



**Annexation Agreement to the Declaration of Covenants,
Conditions and Restrictions and Reservation of Easements for
Brookhaven Fields
("Annexation Agreement")**

Reference is made to the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Brookhaven Fields, signed by The Declarant, filed with the Washington County Recorder's office on March 24, 2012 bearing Document #20120017252 ("Declaration") for BROOKHAVEN FIELDS ("Subdivision").

The Subdivision was authorized pursuant to that Development Agreement for Brookhaven Fields entered into between Declarant and Washington City, A Utah municipality, which was filed with the Washington County Recorder's office on June 25, 2012, bearing Document #20120020907 ("Development Agreement"). The Development Agreement specified that the property which would comprise the Subdivision (once all Phases were completed) would consist of 47.91 acres and is refer to in the Development Agreement as the "Project".

Section 2. (c) of the Development Agreement States that the Developer shall be entitled to build the Project in multiple phases.

The Declaration, as filed, referenced 11.28 acres of land described in Exhibit "A" to the Declaration which later became Phase 1 of the Subdivision containing 26 lots ("Phase 1"). Phase 1 was platted and recorded with the Washington County Recorder's office on May 24th, 2012.

Section 14.1.2 of Article XIV of the Declaration reserves the Declarant the right to unilaterally amend, modify or extend the Declaration for any purpose deemed necessary by the Declarant.

Section 15.1 of Article XV of the Declaration reserves to Declarant the right to include additional property, in Declarant's discretion, and further provides that in the even Declarant files other plats creating additional subdivision phases under the name and style of "Brookhaven Fields" and states that on said plats the intention to have the property described on said plat subject to the terms, covenants and conditions and reservation of easements of the Declaration; Further, that the terms covenants and conditions and reservation of easement contained in said Declaration will run not only to, with and from the property described in Phase 1, but by this reference shall also run and apply to such additional plats filed by Declarant.

Declarant has filed with the Washington County Recorder's office Plat 5 (or Phase 5) to Brookhaven Fields, consisting of 35 lots, which is more specifically described in Exhibit "A" attached to this Annexation Agreement. Declarant represents and warrants that the filing of Plat 5 (or Phase 5) of Brookhaven Fields does not violate any of the terms and conditions of the Development Agreement or the Declaration.

Pursuant to the execution and filing of this Annexation Agreement, the Declaration is amended to include and annex Plat 5 (or Phase 5), as described in Exhibit "A", to Brookhaven Fields, and all of the terms and conditions of the Declaration (including all obligations and benefits) shall apply to Plat 5 (or Phase 5) and to the lots and lot owners thereof as though Plat 5 (or Phase 5) had been described and included in the original filing of the Declaration.

Dated this 9 day of November, 2016.

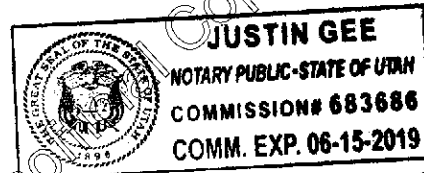
By: *Rick*
SALISBURY DEVELOPERS INC., Declarant
RICK SALISBURY, PRESIDENT

State of Utah)
 :SS
County of Washington)

On this 9 day of November, 2016, personally appeared before me
RICK SALISBURY

Whose identity was proved to me on the basis of satisfactory evidence and who by me affirmed, did say that he is THE PRESIDENT of Salisbury Developers Inc and that said document was signed by him in behalf of said corporation by authority of its bylaws, and said Chris Salisbury acknowledged to me that said corporation executed the same.

[Signature]
Notary Public
Residing at:
Commission Expires:



File Number: W20033

EXHIBIT "A"

PROPOSED BROOKHAVEN PHASE 5 BOUNDARY

BEGINNING AT A POINT WHICH IS LOCATED S 00°08'57" W ALONG THE WEST SECTION LINE 1705.08 FEET AND S 89°51'03" E 30.00 FEET FROM THE WEST QUARTER CORNER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF 240 WEST STREET AND BEING THE SOUTHWEST CORNER OF BROOKHAVEN FIELDS PHASE 4 THE PLAT OF WHICH IS ON FILE AT THE OFFICE OF THE RECORDERS, WASHINGTON COUNTY, STATE OF UTAH AND RUNNING ALONG THE SOUTH BOUNDARY OF SAID SUBDIVISION THE FOLLOWING FIVE (5) COURSES; (1) THENCE S 89°51'03" E 155.00 FEET; (2) S 88°54'42" E 51.01 FEET; (3) THENCE S 89°46'28" E 282.68 FEET; (4) THENCE S 0°13'32" W 35.15 FEET; (5) S 89°46'28" E 146.50 FEET TO A POINT ON THE WEST BOUNDARY OF MEADOW VIEW ESTATES PHASE 1 AMENDED ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AT THE OFFICE OF THE RECORDER, WASHINGTON COUNTY, STATE OF UTAH; THENCE S 00°13'32" W 272.20 FEET ALONG SAID BOUNDARY TO THE NORTH LINE OF PARCEL NO. W-5-2-35-331; THENCE N 89°15'36" W 1.48 FEET; THENCE S 00°13'32" W 621.81 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF 3650 SOUTH STREET; THENCE N 89°17'33" W 632.49 FEET ALONG SAID RIGHT-OF-WAY TO A POINT ON THE EAST RIGHT-OF-WAY OF SAID 240 WEST STREET; THENCE N 0°08'57" E 924.39 FEET ALONG SAID RIGHT-OF-WAY TO THE POINT OF BEGINNING.
CONTAINING 581973 SQ. FT. OR 13.36 ACRES MORE OR LESS

Tax ID No. (For Reference Purposes Only): **W-5-2-35-332-B**