

**WHEN RECORDED, MAIL TO:**

Ervin R. Holmes, Esq.  
Stoel Rives LLP  
201 South Main Street, Suite 1100  
Salt Lake City, Utah 84111-4904

**NOTICE OF DELETION  
FROM  
ANNEXABLE TERRITORY**

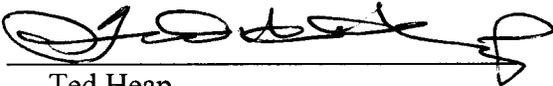
THIS NOTICE OF DELETION FROM ANNEXABLE TERRITORY is made and given this 18th day of May, 2011 (“**Effective Date**”) by MOUNTAIN HOME DEVELOPMENT CORPORATION, a Utah corporation, (“**MHDC**”), being the original “Declarant” under those certain Amended and Restated Master Declaration of Covenants, Conditions, Restrictions and Reservations of Easements for Traverse Mountain (as amended, the “**Declaration**”), recorded in the records of the Utah County Recorder, state of Utah on August 1, 2001 as Entry No. 88405:2001, amended by Amendment to Declarations recorded August 12, 2002, as Entry No. 92301:2002, amended and restated by those certain Amended and Restated Master Declarations of Covenants, Conditions, Restrictions and Reservations of Easements for Traverse Mountain recorded November 17, 2005, as Entry No. 132380:2005, amended and restated by Amended and Restated Master Declarations of Covenants, Conditions, Restrictions and Reservations of Easements for Traverse Mountain recorded June 18, 2007 as Entry No. 88194:2007; by TRIUMPH MIXED USE INVESTMENTS III, LLC, a Utah limited liability company, (“**Triumph**”); and by MOUNTAIN COVE INVESTMENTS II, LLC, a Utah limited liability company (“**Mountain Cove**”). Triumph and Mountain Cove are successors in interest to much of the real property defined in the Declaration as the “Annexable Territory,” which real property is described in Exhibit A to this Notice, and Triumph and Mountain Cove execute this Notice of Deletion together with MDHC, all three acting together as Declarant, to accomplish the deletion from the Annexable Territory of real property accomplished by this Notice of Deletion as of the Effective Date. Except as may be expressly provided in this Notice of Deletion to the contrary, all terms defined in the Declaration shall have the same meaning when used in this Notice of Deletion.

MDHC, Triumph and Mountain Cove, acting as Declarant under the Declaration and in accordance with the provisions of Section 16.4.1 of the Declaration, hereby delete that portion of the Annexable Territory described in Exhibit B attached hereto from the Annexable Territory and declare that the real property described in Exhibit B attached hereto is no longer subject to the Declaration. This instrument is executed and delivered by the undersigned pursuant to authority granted by the Declaration.

Dated this 18<sup>th</sup> day of May, 2011.

[signature page follows]

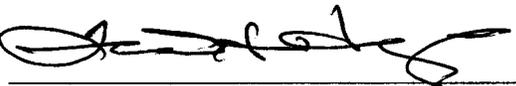
MOUNTAIN HOME DEVELOPMENT CORPORATION,  
a Utah corporation

By:   
Ted Heap  
President

TRIUMPH MIXED USE INVESTMENTS III, LLC,  
a Utah limited liability company

By:   
Ted Heap  
Manager

MOUNTAIN COVE INVESTMENTS II, LLC,  
a Utah limited liability company

By:   
Ted Heap  
Manager

STATE OF UTAH )  
 ) ss.  
COUNTY OF UTAH )

On May 18, 2011, before me, the undersigned, a Notary Public in and for the state of Utah, personally appeared Ted Heap, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument as the President of and on behalf of MOUNTAIN HOME DEVELOPMENT CORPORATION, a Utah corporation, therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its Articles of Incorporation and Bylaws.

WITNESS my hand and official seal.

Signature Connie Quintana



STATE OF UTAH )  
 ) ss.  
COUNTY OF UTAH )

On May 18, 2011, before me, the undersigned, a Notary Public in and for the state of Utah, personally appeared Ted Heap, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument as a Manager of and on behalf of TRIUMPH MIXED USE INVESTMENTS III, LLC, a Utah limited liability company, therein named, and acknowledged to me that such limited liability company executed the within instrument pursuant to its Articles of Organization and Operating Agreement.

WITNESS my hand and official seal.

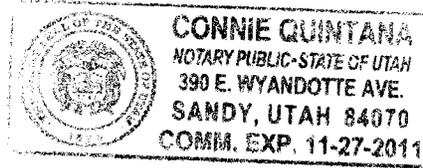
Signature Connie Quintana



STATE OF UTAH )  
 ) ss.  
COUNTY OF UTAH )

On May 18, 2011, before me, the undersigned, a Notary Public in and for the state of Utah, personally appeared Ted Heap, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument as a Manager of and on behalf of MOUNTAIN COVE INVESTMENTS II, LLC, a Utah limited liability company, therein named, and acknowledged to me that such limited liability company executed the within instrument pursuant to its Articles of Organization and Operating Agreement.

WITNESS my hand and official seal.



Signature Connie Quintana

**EXHIBIT A**

**DESCRIPTION OF THE TRAVERSE MOUNTAIN MASTER ASSOCIATION  
ANNEXABLE TERRITORY**

**[legal descriptions and tax parcel numbers to be inserted prior to execution]**

## Legal Description: FOX RIDGE

Beginning at intersection of the west line of the Micron property as described in a deed recorded in Book 3905, Page 444, Records of Utah County, Utah and the north right of way line of State Route 92, said point being South  $00^{\circ}09'13''$  West, 855.61 feet along the west line of section 32 and South  $89^{\circ}50'47''$  East, 1322.54 feet from the Southeast corner of Section 30, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence along the northerly right of way line of State Road 92 the following courses:

North  $87^{\circ}51'12''$  West, 893.86 feet to a non-tangent curve to the left having a radius of 5841.38 feet thence southwesterly along said curve 1266.52 feet (chord bears

South  $86^{\circ}01'47''$  West, 1264.04 feet) through a central angle of  $12^{\circ}25'22''$ ; thence

South  $79^{\circ}43'26''$  West, 752.26 feet to a curve to the right having a radius of 5646.95 feet; thence westerly along said curve 777.29 feet (chord bears South  $83^{\circ}40'02''$  West, 776.68 feet) through a central angle of  $7^{\circ}53'12''$ ; thence South  $87^{\circ}36'38''$  West, 2052.76 feet; thence leaving said right of way line North  $41^{\circ}37'36''$  West, 1115.22 feet; thence

North  $46^{\circ}15'16''$  West, 204.62 feet; thence North  $48^{\circ}31'00''$  West, 324.98 feet to a point on a line 100.00 feet easterly, measured at right angles, from the center of the rails of the Union Pacific

Railroad; thence along said line North  $47^{\circ}38'31''$  West, 1554.54 feet to a curve to the right having a radius of 2742.42 feet; thence northwesterly along said curve 1358.55 feet through a central angle  $28^{\circ}23'00''$ ; thence continuing along said line 100.00 feet easterly from the center of the rails, North

$19^{\circ}15'31''$  West, 4.28 feet to a curve to the left having a radius of 2964.79 feet; thence northwesterly along said curve 228.51 feet through a central angle of  $4^{\circ}24'58''$ ; thence North  $23^{\circ}38'31''$  West, 202.17 feet to a curve to the left having a radius of 2964.79 feet; thence northwesterly along said curve 300.12 feet through a central angle of  $5^{\circ}48'00''$ ; thence North  $29^{\circ}26'31''$  West, 506.10 feet to curve to the right having a radius of 1332.39 feet; thence northwesterly along said curve 370.52 feet through a central angle of  $15^{\circ}56'00''$ ; thence

North  $13^{\circ}30'31''$  West, 1644.80 feet to a curve to the left having a radius of 1054.93 feet; thence northwesterly along said curve 196.24 feet through a central angle of  $10^{\circ}39'29''$  to the south line of the southeast quarter of Section 24, Township 4 South, Range 1 West, Salt Lake Base and Meridia thence along said south line South  $89^{\circ}45'48''$  East, 953.25 feet to a point on said line thence North  $89^{\circ}45'08''$  West, 1326.04 feet from the southeast corner of said Section 24; thence North

$00^{\circ}05'33''$  West, 5074.46 feet; thence North  $84^{\circ}44'27''$  East, 893.84 feet along the Salt Lake and Utah County line as historically describe thence North  $52^{\circ}04'27''$  East, 189.56 feet along said County line to the south line of the southeast quarter of Section 13; Township 4 South, Range 1 West, Salt Lake Base and Meridian; thence North  $89^{\circ}43'41''$  East, 315.65 feet along said line to the southeast corner of said section; thence North  $00^{\circ}38'43''$  East, 246.63 feet along the east line of said section; thence along said County line the following four courses:

North  $52^{\circ}04'27''$  East 7.76 feet; North  $36^{\circ}45'27''$  East, 2161.50 feet; North  $58^{\circ}40'27''$  East, 1109.46 feet; and North  $33^{\circ}59'27''$  East, 113.06 feet to the east-west centerline of Section 18, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence

North  $89^{\circ}36'48''$  East, 2940.15 feet to the east quarter corner of said section; thence South  $00^{\circ}28'29''$  West, 2632.27 feet along the east line of said section to the Northwest corner of Section 20, Township 4 South, Range 1 East Salt Lake Base and Meridian; thence South

89°46'13"East, 3492.87 feet along the north line of said section 20: thence South 31°13'40"West, 1601.81 feet; thence South 13°06'50"West, 1532.30 feet; thence South 32°46'00"West, 816.58 feet; thence South 35°30'07"West, 490.30 feet; thence South 00°31'51"West, 836.45 feet; thence South 09°15'00"East, 545.34 feet to the northwest corner of Travis Ranch as described in Book 4205, Page 240, Official Records of Utah County, Utah; thence along the westerly line of said Travis Ranch the following four courses: South 01°54'25" West, 197.90 feet; South 31°59'51" East, 374.88 feet; South 33°29'51" East, 520.08 feet; and South 24°12'47" East, 454.17 feet to the northwest corner of the property of U. S. General as described in Book 3726, Page 439, Official Records of Utah County, Utah; thence South 00°04'40"East, 2663.69 feet along the west line of said U. S. General property to the northwest corner of the property of Micron as described in Book 3905, Page 444, Official Records of Utah County, Utah; thence South 00°03'21"East, 2187.62 feet along the west line of said Micron property to the point of beginning.

## PARCEL 1 B:

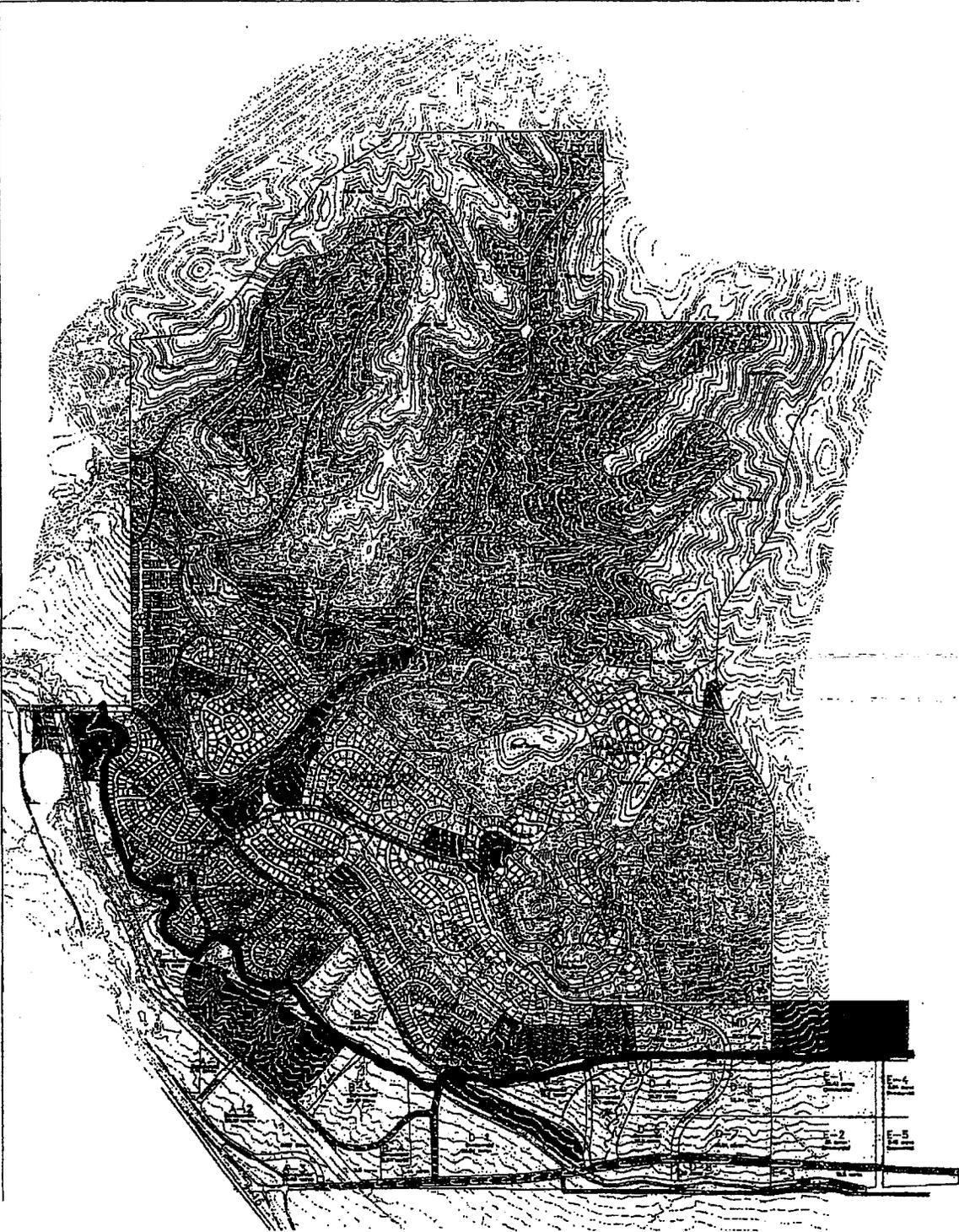
Beginning at a point South  $56^{\circ}54'46''$  East 1573.67 feet to a highway right - of - way monument and South  $0^{\circ}09'01''$  West 100.06 feet from the Southeast Corner of Section 30, Township 4 South, Range 1 East, Salt Lake Base and Meridian; and running thence South  $0^{\circ}09'01''$  West 358.47 feet; thence South  $89^{\circ}57'45''$  1320.95 feet; thence North  $89^{\circ}49'47''$  West 4114.58 feet to the South line of highway; thence along said highway North  $87^{\circ}36'38''$  East 1777.66 feet to a right - of - way monument, thence Easterly along the arc of a 5746.95 foot radius curve to the left 791.058 feet (chord bears North  $83^{\circ}40'02''$  East 790.43 feet); thence North  $79^{\circ}43'26''$  East 752.15 feet; thence Easterly along the arc of a 5741.38 foot radius curve to the right 1244.837 feet (chord bears North  $85^{\circ}56'07''$  East 1242.40 feet); thence South  $87^{\circ}40'10''$  East 896.11 feet to the point of beginning.

LESS AND EXCEPTING any portion found lying within the bounds of the Union Pacific Railroad right - of - way.

ALSO LESS AND EXCEPTING any portion found lying within that certain right - of - way commonly known as 11000 North Street.

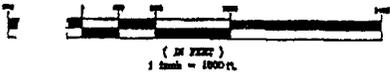
ALSO LESS AND EXCEPTING that portion deceded to the United States of America and Provo Reservoir Company by the following documents: Warranty Deed recorded June 7, 1939, as Entry No. 5657, in Book 348, at Page 245 of Official Records, and Warranty Deed recorded July 23, 1947, as Entry No. 8697, in Book 481, at Page 545 of Official Records.

13819



Areas Below Line are NOT  
Included in Annexable  
Territory.

GRAPHIC SCALE



	PSOMAS <small>PLANNING &amp; SURVEYING, INC.          1001 10th St., Ste. 100          DENVER, CO 80202 (303) 733-0117 (fax) 733-0100 (fax)</small>	TRAVERSE MOUNTAIN REVISED AREA PLAN	DATE: 08-01-08 SCALE: 1" = 1000' DRAWN BY: MLC/PT/01/01
	TITLE:		SHEET:
	DRAWN BY:		CHECKED BY:

**EXHIBIT B**

**DESCRIPTION OF PROPERTY DELETED FROM THE  
TRAVERSE MOUNTAIN MASTER ASSOCIATION ANNEXABLE TERRITORY**

**NORTH BOUNDARY AREA 1**

Beginning at a point which is West 7579.78 feet and North 8559.95 feet from the Southeast Corner of Section 30, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence N 00°19'26" E 1884.51 feet; thence N 85°56'42" E 779.73 feet; thence N 05°28'00" W 25.60 feet; thence S 84°44'27" W 814.15 feet; thence S 00°05'33" E 1867.07 feet; thence S 42°50'55" E 31.93 feet to the point of beginning.

The above described parcel contains 1.546 acres (67326.91 sq. ft.)

**NORTH BOUNDARY AREA 2**

Beginning at a point which is West 6691.90 feet and North 10510.15 feet from the Southeast Corner of Section 30, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence N 83°55'26" E 15.09 feet, thence N 53°01'27" E 592.37 feet; N 37°42'18" E 2130.78 feet; thence N 54°46'19" E 1109.17 feet; thence N 27°48'45" E 125.21 feet; thence S 33°59'27" W 113.53 feet; thence S 58°40'27" W 1109.46 feet; thence S 36°45'27" W 2161.51 feet; thence S 52°04'27" W 576.48 feet; thence S 5°28'00" E 37.40 feet to the point of beginning.

The above described parcel contains 5.337 acres (232488.66 sq. ft.)

**TAX PARCEL NOS.: 11:013:0137, 11:013:0139, AND 58:001:0013**

**EXHIBIT B**

**DESCRIPTION OF PROPERTY DELETED FROM THE**

**TRAVERSE MOUNTAIN MASTER ASSOCIATION ANNEXABLE TERRITORY**

**Parcel 1:**

Beginning at a point which is West 7579.78 feet and North 8559.95 feet from the Southeast Corner of Section 30, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence N 00°19'26" E 1884.51 feet; thence N 85°56'42" E 779.73 feet; thence N 05°28'00" W 25.60 feet; thence S 84°44'27" W 814.15 feet; thence S 00°05'33" E 1867.07 feet; thence S 42°50'55" E 31.93 feet to the point of beginning.

A portion of Tax Serial No. \_\_\_\_\_

**Parcel 2:**

Beginning at a point which is West 6691.90 feet and North 10510.15 feet from the Southeast Corner of Section 30, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence N 83°55'26" E 15.09 feet, thence N 53°01'27" E 592.37 feet; N 37°42'18" E 2130.78 feet; thence N 54°46'19" E 1109.17 feet; thence N 27°48'45" E 125.21 feet; thence S 33°59'27" W 113.53 feet; thence S 58°40'27" W 1109.46 feet; thence S 36°45'27" W 2161.51 feet; thence S 52°04'27" W 576.48 feet; thence S 5°28'00" E 37.40 feet to the point of beginning.

A portion of Tax Serial No. \_\_\_\_\_