENT TO  
ELECTION OF MEMBERS/DIRECTORS OF THE MANAGEMENT  
COMMITTEE/BOARD OF DIRECTORS  
AND  
TRANSFER OF CONTROL OF MANAGEMENT  
AND  
WITHDRAWAL OF DECLARANT  
FOR  
COURTYARDS AT ANGEL STREET PHASES 1 AND 2<sup>1</sup>**

This Notice of Termination of Class B Control Period, Consent to Election of Members/Directors of the Management Committee/Board of Directors, and Transfer of Control of Management, and Withdrawal of Declarant for Courtyards at Angel Street Phases 1 and 2<sup>2</sup> (collectively, "Notice") is made and executed by ANGEL STREET PARTNERS, LLC, a Utah limited liability company, of 1156 South State Street, #105, Orem, 84097 (the "Declarant").

1. On October 6, 2008, The Courtyards at Angel Street, LC, executed that certain document entitled Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for The Courtyards at Angel Street (an Expandable Utah Planned Unit Development) which was recorded in the Office of the Recorder of Davis County, Utah as Entry No. 2397168 in Book 4629, at Pages 1183-1247 (the "2008 Declaration").

2. On August 9, 2009, Declarant executed that certain document entitled Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Courtyards at Angel Street, an Expandable Utah Town Home Development (the "2009 Declaration"). The 2009 Declaration was recorded in the Office of the Recorder of Davis County, Utah on November 9, 2009 as Entry No. 2492257 in Book 4898, at Pages 1071-1132. At the time it was recorded, the 2009 Declaration only included Phase 1 (Buildings 1 and 2). Declarant intended that the 2008 Declaration merge into the 2009 Declaration insofar as it affected Phase 1 (Buildings 1 and 2).

3. The 2009 Declaration has subsequently been supplemented and amended by that certain First Supplement to Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Courtyards at Angel Street (the "First Supplement"), which First Supplement was executed by Declarant on February 11, 2010, and which First Supplement was

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<sup>1</sup> Units 1, 2, 3, 4, 5, and 6 in Building 1, Phase 1; Units 1, 2 and 3 in Building 2, Phase 1; and Units 1, 2, 3 and 4 in Building 3, Phase 2.

<sup>2</sup> See Footnote #1.

recorded in the Office of the Recorder of Davis County, Utah on February 19, 2010 as Entry No. 2512545 in Book 4965, at Pages 397-401. The First Supplement intended only to add Building 3 as shown on the Phase 2 Plat to the Project.

4. The 2009 Declaration, as supplemented and amended by the First Supplement, was further supplemented and amended by that certain Second Supplement to Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Courtyards at Angel Street (the "Second Supplement"), which Second Supplement was executed by Declarant on March 9, 2011, and which Second Supplement was recorded in the Office of the Recorder of Davis County, Utah on March 22, 2011 as Entry No. 2590340 in Book 5235, at Pages 158-162. The intent of the Second Supplement was to limit the composition of the Association under the direction and control of the Declarant to the thirteen (13) Lots/Units/Owners in Buildings 1, 2 and 3 (collectively "Angel Street Partner Units")<sup>3</sup>.

5. The Angel Street Townhomes Phase 1 Amended Plat was recorded in the Office of the Recorder of Davis County, Utah on March 22, 2011 as Entry No. 2590330 in Book 5235, at Page 157 (the "Phase 1 Plat").

6. The Angel Street Townhomes Phase 2 Plat was recorded in the Office of the Recorder of Davis County, Utah on October 6, 2008 as Entry No. 2397166 in Book 4629, at Page 1181 (the "Phase 2 Plat").

7. The Angel Street Townhomes Phase 3 Plat was recorded in the Office of the Recorder of Davis County, Utah on October 6, 2008 as Entry No. 2397167 in Book 4629, at Page 1182 (the "Phase 3 Plat").

8. Phase 1 consists of Building 1 and Building 2 which contains ten (10) Lots/Units constructed by Declarant or its predecessor in interest.

9. Phase 2 consists of Building 3, a 4-plex, which contains four (4) Lots/Units constructed by Declarant or its predecessor in interest.

10. To the best of Declarant's knowledge Phase 2, as shown on the Phase 2 Plat, will contain Building 4, Building 5 and twelve (12) Lots/Units to be constructed/improved by D.R. Horton, its successors or assigns.

11. To the best of Declarant's knowledge Phase 3, as shown on the Phase 3 Plat, will contain Building 6, Building 7 and ten (10) Lots/Units to be constructed/improved by D.R. Horton, its successors or assigns.

12. To the best of Declarant's knowledge D.R. Horton is the owner of twenty-two (22) of the Lots/Units within the Project, as described by the 2008 Declaration. The said Lots/Units are more particularly described on Exhibit "B" attached hereto and incorporated herein by this reference (the "D.R. Horton Units").

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<sup>3</sup> Units 1, 2, 3, 4, 5, and 6 in Building 1, Phase 1; Units 1, 2 and 3 in Building 2, Phase 1; and Units 1, 2, 3 and 4 in Building 3, Phase 2.

13. To the best of Declarant's knowledge, the owners of Units/Lots in the Project, including the reputed owners of the Angel Street Partner Units and the D.R. Horton Units, called a special meeting and elected Members/Directors of the Management Committee/Board of Directors on August 30, 2012.

14. The Declarant hereby waives its right to appoint any or all of the Members/Directors of the Management Committee/Board of Directors pursuant to the 2008 Declaration or the 2009 Declaration, as amended and supplemented.

15. The Declarant hereby waives its right to control the governing Management Committee/Board of Directors pursuant to the 2008 Declaration or the 2009 Declaration, as amended and supplemented.

16. The Declarant hereby terminates its Class B Control Period and consents to the election of the Members/Directors of the Management Committee/Board of Directors on August 30, 2012 insofar as it affects the Angel Street Partner Units.

17. The Declarant shall hereafter be considered a Class A Member entitled to one (1) vote for each Unit/Lot owned.

18. The undersigned hereby confirms its withdrawal as the Declarant effective March 21, 2012.

19. This Notice pertains to and affects that certain real property located in Davis County, Utah, more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Property").

20. It is not the intent of this document to adversely affect any of the rights of D.R. Horton (or its successors or assigns) or the D.R. Horton Units, as set forth in the 2008 Declaration or the 2009 Declaration, which rights are expressly reserved by this reference.

EXECUTED the 5<sup>th</sup> day of September, 2012.

DECLARANT:  
ANGEL STREET PARTNERS, LLC, a Utah  
limited liability company

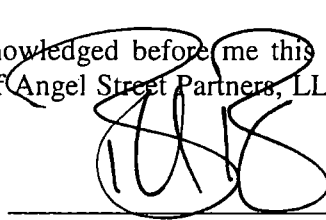
By: 

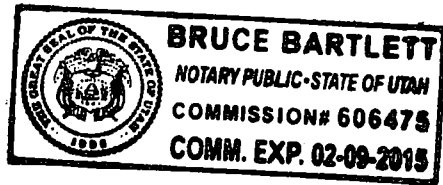
Name: Robin McCulloch

Title: Manager

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

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of September, 2012, by Robin McCulloch, the Manager of Angel Street Partners, LLC, a Utah limited liability company.

  
\_\_\_\_\_  
NOTARY PUBLIC

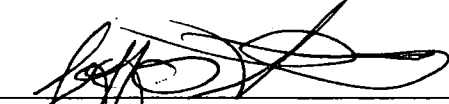


**CONSENT OF ORIGINAL DECLARANT**

Comes now COURTYARDS AT ANGEL STREET, L.C., a Utah limited liability company,  
and hereby consents to the foregoing document.

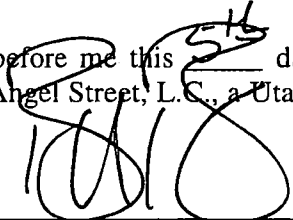
EXECUTED the 5<sup>th</sup> day of September, 2012.

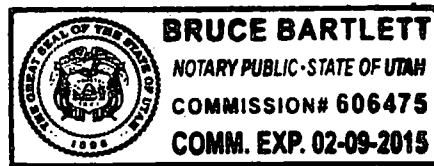
COURTYARDS AT ANGEL STREET L.C., a  
Utah limited liability company

By:   
Name: Jeff Southard  
Title: Manager

STATE OF UTAH            )  
                                      : ss.  
COUNTY OF UTAH        )

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of September,  
2012, by Jeff Southard, the Manager of Courtyards at Angel Street, L.C., a Utah limited liability  
company.

  
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NOTARY PUBLIC



**EXHIBIT "A"**

**LEGAL DESCRIPTION OF ANGEL STREET PARTNERS UNITS**

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The real property referred to in the foregoing document is located in Davis County, Utah more particularly described as follows:

UNITS 1, 2, 3, AND 4 IN BUILDING 3, CONTAINED WITHIN ANGEL STREET TOWNHOMES PHASE 2, AS IDENTIFIED ON THE OFFICIAL PLAT THEREOF THAT WAS RECORDED IN THE OFFICE OF THE RECORDER OF DAVIS COUNTY, UTAH ON OCTOBER 6, 2008 AS ENTRY NO. 2397166 IN BOOK 4629, AT PAGE 1181.

UNITS 1, 2, 3, 4, 5, AND 6 IN BUILDING 1, CONTAINED WITHIN ANGEL STREET TOWNHOMES PHASE 1 AMENDMENT, AS IDENTIFIED ON THE OFFICIAL PLAT THEREOF THAT WAS RECORDED IN THE OFFICE OF THE RECORDER OF DAVIS COUNTY, UTAH ON MARCH 22, 2011 AS ENTRY NO. 2590330 IN BOOK 5235, AT PAGE 157.

UNITS 1, 2, AND 3 IN BUILDING 2, CONTAINED WITHIN ANGEL STREET TOWNHOMES PHASE 1 AMENDMENT, AS IDENTIFIED ON THE OFFICIAL PLAT THEREOF THAT WAS RECORDED IN THE OFFICE OF THE RECORDER OF DAVIS COUNTY, UTAH ON MARCH 22, 2011 AS ENTRY NO. 2590330 IN BOOK 5235, AT PAGE 157.

Together with the right and easement of use and enjoyment in and to the common areas as set forth on said Plats.

Serial Numbers:	10-284-001	10-289-004
	10-284-002	10-289-005
	10-284-003	10-289-006
	10-284-004	10-289-007
	10-289-001	10-289-008
	10-289-002	10-289-009
	10-289-003	

**EXHIBIT "B"**

**LEGAL DESCRIPTION OF THE D.R. HORTON UNITS**

PARCEL 14 TO 19:

UNITS 1, 2, 3, 4, 5 AND 6, BUILDING 4, ANGEL STREET TOWNHOMES – PHASE 2, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE DAVIS COUNTY RECORDER'S OFFICE.

PARCEL 20 TO 25:

UNITS 1, 2, 3, 4, 5 AND 6, BUILDING 5, ANGEL STREET TOWNHOMES – PHASE 2, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE DAVIS COUNTY RECORDER'S OFFICE.

PARCEL 26 TO 29:

UNITS 1, 2, 3 AND 4, BUILDING 6, ANGEL STREET TOWNHOMES – PHASE 3, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE DAVIS COUNTY RECORDER'S OFFICE.

PARCEL 30-35:

UNITS 1, 2, 3, 4, 5 AND 6, BUILDING 7, ANGEL STREET TOWNHOMES – PHASE 3, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE DAVIS COUNTY RECORDER'S OFFICE.

Together with the right and easement of use and enjoyment in and to the common areas as set forth on said Plats.

Serial Numbers:

10-284-007	10-285-006
10-284-008	10-285-007
10-284-009	10-285-008
10-284-010	10-285-009
10-284-011	10-285-010
10-284-012	10-285-011 - c A
10-284-013	
10-284-014	
10-284-015	
10-284-016	
10-284-017 - c A	
10-285-001	
10-285-002	
10-285-003	
10-285-004	
10-285-005	