



ENT 2920:2020 PG 1 of 4  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2020 Jan 09 11:25 am FEE 40.00 BY SM  
RECORDED FOR DAI

After recording please return to:

City Recorder  
City of Saratoga Springs, Utah  
1307 N. Commerce Drive, Suite 200  
Saratoga Springs, UT 84045

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### OWNER'S COVENANT

*Tanuki Investments, LLC*, (“Owner”) and its successor and assigns, hereby covenants as follows:  
*a Utah limited liability company*

Owner acknowledges that the parcel described in Exhibit A (the “Parcel”) has been created with the approval of the City of Saratoga Springs, Utah in connection with Utah Code 10-9a-103(57)(c)(v), which excludes from the definition of a “subdivision” the division or partition of land by deed or other instrument where the land use authority expressly approves in writing the division in anticipation of further land use approvals on the parcel or parcels, thus relieving an owner of the requirement of recording a plat to subdivide land upon the condition that further land use approvals will be made.

Owner acknowledges and agrees that prior to recording a future subdivision plat, receiving further approvals, and receiving building permits on any portion of the Parcel, Owner or its successors and assigns will be required to obtain further land use approvals from the City of Saratoga Springs, Utah as required by the ordinances of the City of Saratoga Springs and applicable law. Upon obtaining any such land use approvals (including but not limited to the recording of a subdivision plat or similar document and entering into the City’s applicable Installation of Improvements and Bond Agreement) this covenant shall be of no further force or effect.

Owner is signing this Covenant as of the date set forth below and consenting to the recording of the foregoing Owner’s Covenant on the Parcel.

Tanuki Investments, LLC,  
A Utah limited liability company

By: \_\_\_\_\_  
Name: Nathan Shipp  
Its: Manager

STATE OF UTAH            )  
  :SS  
COUNTY OF UTAH        )

On the 12<sup>th</sup> day of December, 2019, personally appeared before me, Nathan Shipp, who being by me duly sworn, did say that he is the Manager of Tanuki Investments, LLC, a Utah limited liability company/corporation, and duly acknowledged to me that he is authorized to sign the foregoing instrument on behalf of said company, and duly acknowledged to me that said company executed the same.

Katelyn Mickelsen  
Notary Public

Commission expires: 4.12.22  
Residing at: Salt Lake City, UT



**EXHIBIT A**



ENGINEERS  
SURVEYORS  
PLANNERS

**LEGAL DESCRIPTION  
PREPARED FOR  
DAI  
Job No. 13-0902  
(July 31, 2019)**

**WILDFLOWER ZONE 3 POND BOUNDARY**

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED N89°32'24"W ALONG THE SECTION LINE 1672.51 FEET AND NORTH 366.55 FEET FROM THE SOUTH 1/4 CORNER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE S46°47'34"W 109.84 FEET; THENCE N84°56'56"W 217.05 FEET; THENCE N5°03'04"E 309.41 FEET; THENCE S84°56'52"E 194.93 FEET TO THE WEST LIEN OF THAT REAL PROPERTY DESCRIBED IN DEED ENTRY NO. 3238:2014 IN THE OFFICIAL RECORDS OF THE UTAH COUNTY RECORDER; THENCE ALONG SAID REAL PROPERTY THE FOLLOWING TWO (2) COURSES: S5°06'14"W 21.91 FEET; THENCE S85°19'19"E 95.67 FEET; THENCE S5°09'34"W 206.17 FEET TO THE POINT OF BEGINNING.

CONTAINS: ±1.95 ACRES

- Civil Engineering
- Structural Engineering
- Surveying
- Land Planning
- Landscape Architecture