

**ENTRY NO. 01170618**

08/11/2021 04:31:07 PM B: 2684 P: 1915

Declaration PAGE 1/11

RHONDA FRANCIS, SUMMIT COUNTY RECORDER  
FEE 980.00 BY HIGH COUNTRY TITLE



WHEN RECORDED MAIL TO

Dalton Wright

970 S. Settlement Dr.

Woodland Hills, Ut 84653

Tax Serial No. CD-684-18

**DECLARATION OF RIGHT TO USE OF  
ROADS IN THE PINE MOUNTAIN NO. 6 SUBDIVISION**

**THIS DECLARATION OF RIGHT TO USE OF ROADS** ("Declaration") is made and entered into this 10<sup>th</sup> day of August, 2021, by the PINE MOUNTAINS WATER AND MANAGEMENT INC. ("Declarant") in favor of Dalton Wright and for the benefit of Lot CD-684-18 (the "Lot") that is adjacent to the Pine Mountain No. 6 Subdivision.

**RECITALS**

**WHEREAS**, Declarant is the current owner of the roads in the PINE MOUNTAIN NO. 6 SUBDIVISION, as recorded in the office of the Summit County Recorder, State of Utah, which roads include, but are not limited to, Conifer Drive and East Targhee Drive (all roads in the PINE MOUNTAIN NO 6 SUBDIVISION are referred to hereinafter as the "ROADS"). All lots in the PINE MOUNTAIN NO. 6 SUBDIVISION are more particularly described by Tax Parcel Numbers, which are attached hereto as "Exhibit B" and incorporated herein by this reference.

**WHEREAS**, the Pine Mountain No 6 Subdivision Plat, (a copy of the Plat is attached hereto as "Exhibit A"), on file with the Summit County Recorders Office designates the Roads to be the property of the Declarant.

**WHEREAS**, Declarant desires to authorize the owners of the Lot to access the Lot on the ROADS of the Pine Mountain No. 6 Subdivision and to create a legal entitlement thereto in favor of owners and subsequent owners of the Lot.

**WHEREAS**, it is the intent and desire of Declarant and the purpose of this Declaration, to establish and create a non-exclusive right to use of the ROADS by owners of the Lot, in accordance with the terms and conditions more particularly set forth below.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Declarant hereby agrees, declares and grants as follows:

**1. GRANT TO OWNERS OF THE LOT**

**1.1 Grant of Right to Use for Access.** Declarant, as Grantor, hereby grants and dedicates to Dalton Wright and successor owners of the Lot, a non-exclusive perpetual right to use the ROADS to access the Lot for ingress and egress by vehicular and pedestrian traffic, animal traffic, water lines and other utilities. The Lot is more particularly described as follows:

THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 32,  
TOWNSHIP 1 NORTH,  
RANGE 7 EAST, SALT LAKE BASE AND MERIDIAN.

LESS AND EXCEPTING THEREFROM:

ANY PORTION THEREOF LOCATED WITHIN THE BOUNDS OF PINE MOUNTAIN NO. 6 SUBDIVISION PLAT "A", ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

ANY PORTION LOCATED WITHIN THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32, TOWNSHIP 1 NORTH, RANGE 7 EAST, SALT LAKE BASE AND MERIDIAN, LOCATED SOUTH OF THE SOUTHERLY LINE OF PINE MOUNTAIN NO. 6 SUBDIVISION PLAT "A," ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

ANY PORTION THEREOF LOCATED WITHIN THE BOUNDS OF THE FOLLOWING DESCRIBED PROPERTY AS DEEDED TO WILLIAM W. STEVENS, A MARRIED MAN, IN THAT CERTAIN WARRANTY DEED RECORDED FEBRUARY 23, 1976 AS ENTRY #130587 IN BOOK M-77 AT PAGE 294 OF OFFICIAL RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 1412.96 FEET NORTH AND 428.75 FEET EAST OF THE SOUTH QUARTER CORNER OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 7 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE NORTHWEST CORNER OF LOT 722, PINE MOUNTAIN NO. 6 SUBDIVISION PLAT "A" AND RUNNING THENCE SOUTH 01°00' WEST 119.16 FEET; THENCE SOUTH 19°00' WEST 256.84 FEET; THENCE SOUTH 79°00' W 103.87 FEET; THENCE NORTH 34°00' WEST 134.31 FEET; THENCE NORTH 01 ° 00" EAST 275.00 FEET; THENCE 89°00' EAST 258.00 FEET TO THE POINT OF BEGINNING.

Tax Parcel No. CD-684-18

**1.2 Future Development.** Notwithstanding anything contained herein to the contrary, the owner(s) of the Lot shall have the right to improve the Lot and use the ROADS in connection therewith in any manner allowed by governing laws, including state statutes, local ordinances, and/or covenants.

**1.3 Right of Access.** The right to use of the ROADS, beyond the paved portion of the ROADS, is limited in scope to the extent reasonably necessary to provide for a residential driveway to the Lot that complies with Summit County requirements,

and shall not extend more than five (5) feet beyond the North boundary of the Lot as it connects to Conifer Drive.

**GENERAL PROVISIONS**

**2.1.1 Successors and Assigns.** This Declaration of right to use of the ROADS granted herein shall run with the land and shall inure to the benefit and burden of the respective parties, including owners of the Lot and owners of the ROADS, their heirs, successors, assigns and personal representatives and upon any person or entity acquiring any interest in the Lot or the ROADS.

**2.2 Modification and Termination.** This Declaration may not be modified in any respect whatsoever or terminated, in whole or in part, except with the consent of the owners of the Lot and the Declarant and then only by written instrument duly executed and acknowledged by the parties and recorded in the office of the Recorder of Summit County, State of Utah.

**2.3 Not a Public Dedication.** Nothing herein contained shall be deemed to be a gift or dedication of any property to the general public or for use by the general public or for any public purpose whatsoever, but shall be strictly limited to and for the purposes herein expressed.

**2.4 Severability.** If any term or provision of this Declaration or the application of it to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Declaration or the application of such term or provision to persons or circumstances, other than those as to which it is invalid or unenforceable, shall not be affected thereby and each term and provision of this Declaration shall be valid and shall be enforced to the extent permitted by law.

**2.5 Entire Agreement.** This Declaration contains the entire agreement and declaration of Declarants and supersedes all prior agreements, oral or written, with respect to the subject matter hereof. The provisions of this Declaration shall be construed as a whole and not strictly for or against any party.

IN WITNESS WHEREOF, this Declaration has been executed as of the date first above written.

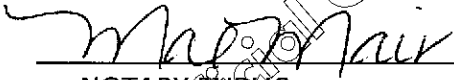


Brad Peacock  
President, Pine Mountains Water and Management Inc.

**ACKNOWLEDGEMENT**

STATE OF UTAH            )  
                                      : SS.  
COUNTY OF SUMMIT    )

On the 10th day of August, 2021, personally appeared before me, a Notary Public, Brad Peacock personally known or proved to me to be the person whose name is subscribed to the above instrument, who acknowledged to me that he executed the same as President of Pine Mountains Water and Management Inc.

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

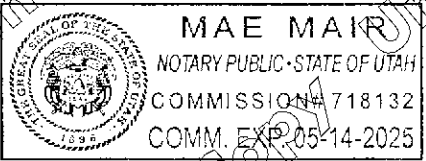


Exhibit B

|              |                                     |            |               |            |             |
|--------------|-------------------------------------|------------|---------------|------------|-------------|
| PM-6-A-601   | PM-6-A-624                          | PM-6-A-649 | PM-6-A-673    | PM-6-A-697 | PM-6-A-721  |
| PM-6-A-602   | PM-6-A-625                          | PM-6-A-650 | PM-6-A-674    | PM-6-A-698 | PM-6-A-722  |
| PM-6-A-603   | PM-6-A-626                          | PM-6-A-651 | PM-6-A-675    | PM-6-A-699 | PM-6-A-723  |
| PM-6-A-604   | PM-6-A-627                          | PM-6-A-652 | PM-6-A-676    | PM-6-A-700 | PM-6-A-724  |
| PM-6-A-605   | PM-6-A-628                          | PM-6-A-653 | PM-6-A-677    | PM-6-A-701 | PM-6-A-725  |
| PM-6-A-606   | PM-6-A-629                          | PM-6-A-654 | PM-6-A-678    | PM-6-A-702 | PM-6-A-726  |
| PM-6-A-607   | PM-6-A-630                          | PM-6-A-655 | PM-6-A-679    | PM-6-A-703 | PM-6-A-727  |
| PM-6-A-608   | PM-6-A-631                          | PM-6-A-656 |               | PM-6-A-704 | PM-6-A-728  |
| PM-6-A-609   | PM-6-A-632                          | PM-6-A-657 | PM-6-A-680-AM | PM-6-A-705 | PM-6-A-729  |
| PM-6-A-609-A | PM-6-A-633                          | PM-6-A-658 | PM-6-A-681-A  | PM-6-A-706 | PM-6-A-730  |
| PM-6-A-610   | PM-6-A-634                          | PM-6-A-659 | PM-6-A-682    | PM-6-A-707 | PM-5-501    |
| PM-6-A-611   | PM-6-A-635                          | PM-6-A-660 | PM-6-A-683    | PM-6-A-708 | PM-5-502-AM |
| PM-6-A-612   | PM-6-A-636                          | PM-6-A-661 | PM-6-A-684    | PM-6-A-709 |             |
| PM-6-A-613   | PM-6-A-637                          | PM-6-A-662 | PM-6-A-685    | PM-6-A-710 | PM-5-503-AM |
| PM-6-A-614   | PM-6-A-638                          | PM-6-A-663 | PM-6-A-686    | PM-6-A-711 | PM-5-504    |
| PM-6-A-615   | PM-6-A-639                          | PM-6-A-664 | PM-6-A-687    | PM-6-A-712 | PM-5-505    |
| PM-6-A-616   | PM-6-A-640                          | PM-6-A-665 | PM-6-A-688    | PM-6-A-713 | PM-5-506    |
| PM-6-A-617   | PM-6-A-641                          | PM-6-A-666 | PM-6-A-689    | PM-6-A-714 | PM-5-507    |
| PM-6-A-618   | PM-6-A-642-X                        | PM-6-A-667 | PM-6-A-690    | PM-6-A-715 | PM-5-508    |
| PM-6-A-619   | PM-6-A-643                          | PM-6-A-668 | PM-6-A-691    | PM-6-A-716 | PM-5-509    |
| PM-6-A-620   | PM-6-A-644                          | PM-6-A-669 | PM-6-A-692    | PM-6-A-717 | PM-5-510    |
| PM-6-A-621   | <del>PM-6-A-646</del><br>PM-6-A-645 | PM-6-A-670 | PM-6-A-693    | PM-6-A-718 | PM-5-511    |
| PM-6-A-622   | PM-6-A-646                          | PM-6-A-671 | PM-6-A-694    | PM-6-A-719 | PM-5-512    |
| PM-6-A-623   | PM-6-A-647                          | PM-6-A-672 | PM-6-A-695    | PM-6-A-720 | PM-5-513    |
|              | PM-6-A-648                          |            | PM-6-A-696    |            |             |

Exhibit B

|          |          |          |          |          |          |
|----------|----------|----------|----------|----------|----------|
| PM-5-514 | PM-5-538 | PM-3-311 | PM-3-335 | PM-3-359 | PM-4-422 |
| PM-5-515 | PM-5-539 | PM-3-312 | PM-3-336 | PM-3-360 | PM-4-423 |
| PM-5-516 | PM-5-540 | PM-3-313 | PM-3-337 | PM-3-361 | PM-4-424 |
| PM-5-517 | PM-5-541 | PM-3-314 | PM-3-338 | PM-3-362 | PM-4-425 |
| PM-5-518 | PM-5-542 | PM-3-315 | PM-3-339 | PM-4-401 | PM-4-426 |
| PM-5-519 | PM-5-543 | PM-3-316 | PM-3-340 | PM-4-402 | PM-4-427 |
| PM-5-520 | PM-5-544 | PM-3-317 | PM-3-341 | PM-4-403 | PM-4-428 |
| PM-5-521 | PM-5-545 | PM-3-318 | PM-3-342 | PM-4-404 | PM-4-429 |
| PM-5-522 | PM-5-546 | PM-3-319 | PM-3-343 | PM-4-405 | PM-4-430 |
| PM-5-523 | PM-5-547 | PM-3-320 | PM-3-344 | PM-4-406 | PM-2-201 |
| PM-5-524 | PM-5-548 | PM-3-321 | PM-3-345 | PM-4-407 | PM-2-202 |
| PM-5-525 | PM-5-549 | PM-3-322 | PM-3-346 | PM-4-408 | PM-2-203 |
| PM-5-526 | PM-5-550 | PM-3-323 | PM-3-347 | PM-4-409 | PM-2-204 |
| PM-5-527 | PM-5-551 | PM-3-324 | PM-3-348 | PM-4-410 | PM-2-205 |
| PM-5-528 | PM-3-301 | PM-3-325 | PM-3-349 | PM-4-411 | PM-2-206 |
| PM-5-529 | PM-3-302 | PM-3-326 | PM-3-350 | PM-4-412 | PM-2-207 |
| PM-5-530 | PM-3-303 | PM-3-327 | PM-3-351 | PM-4-413 | PM-2-208 |
| PM-5-531 | PM-3-304 | PM-3-328 | PM-3-352 | PM-4-414 | PM-2-209 |
| PM-5-532 | PM-3-305 | PM-3-329 | PM-3-353 | PM-4-416 | PM-2-210 |
| PM-5-533 | PM-3-306 | PM-3-330 | PM-3-354 | PM-4-417 | PM-2-211 |
| PM-5-534 | PM-3-307 | PM-3-331 | PM-3-355 | PM-4-418 | PM-2-212 |
| PM-5-535 | PM-3-308 | PM-3-332 | PM-3-356 | PM-4-419 | PM-2-213 |
| PM-5-536 | PM-3-309 | PM-3-333 | PM-3-357 | PM-4-420 | PM-2-214 |
| PM-5-537 | PM-3-310 | PM-3-334 | PM-3-358 | PM-4-421 | PM-2-215 |

Exhibit B

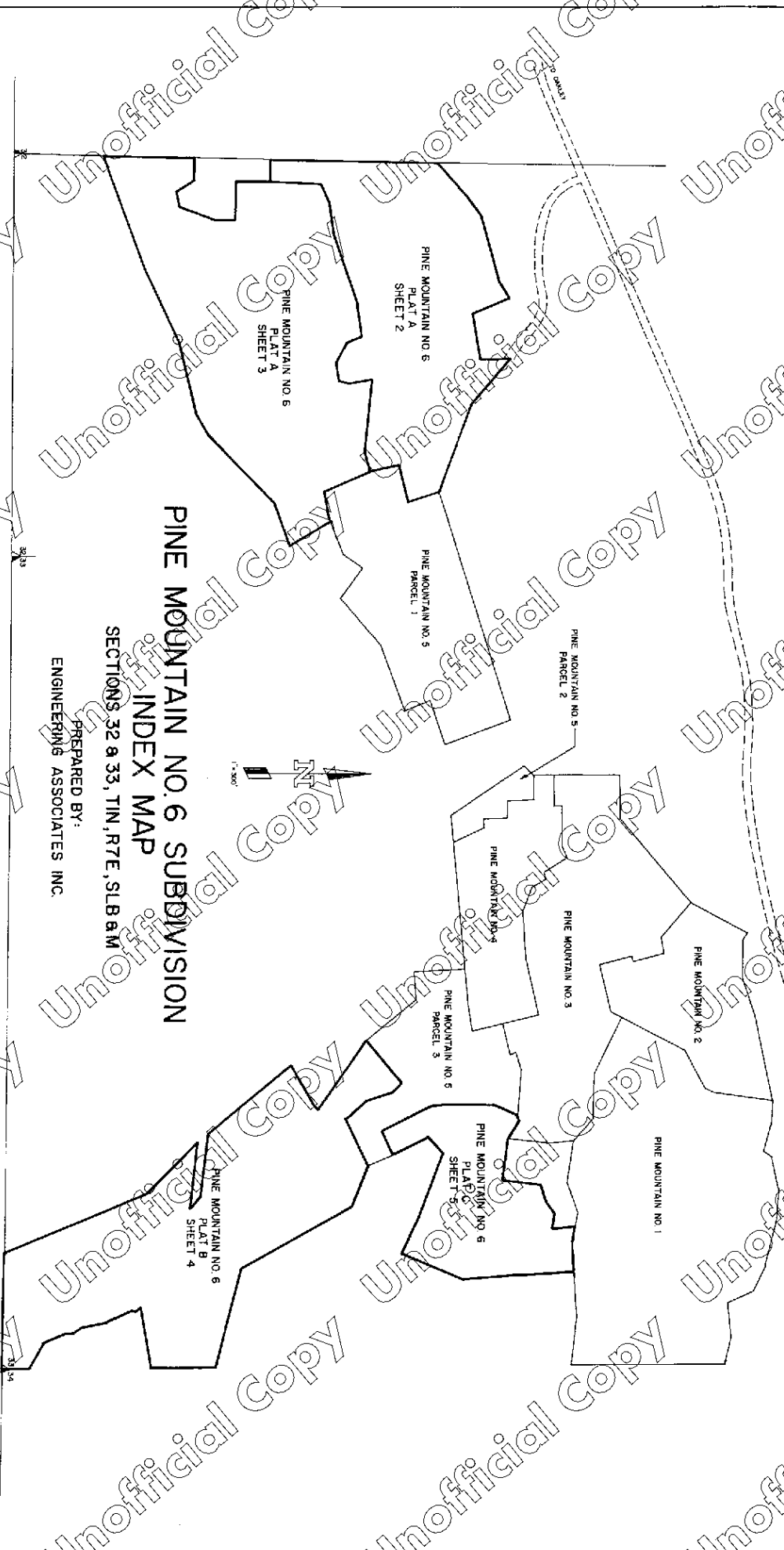
|          |            |           |           |            |            |
|----------|------------|-----------|-----------|------------|------------|
| PM-2-216 | PM-1-14    | PM-1-39   | PM-1-62   | PM-1-84    | PM-6-B-731 |
| PM-2-217 | PM-1-15    | PM-1-40   | PM-1-63   | PM-1-85    | PM-6-B-732 |
| PM-2-218 | PM-1-16    | PM-1-41   | PM-1-64   | PM-1-86    | PM-6-B-733 |
| PM-2-219 | PM-1-17    | PM-1-42   | PM-1-64-A | PM-1-87    | PM-6-B-734 |
| PM-2-220 | PM-1-18    | PM-1-43   | PM-1-65   | PM-1-88    | PM-6-B-735 |
| PM-2-221 | PM-1-19    | PM-1-44   | PM-1-66   | PM-1-89    | PM-6-B-736 |
| PM-2-222 | PM-1-20    | PM-1-45   | PM-1-67   | PM-1-90    | PM-6-B-737 |
| PM-2-223 | PM-1-21    | PM-1-46   | PM-1-67-A | PM-1-91    | PM-6-B-738 |
| PM-2-224 | PM-1-22    | PM-1-47   | PM-1-68   | PM-1-92    | PM-6-B-739 |
| PM-2-225 | PM-1-23    | PM-1-48   | PM-1-69   | PM-1-93    | PM-6-B-740 |
| PM-2-226 | PM-1-24    | PM-1-49   | PM-1-70   | PM-1-94    | PM-6-B-741 |
| PM-2-227 | PM-1-25    | PM-1-50   | PM-1-71   | PM-1-95    | PM-6-B-742 |
| PM-2-228 | PM-1-26    | PM-1-51   | PM-1-72   | PM-1-96    | PM-6-B-743 |
| PM-2-229 | PM-1-27    | PM-1-52   | PM-1-73   | PM-1-97    | PM-6-B-744 |
| PM-2-230 | PM-1-28    | PM-1-53   | PM-1-74   | PM-1-98    | PM-6-B-745 |
| PM-1-1   | PM-1-29    | PM-1-54   | PM-1-75   | PM-1-99    | PM-6-B-746 |
| PM-1-2   | PM-1-30    | PM-1-55   | PM-1-76   | PM-1-100   | PM-6-B-747 |
| PM-1-3   | PM-1-31    | PM-1-56   | PM-1-77   | PM-1-101   | PM-6-B-748 |
| PM-1-4   | PM-1-32    | PM-1-57   | PM-1-78   | PM-1-102   | PM-6-B-749 |
| PM-1-5   | PM-1-33-AM | PM-1-57-A | PM-1-79   | PM-1-103   | PM-6-B-750 |
| PM-1-6   | PM-1-35-AM | PM-1-58   | PM-1-80   | PM-1-103-A | PM-6-B-751 |
| PM-1-7   | PM-1-36    | PM-1-59   | PM-1-81   | PM-1-104   | PM-6-B-752 |
| PM-1-8   | PM-1-37    | PM-1-60   | PM-1-82   | PM-1-105   | PM-6-B-753 |
| PM-1-9   | PM-1-38    | PM-1-61   | PM-1-83   | PM-1-106   | PM-6-B-754 |
| PM-1-10  |            |           |           |            |            |
| PM-1-11  |            |           |           |            |            |
| PM-1-12  |            |           |           |            |            |
| PM-1-13  |            |           |           |            |            |

Exhibit B

|                 |            |            |            |            |              |
|-----------------|------------|------------|------------|------------|--------------|
| PM-6-B-755      | PM-6-B-762 | PM-6-B-771 | PM-6-B-779 | PM-6-C-787 | PM-6-C-795   |
| PM-6-B-756      | PM-6-B-763 | PM-6-B-772 | PM-6-B-780 | PM-6-C-788 | PM-6-C-795-A |
| PM-6-B-757      | PM-6-B-764 | PM-6-B-773 | PM-6-B-781 | PM-6-C-789 | PM-6-C-796   |
| PM-6-B-758      | PM-6-B-765 | PM-6-B-774 | PM-6-B-782 | PM-6-C-790 | PM-6-C-797   |
| PM-6-B-759      | PM-6-B-766 | PM-6-B-775 | PM-6-B-783 | PM-6-C-791 |              |
| PM-6-B-760      | PM-6-B-767 | PM-6-B-776 | PM-6-B-784 | PM-6-C-792 |              |
|                 | PM-6-B-769 | PM-6-B-777 | PM-6-C-785 | PM-6-C-793 |              |
| PM-6-B-761-B-AM | PM-6-B-770 | PM-6-B-778 | PM-6-C-786 | PM-6-C-794 |              |



**Exhibit A**



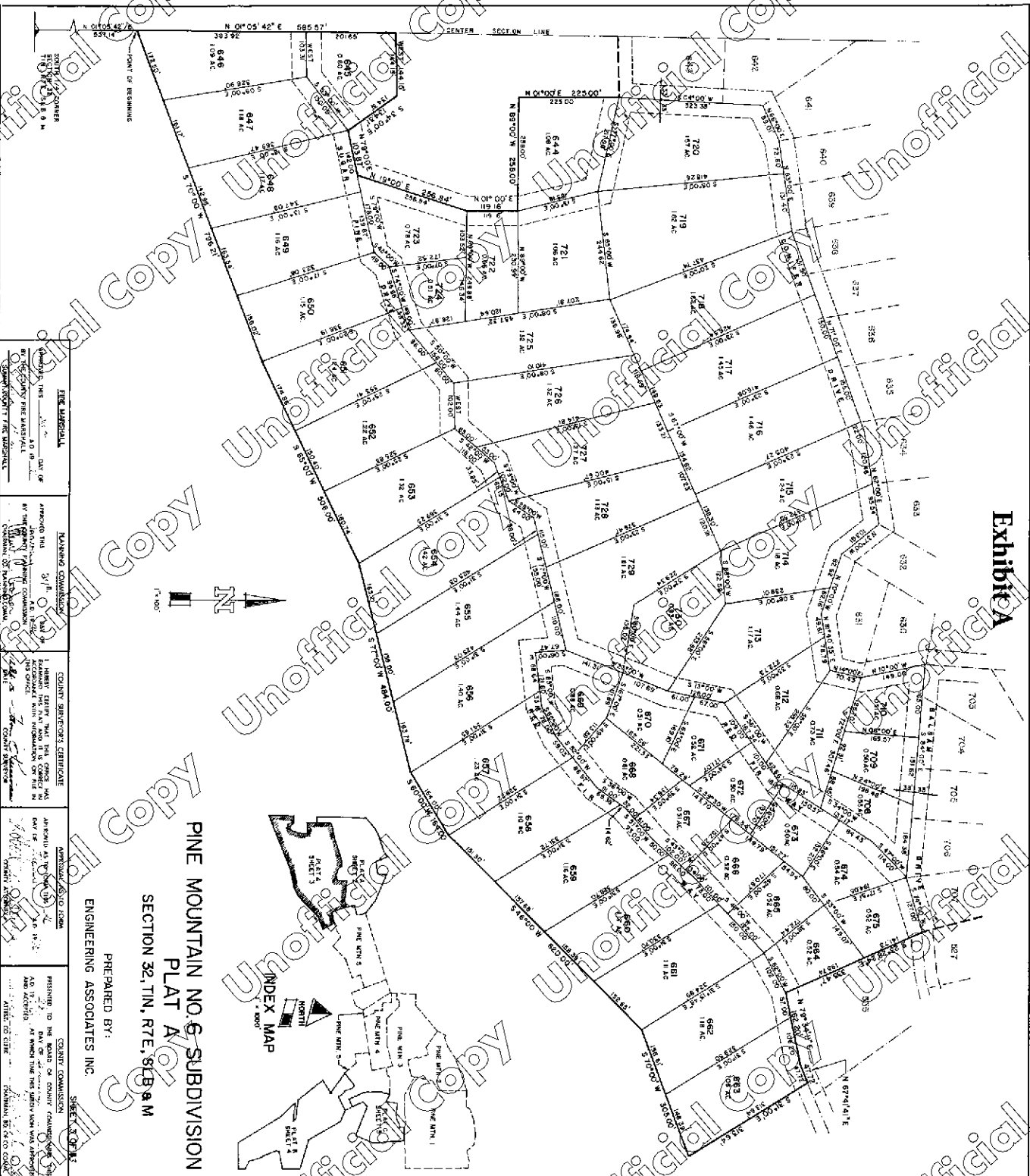
**PINE MOUNTAIN NO. 6 SUBDIVISION  
INDEX MAP**

PREPARED BY:  
ENGINEERING ASSOCIATES INC.

SECTIONS 32 & 33, T1N, R7E, SLB 8M



**Exhibit A**



**PINE MOUNTAIN NO. 6 SUBDIVISION  
PLAT A**  
SECTION 32, T1N, R7E, S1B, 9M

PREPARED BY:  
ENGINEERING ASSOCIATES INC.

**ENGINEERING ASSOCIATES INC.**  
SHEET 3 OF 3

APPROVED AS SHOWN BY THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, ON THIS DATE: 10/15/13. THE BOARD OF COUNTY COMMISSIONERS HAS REVIEWED THE PLAT AND HAS DETERMINED THAT THE PLAT COMplies WITH THE REQUIREMENTS OF THE COLORADO SUBDIVISION ACT, C.R.S. 38-1-101 THROUGH 38-1-110.

APPROVED AS SHOWN BY THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, ON THIS DATE: 10/15/13. THE BOARD OF COUNTY COMMISSIONERS HAS REVIEWED THE PLAT AND HAS DETERMINED THAT THE PLAT COMplies WITH THE REQUIREMENTS OF THE COLORADO SUBDIVISION ACT, C.R.S. 38-1-101 THROUGH 38-1-110.

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**SUBVERTER'S CERTIFICATE**

I, ROBERT G. MACDONALD, do hereby certify that I am the registered land surveyor and that I have carefully examined the plat and the field notes and have determined that the same are correct and that the same conform to the requirements of the Colorado Subdivision Act, C.R.S. 38-1-101 through 38-1-110, and that the same are true and correct in all respects.

**PINE MOUNTAIN NO. 6 SUBDIVISION PLAT A**

**OWNER'S DECLARATION**

I, ROBERT G. MACDONALD, do hereby declare that I am the registered land surveyor and that I have carefully examined the plat and the field notes and have determined that the same are correct and that the same conform to the requirements of the Colorado Subdivision Act, C.R.S. 38-1-101 through 38-1-110, and that the same are true and correct in all respects.

**ACKNOWLEDGEMENT**

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**CORPORATE ACKNOWLEDGEMENT**

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**PINE MOUNTAIN NO. 6 SUBDIVISION PLAT A**