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RASHELLE HOBBS  
Recorder, Salt Lake County, UT  
MILLER HARRISON LLC  
BY: eCASH, DEPUTY - EF 4 P.

WHEN RECORDED MAIL TO:

4 Independence, LLC  
14034 S. 145 E. Suite 204  
Draper, UT 84020

**SUPPLEMENT TO THE DECLARATION OF  
COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR  
INDEPENDENCE AT THE POINT**

**(Annexation of Heritage 76 Plats A & B)**

This SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR INDEPENDENCE AT THE POINT ("**Supplemental Declaration**") is executed and adopted by 4 Independence, LLC, a Utah limited liability company ("**Declarant**").

**RECITALS**

A. This Supplemental Declaration shall modify and supplement the Declaration of Covenants, Conditions, Easements and Restrictions for Independence at the Point, recorded with the Salt Lake County Recorder's Office on February 22, 2016 as Entry No. 11493945 in Book 10067, and beginning at Page 3032 ("**Declaration**").

B. 4 Independence, LLC is the Declarant as identified and set forth in the Declaration.

C. 4 Independence, LLC is the owner of the real property subject to this Supplemental Declaration as identified on Exhibit A attached hereto.

D. Under the terms of the Declaration, Declarant reserved the right to expand the Property by the addition of all or a portion of the Additional Land described in the Declaration.

E. Declarant desires to add a portion of the Additional Land as hereinafter provided for.

**ANNEXATION**

NOW THEREFORE, in consideration of the recitals set forth above, the Declarant hereby declares and certifies as follows:

1. Annexation of Additional Land. Declarant hereby confirms that all of the real property identified on Exhibit A attached hereto, together with (i) all buildings, improvements, and structures situated on or comprising a part of the above-described real property, whether now existing or hereafter constructed; (ii) all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying said real property; and (iii) all articles of personal property intended for use in connection therewith (collectively referred to herein as the "**Subject Property**") is submitted to and properly annexed into the

Declaration.

2. Plats. The real properties described in Paragraph 1, and the improvements to be constructed thereon, all of which are submitted to the terms and conditions of the Declaration, are more particularly set forth on the **Heritage 76, Plat "A"** subdivision map and the **Heritage 76, Plat "B"** subdivision map, which Plat maps shall be recorded with the Salt Lake County Recorder.

3. Submission. The Subject Property shall hereinafter be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration and all supplements and amendments thereto.

4. Neighborhood. The lots within the Subject Property shall be collectively governed as a "Neighborhood" as that term is used in the Declaration and the lots shall be subject to the rights and limitations set forth therein.

5. Land Use Classification. The Lots within the Subject Property shall be limited to single family residential use consisting of attached dwelling units.

6. Master Association Membership. The Owner of each Lot or Parcel within the Subject Property shall be a member of the Independence at the Point Master Owners Association, Inc. and shall be entitled to all benefits of such membership and shall be subject to the Declaration. Each Owner is allotted one vote in the Association per Lot owned.

7. Allocation of Assessments. Each Lot within the Subject Property shall be apportioned a share of the Community Expenses attributable to the Independence at the Point Master Owners Association, Inc. as provided in the Declaration.

8. Reservation of Declarant's Rights. All rights concerning the Project reserved to Declarant in the Declaration are hereby incorporated and reserved to Declarant with respect to the Subject Property. The exercise of Declarant's rights concerning such Subject Property shall be governed by the same terms, provisions and limitations set forth in the Declaration.

9. Effective Date. This Supplemental Declaration shall take effect upon being recorded with the Salt Lake County Recorder.

\* \* \* \*

IN WITNESS WHEREOF, the Declarant has executed and adopted this Supplemental Declaration.

DATED this 12<sup>th</sup> day of June, 2020.

**DECLARANT**  
**4 Independence, LLC**  
a Utah limited liability company

By: **DAI Partners, LLC**  
a Utah limited liability company, its Manager

By: \_\_\_\_\_

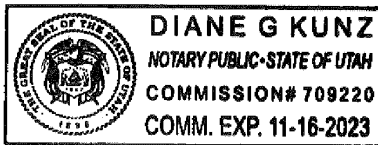
Name: Bryan Flamm

Its: Manager

STATE OF UTAH )  
                          ) ss.  
COUNTY OF Salt Lake )

On the 12<sup>th</sup> day of June, 2020, personally appeared before me Bryan Flamm who by me being duly sworn, did say that she/he is an authorized representative of DAI Partners, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

Notary Public: Diane G Kunz



**EXHIBIT A**  
**SUBJECT PROPERTY**  
**(Legal Description)**

All of **Heritage 76, Plat "A"**, according to the official plat on file in the office of the Salt Lake County Recorder.

Including Units 101 through 117 and Units 155 through 164

More particularly described as:

A portion of the Southwest Quarter of Section 14, Township 4 South, Range 1 West, Salt Lake Base and Meridian, located in Salt Lake County, Utah, more particularly described as follows:

Beginning at a point located S89°32'53"W along the section line 669.93 feet and South 3402.85 feet from the North Quarter Corner of Section 14, Township 4 South, Range 1 West, Salt Lake Base and Meridian (Basis of Bearing: S89°46'54"W between the Northeast Corner and the North Quarter Corner of Section 14, T4S, R1W, SLB&M); thence along the arc of a 260.00 foot radius non-tangent curve to the right (radius bears: S13°50'15"W) 233.55 feet through a central angle of 51°28'00" (chord: S50°25'45"E 225.77 feet); thence S24°39'18"E 70.27 feet; thence along the arc of a 30.00 foot radius curve to the right 47.18 feet through a central angle of 90°06'33" (chord: S20°23'58"W 42.47 feet); thence S65°27'14"W 388.80 feet; thence N24°32'46"W 95.00 feet; thence S65°27'14"W 18.70 feet; thence N24°32'46"W 163.00 feet; thence N65°27'14"E 238.69 feet; thence along the arc of a 141.00 foot radius curve to the left 95.20 feet through a central angle of 38°41'13" (chord: N46°06'38"E 93.41 feet); thence along the arc of a 15.00 foot radius curve to the left 3.38 feet through a central angle of 12°55'47" (chord: N20°18'08"E 3.38 feet); thence N13°50'15"E 15.46 feet to the point of beginning.

Contains: ± 2.54 Acres

All of **Heritage 76, Plat "B"**, according to the official plat on file in the office of the Salt Lake County Recorder.

Including Units 118 through 154

More particularly described as:

A portion of the Southwest Quarter of Section 14, Township 4 South, Range 1 West, Salt Lake Base and Meridian, located in Salt Lake County, Utah, more particularly described as follows:

Beginning at a point located S89°32'53"W along the section line 959.24 feet and South 3582.66 feet from the North Quarter Corner of Section 14, Township 4 South, Range 1 West, Salt Lake Base and Meridian (Basis of Bearing: S89°46'54"W between the Northeast Corner and the North Quarter Corner of Section 14, T4S, R1W, SLB&M); thence S24°32'46"E 163.00 feet; thence N65°27'14"E 18.70 feet; thence S24°32'46"E 95.00 feet; thence S65°27'14"W 76.11 feet; thence along the arc of a 1938.50 foot radius curve to the right 324.25 feet through a central angle of 9°35'01" (chord: S70°14'45"W 323.87 feet); thence S82°00'59"W 339.63 feet; thence N7°43'17"W 297.79 feet; thence N82°16'43"E 53.00 feet; thence southeasterly along the arc of a 10.00 foot radius non-tangent curve to the left (radius bears: N82°16'43"E) 15.75 feet through a central angle of 90°15'44" (chord: S52°51'09"E 14.17 feet); thence N82°00'59"E 337.21 feet; thence along the arc of a 650.00 foot radius curve to the left 187.89 feet through a central angle of 16°33'45" (chord: N73°44'07"E 187.24 feet); thence N65°27'14"E 53.53 feet to the point of beginning.

Contains: ± 4.39 Acres