

**DECLARATION OF PARTIAL REMOVAL
OF THE CENTENNIAL PARK CONDOMINIUMS
FROM THE PROVISIONS OF
THE UTAH CONDOMINIUM OWNERSHIP ACT**

THIS DECLARATION OF PARTIAL REMOVAL ("Declaration") is made as of this 24th day of July, 1999, by RETIREMENT LIVING, CONSTRUCTION & DEVELOPMENT CORP., a Utah Corporation ("Declarant").

RECITALS

A. Original Declaration and Plat. On May 1, 1998, Declarant filed a Declaration of Covenants, Conditions and Restrictions of The Centennial Park Condominiums, as Entry No. 6948991, in Book 7964, beginning at page 2013 in the official records of Salt Lake County, Utah (the "Original Declaration"), together with the Record of Survey Map (the "Plat"). The Original Declaration created a residential condominium project consisting of 70 units, subject to the Utah Condominium Ownership Act, Utah Code Ann. § 57-8-1 *et seq.* ("the Act"). The real property subject to the Original Declaration is located in the City of West Valley, Salt Lake County, Utah (the "Original Property").

B. Ownership. At all times from the filing of the Original Declaration and the Plat through and including the date of this document, Declarant and the individual unit owners set forth below, or their predecessors in interest, have been the owner in fee of all condominium units, together with a 100.0% ownership interest in the common areas appurtenant to such units.

C. Intention of Declarant. Declarant desires to amend and restate the Original Declaration in its entirety to change the name of the condominium project to "Centennial Park Condominiums, Phases I - VII", as appropriate, or the Project as expanded, and to permit the development of the project as an expandable condominium project. Declarant intends to accomplish such objective by recording an Amended and Restated Declaration of Condominium of The Centennial Park Condominiums ("Amended Declaration"), together with an amended Plat, referred to as Centennial Park Condominiums Phase I Plat, a reduced copy of which is attached hereto as Exhibit "D" and incorporated herein by this reference. The expandable condominium project shall consist of that portion of the Original Property currently under development, Unit Nos. 13A through 16D (the "Project Property"). The remainder of the Original Property, less dedicated public streets created within the Original Property, shall be removed from the condominium project and designated in the Amended Declaration as additional land, which additional land may be used to expand the project with up to 54 additional units (the "Additional Land").

D. Description of Property. The Original Property, the Project Property and the Additional Land are more particularly described on Exhibits "A", "B", "C", respectively. Such exhibits are attached to and incorporated in this Declaration by reference.

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NOW THEREFORE, in pursuance of the foregoing, the Declarant declares and certifies as follows:

1. Incorporation by Reference. The recitals to this Declaration are an integral part of this Declaration, and are incorporated by reference in this Declaration.

2. Partial Removal of the Original Property. That portion of the Original Property, consisting of Units 1A through 12D and 17A through 18D as shown on the Plat, together with the common areas surrounding such Units, less the dedicated public streets created within the Original Property previously submitted to the provisions of the Act, are hereby removed from the provisions of the Act pursuant to § 57-8-22 of the Act. Such removed property shall become the Additional Land created under the terms of the Amended Declaration to be recorded concurrently with the recordation of this Declaration in the office of the Salt Lake County Recorder.

3. Consent and Acknowledgment of Unit Owners. The Unit Owners listed below hereby consent to, acknowledge and request recording of this Declaration of Partial Removal of the Centennial Park Condominiums from the provisions of the Utah Condominium Ownership Act, the recording of the Amended and Restated Declaration of Condominiums for the Project dated on or about the date hereof, and the recording of the Centennial Park Condominiums Phase I Plat, referred to above. Said Unit Owners hereby appoint Gary L. Taylor, President of the Declarant, as their attorney-in-fact as necessary, with all power and authority requisite to cause said Plat to be recorded and to take all other actions necessary for the amendment and revision of the original condominium project to permit the development of the project as an expandable condominium project as set forth above.

DECLARANT
RETIREMENT LIVING, CONSTRUCTION
& DEVELOPMENT CORP., a Utah Corporation

Gary L. Taylor
By:
Its:

UNIT OWNERS

Bernice E. Schindler
Bernice Schindler, Owner
Unit 13A

Beverlee B. Nelson
Beverlee B. Nelson, Owner
Unit 13C

Roll # 8301 pp 8246

Merilyn S. Bishop, Owner
Unit 13C

Harumi Marsh

Harumi T. Marsh, Owner
Unit 13D

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June V. Stephens, Owner
Unit 14A

Vivian M. Thackeray

Vivian M. Thackeray, Owner
Unit 15A

Laura M. Nebeker

Laura M. Nebeker, Owner
Unit 15B

Ada C. Hatch

Ada C. Hatch, Owner
Unit 15D

Warren L. Hatch

Warren L. Hatch, Owner
Unit 15D

Patricia H. Walker

Patricia H. Walker, Owner
Unit 15D

BN#K8301P8247

Margaret Sprinkle

Margaret Sprinkle, Owner
Unit 16A

Frances Fern Morley, trustee

Frances Fern Morley, as Trustee of the
Frances Fern Morley Family Trust,
dated June 2, 1997, Owner
Unit 16B

State of Utah)
 §
County of Salt Lake)

On this 30th day of July, 1999, before me personally appeared
Gary L. Taylor, personally known or satisfactorily
proved to me on the basis of satisfactory evidence, and who by me duly sworn or affirmed, did
say that ~~she~~ ^{he} is the President of Retirement, Living, Construction &
Development Corp., and that said document was signed by him/~~her~~ on behalf of said entity by
authority of its by-laws, and acknowledged to me that said entity executed the same.

Notary Public
JODIE M. SCARTEZINA
2964 South 200 East, #26
Salt Lake City, Utah 84115
My Commission Expires
January 5, 2002
State of Utah

Jodie M. Scartezina Notary Public

State of Utah)
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County of Salt Lake)

On this 2nd day of July, 1999, before me personally appeared Bernice E. Schindler,
personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the
person whose name is subscribed to on this instrument, and acknowledged that she executed the
same.

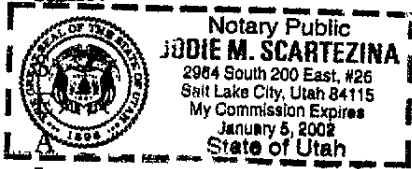
Notary Public
JODIE M. SCARTEZINA
2964 South 200 East, #26
Salt Lake City, Utah 84115
My Commission Expires
January 5, 2002
State of Utah

Jodie M. Scartezina Notary Public

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State of Utah,)
)
 County of Salt Lake)

On this 20th day of July, 1999, before me personally appeared Beverlee B. Nelson, personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that she executed the same.



Jodie M. Scartezina Notary Public

State of Utah)
)
 County of Salt Lake)

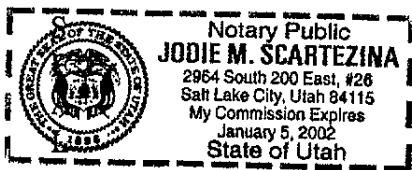
On this ____ day of July, 1999, before me personally appeared Merilyn S. Bishop, personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that she executed the same.

S
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_____ Notary Public

State of Utah)
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 County of Salt Lake)

On this 20th day of July, 1999, before me personally appeared Harumi T. Marsh, personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that she executed the same.



Jodie M. Scartezina Notary Public

KNW 8301 PG8249

State of Utah,)
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 County of Salt Lake)

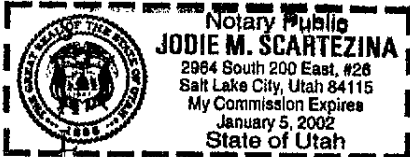
On this ____ day of July, 1999, before me personally appeared June V. Stephens, _____, personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that he/she executed the same.

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 Notary Public

State of Utah)
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 County of Salt Lake)

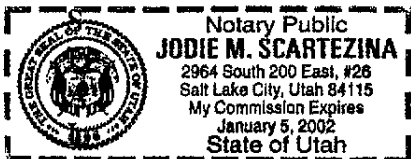
On this 20th day of July, 1999, before me personally appeared Vivian M. Thackeray, personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that she executed the same.



Jodie M. Scartezina
 Notary Public

State of Utah)
)
 County of Salt Lake)

On this 20th day of July, 1999, before me personally appeared Laura M. Nebeker, personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that she executed the same.

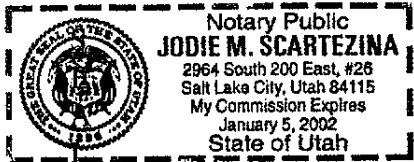


Jodie M. Scartezina
 Notary Public

BANK 8301PR8250

State of Utah)
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 County of Salt Lake)

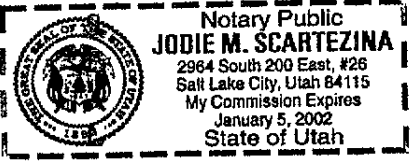
On this 21st day of July, 1999, before me personally appeared Ada C. Hatch, personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that she executed the same.



Jodie M. Scarcezina Notary Public

State of Utah)
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 County of Salt Lake)

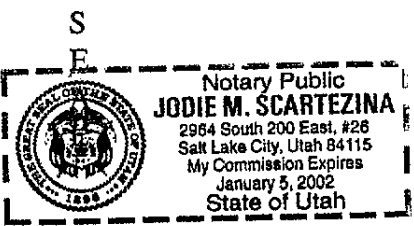
On this 21st day of July, 1999, before me personally appeared Warren L. Hatch, personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that he executed the same.



Jodie M. Scarcezina Notary Public

State of Utah)
) §
 County of Salt Lake)

On this 21st day of July, 1999, before me personally appeared Patricia H. Walker, personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that she executed the same.

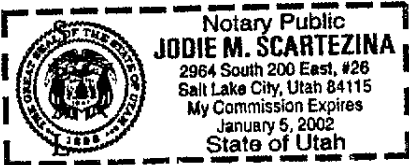


Jodie M. Scarcezina Notary Public

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State of Utah,)
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County of Salt Lake)

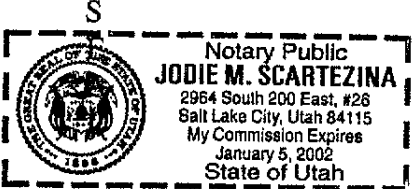
On this 20th day of July, 1999, before me personally appeared Margaret Sprinkle, personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that she executed the same.



Jodie M. Scartezina Notary Public

State of Utah,)
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County of Salt Lake)

On this 20th day of July, 1999, before me personally appeared Frances Fern Morley, personally known or satisfactorily proved to me on the basis of satisfactory evidence, and who by me duly sworn or affirmed, did say that she is the Trustee of the Frances Fern Morley Family Trust dated June 2, 1997 and that said document was signed by her on behalf of said entity by authority of its Trust Agreement, and acknowledged to me that said entity executed the same.



Jodie M. Scartezina Notary Public

Marilyn S. Bishop
Marilyn S. Bishop, Owner
Unit 13C

← SIGN
HERE

Harumi T. Marsh, Owner
Unit 13D

June V. Stephens, Owner
Unit 14A

Vivian M. Thackeray, Owner
Unit 15A

Laura M. Nebeker, Owner
Unit 15B

Ada C. Hatch, Owner
Unit 15D

Warren L. Hatch, Owner
Unit 15D

Patricia H. Walker, Owner
Unit 15D

-POOR COPY-
CO. RECORDER

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Merilyn S. Bishop, Owner
Unit 13C

Harumi T. Marsh, Owner
Unit 13D

Wayne V. Stephens / *Diane Anger*
June V. Stephens, Owner
Unit 14A

× Wayne V. Stephens and Diane Anger
Co-Personal Representatives
of The Estate of June V. Stephens

Vivian M. Thackeray, Owner
Unit 15A

Laura M. Nebeker, Owner
Unit 15B

Ada C. Hatch, Owner
Unit 15D

Warren L. Hatch, Owner
Unit 15D

Patricia H. Walker, Owner
Unit 15D

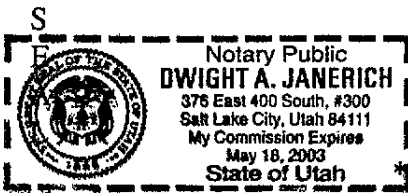
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State of Utah)

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County of Salt Lake)

On this 29th day of July, 1999, before me personally appeared June V. Stephens, WAYNE V. STEPHENS / JIMNE ANGER, personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that he/she executed the same.



[Signature] Notary Public

State of Utah)

§

County of Salt Lake)

On this ____ day of July, 1999, before me personally appeared Vivian M. Thackeray, personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that she executed the same.

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Notary Public

State of Utah)

§

County of Salt Lake)

On this ____ day of July, 1999, before me personally appeared Laura M. Nebeker, personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that she executed the same.

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Notary Public

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EXHIBIT "A"

LEGAL DESCRIPTION
ORIGINAL PROPERTY

BEGINNING at a point South 00°08'45" East, a distance of 775.500 feet along the Monument line and North 89°51'15" East, a distance of 793.155 feet from the Northwest corner of the Southeast quarter of Section 27, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 89°51'15" East, a distance of 559.845 feet; thence South 00°08'45" East, a distance of 544.500 feet; thence South 89°51'15" West, a distance of 559.845 feet; thence North 00°08'45" West, a distance of 554.500 feet to the point of BEGINNING.

BNK 8301P8257

EXHIBIT "B"

LEGAL DESCRIPTION
PROJECT PROPERTY

PHASE 1

That certain tract of land located in Salt Lake County, Utah, more particularly described as follows:

Beginning at a point South $00^{\circ}08'45''$ East, a distance of 775.50 feet along the Monument line and North $89^{\circ}51'15''$ East, a distance of 793.15 feet and South $00^{\circ}08'45''$ East, a distance of 310.95 feet from the Northwest corner of the Southeast Quarter of Section 27, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence East, a distance of 284.12 feet; thence South, a distance of 207.87 feet; thence South $89^{\circ}49'00''$ West, a distance of 283.59 feet; thence North $00^{\circ}08'45''$ West, a distance of 208.78 feet to the point of beginning.

Containing 59,133.03 square feet or 1.358 acres. Total of 16 units.

EXHIBIT "C"

LEGAL DESCRIPTION
ADDITIONAL LAND

LEGAL DESCRIPTION FOR THE AMENDED PLAT OF CENTENNIAL PARK
CONDOMINIUMS PHASES II THROUGH VII

Beginning at a point South 00 degrees 08 minutes 45 seconds East, a distance of 775.50 feet along the monument line and North 89 degrees 51 minutes 15 seconds East, a distance of 793.15 feet from the Northwest corner of the Southeast Quarter of Section 27, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 89 degrees 51 minutes 15 seconds East, a distance of 559.85 feet; thence South 00 degrees 08 minutes 45 seconds East, a distance of 519.35 feet, thence South 89 degrees 49 minutes 00 seconds West, a distance of 276.26 feet; thence North, a distance of 207.87 feet; thence West, a distance of 284.12 feet; thence North 00 degrees 08 minutes 45 seconds West, a distance of 310.94 feet to the point of beginning.

Containing 231,726.33 square feet or 5.320 acres.

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EXHIBIT "D"

PHASE I AMENDED PLAT MAP

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08/12/1999 09:54 AM 72.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
WEST VALLEY CITY
3600 CONSTITUTION BLVD
WVC UT 84119-3720
BY: RDJ, DEPUTY - WI 18 P.

BK 8301 P9 8263