

Ent 165143 Bk 406 Pg 859
Date: 02-FEB-2024 9:42:27AM
Fee: \$48.00 Credit Card Filed By: JM
BRENDA NELSON, Recorder
MORGAN COUNTY
For: CW LAND CO LLC

WHEN RECORDED RETURN TO:

CW Development Group, LLC
Attn: Legal Department
610 N 800 W
Centerville, Utah 84014

Affecting Parcel Number(s): 00-0090-3229 through 00-0090-3295, 00-0090-7101 through 00-0090-7140, 00-0092-2785 through 00-0092-2836 & 09-0090-9006

AMENDED AND RESTATED NOTICE OF REINVESTMENT FEE COVENANT

On January 18, 2022, the Association (defined below) of the subject property, through the Declaration (defined below), recorded a Notice of Reinvestment Fee Covenant for a portion of the Burdened Property (defined below). On April 10, 2023, the Association of the subject property, recorded another Notice of Reinvestment Fee Covenant for a different portion of the Burdened Property. Collectively, the January 18, 2022 Notice of Reinvestment Fee and the April 10, 2023 Notice of Reinvestment Fee shall be referred to as the "**Old Notices**"). The Association hereby amends and restates the Old Notices as follows.

Pursuant to Utah Code § 57-1-46(6), The Roam Owners Association, Inc. ("**Association**") hereby provides this Amended and Restated Notice of Reinvestment Fee Covenant which burdens all of the real property described in Exhibit A (the "**Burdened Property**"), attached hereto, which is subject to the Second Amended and Restated Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for The Roam, recorded with the Morgan County Recorder on 4/10/2023 as Entry No. 163211 in Book 399 on page 597 and any amendments or supplements thereto (the "**Declaration**").

The Reinvestment Fee Covenant requires, among other things, that upon the transfer of any of the Burdened Property subject to the Declaration, the transferee, other than the Declarant, is required to pay a reinvestment fee as established by the Association's Board of Directors in accordance with Section 5.13 of the Declaration, unless the transfer falls within an exclusion listed in Utah Code §57-1-46(8). In no event shall the reinvestment fee exceed the maximum rate permitted by applicable law.

BE IT KNOWN TO ALL OWNERS, SELLERS, BUYERS, AND TITLE COMPANIES owning, purchasing, or assisting with the closing of a Burdened Property conveyance within **The Roam** that:

1. The name and address of the beneficiary of the Reinvestment Fee Covenant is:
Roam Owners Association, Inc.
610 N. 800 W.
Centerville, UT 84014
2. The burden of the Reinvestment Fee Covenant is intended to run with the Burdened Property and to bind successors in interest and assigns.
3. The existence of this Reinvestment Fee Covenant precludes the imposition of any additional Reinvestment Fee Covenant on the Burdened Property.

4. The duration of the Reinvestment Fee Covenant is perpetual.

5. The purpose of the Reinvestment Fee is to assist the Association in covering the costs of: (a) common planning, facilities, and infrastructure; (b) obligations arising from an environmental covenant; (c) community programming; (d) resort facilities; (e) open space; (f) recreation amenities; (g) common expenses of the Association; or (h) funding Association reserves.

6. The fee required under the Reinvestment Fee Covenant is required to benefit the Burdened Property.

7. The amount of the Reinvestment Fee of each Lot at the time of transfer shall be as set by the board, or Declarant if set during the period of administrative control. The initial fee, which is subject to increase or decrease by amendment shall be 0.5% of the value of each Unit.

8. The Reinvestment Fee may also be used to satisfy the Association's responsibility to fund or reimburse the costs of construction, maintenance, and/or long-term repair (including applicable reserves) of the common facilities, infrastructure, and recreational amenities within The Roam.

9. In order to provide recreational and other common amenities to Lot owners, the Declarant will advance money for the benefit of the Association during the development of The Roam to fund the initial costs for the construction of the Association's common facilities, infrastructure, and recreational amenities.

10. All terms of the advancement shall be set forth in a written reimbursement agreement ("Agreement") between the Association and the Declarant, which will be a record available to Lot owners upon request to the Association.

11. In order to enable the Association to remain fiscally sound, and to relieve Lot owners from additional monthly assessment obligations, the Declarant has agreed that the repayment of the advancement may be through Reinvestment Fees, as opposed to other assessment types. Accordingly, the terms of the Agreement enable the Association to use a portion or all of the funds it collects from Reinvestment Fees to repay the outstanding principal owed to the Declarant under the Agreement.

12. The amount of the Declarant advancement that shall be reimbursed by the Association is anticipated to be half of 0.5% as allowed by the Agreement.

IN WITNESS WHEREOF, the Declarant has executed this Notice of Reinvestment Fee Covenant on behalf of the Association on the date set forth below, to be effective upon recording with the Morgan County Recorder.

DATED this 29th day of January, 2024.

Colin H. Wright
Colin H. Wright

DECLARANT
CW LAND CO., LLC
a Utah limited liability company,

By: CW Development Group, LLC
A Utah limited Liability Company
Its: Manager

STATE OF UTAH)
) ss.
COUNTY OF Davis)

On the 29th day of January, 2024, personally appeared before me Colin Wright who by me being duly sworn, did say that he is the manager CW Development Group LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

Notary Public: *Chase Freebairn*



EXHIBIT A
[Legal Description]

All of Roam Phase 1 Townhomes, Roam Phase 1 A Single Family, Roam Phase 2 A Single Family & Roam Phase 2 Townhomes according to the official plat on file in the office of the Davis County Recorder.

More particularly described as:

Roam Phase 1 Townhomes

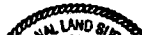
BOUNDARY DESCRIPTION

A parcel of land, situated in the Northwest Quarter of Section 25 and the Northeast Quarter of Section 26, Township 5 North, Range 1 East, Salt Lake Base and Meridian, said parcel also located in Morgan County, Utah. Being more particularly described as follows:

Beginning at a point which is South 89°43'35" East 322.34 feet along the section line and South 00°16'25" West 687.94 feet from the Northwest Corner of said Section 25 and running thence:

- South 84°21'31" East 27.00 feet;
 - thence South 05°38'29" West 45.83 feet;
 - thence southerly 25.36 feet along the arc of a 183.50-foot radius tangent curve to the right (center bears North 84°21'31" West and the long chord bears South 10°06'03" West 25.33 feet with a central angle of 08°53'08");
 - thence South 70°38'00" East 79.68 feet;
 - thence southerly 333.07 feet along the arc of a 1971.80-foot radius non-tangent curve to the right (center bears North 74°05'37" West and the long chord bears South 20°44'45" West 332.88 feet with a central angle of 9°40'46");
 - thence South 25°48'38" West 15.49 feet;
 - thence westerly 21.86 feet along the arc of a 16.00-foot radius curve to the right (center bears North 63°58'18" West and the long chord bears South 67°58'01" West 20.05 feet with a central angle of 63°52'38");
 - thence westerly 8.39 feet along the arc of a 225.50-foot radius non-tangent curve to the right (center bears South 20°30'42" West and the long chord bears North 69°31'33" West 8.39 feet with a central angle of 02°07'57");
 - thence South 21°31'37" West 38.00 feet;
 - thence northwesterly 61.78 feet along the arc of a 283.50-foot radius non-tangent curve to the right (center bears North 21°31'12" East and the long chord bears North 58°35'27" West 61.43 feet with a central angle of 17°48'41");
 - thence northwesterly 82.34 feet along the arc of a 236.50-foot radius curve to the left (center bears South 38°17'56" West and the long chord bears North 60°40'33" West 81.93 feet with a central angle of 19°58'58");
 - thence North 70°38'00" West 307.66 feet;
 - thence South 18°21'00" West 5.50 feet;
 - thence westerly 12.12 feet along the arc of a 101.50-foot radius non-tangent curve to the right (center bears North 17°38'37" East and the long chord bears North 68°58'11" West 12.11 feet with a central angle of 08°00'10");
 - thence North 25°40'14" East 0.46 feet;
 - thence northwesterly 24.32 feet along the arc of a 68.00-foot radius non-tangent curve to the right (center bears North 25°20'35" East and the long chord bears North 52°38'45" West 24.14 feet with a central angle of 24°01'21");
 - thence South 48°21'58" West 36.46 feet;
 - thence North 78°30'51" West 122.53 feet;
 - thence North 11°33'46" East 206.96 feet to the easterly right-of-way line of Trappers Loop Road (Highway 167);
 - thence along the easterly line the following one (1) course and distance:
- 1) North 54°11'41" East 382.47 feet;
 - thence South 35°48'37" East 127.43 feet;
 - thence North 54°11'23" East 68.81 feet;
 - thence South 35°48'37" East 27.00 feet;
 - thence southerly 59.92 feet along the arc of a 27.50-foot radius non-tangent curve to the left (center bears South 38°48'38" East and the long chord bears South 08°13'49" East 48.75 feet with a central angle of 124°50'23");
 - thence South 70°38'00" East 150.92 feet;
 - thence northeasterly 49.78 feet along the arc of a 27.50-foot radius tangent curve to the left (center bears North 19°20'33" East and the long chord bears North 57°29'44" East 43.25 feet with a central angle of 103°42'30" to the Point of Beginning.

Contains: 271,158 square feet or 6.225 acres, 60 units and 4 parcels.



Roam Phase 1 A Single Family

BOUNDARY DESCRIPTION

A parcel of land, situate in the Northwest Quarter of Section 25, Township 5 North, Range 1 East, Salt Lake Base and Meridian, said parcel also located in Morgan County, Utah. Being more particularly described as follows:

Beginning at a point which is South 89°43'35" East 455.87 feet along the section line and South 00°16'25" West 172.32 feet from the Northwest Corner of said Section 25 and running thence:

- thence North 89°02'40" East 87.74 feet;
- thence Southerly 190.08 feet along the arc of a 280.00-foot radius non-tangent curve to the left (center bears South 57°50'46" East and the long chord bears South 12°42'00" West 186.45 feet with a central angle of 38°53'44");
- thence South 06°44'28" East 195.97 feet;
- thence Southerly 115.98 feet along the arc of a 331.61-foot radius tangent curve to the right (center bears South 83°15'33" West and the long chord bears South 03°16'42" West 115.39 feet with a central angle of 20°02'22");
- thence South 13°17'54" West 71.36 feet;
- thence South 76°42'06" East 168.38 feet;
- thence North 13°17'54" East 8.68 feet;
- thence North 89°53'25" East 582.73 feet;
- thence South 00°06'33" East 15.00 feet;
- thence North 89°53'43" East 158.97 feet to the westerly line of Rollins Ranch Phase 4B;
- thence along said westerly line, to and along the westerly line of Rollins Ranch Phase 4A the following two (2) courses and distances:
 - 1) Southeasterly 208.49 feet along the arc of a 356.50-foot radius non-tangent curve to the left (center bears North 64°25'44" East and the long chord bears South 42°19'30" East 205.53 feet with a central angle of 33°11'53");
 - 2) South 04°15'30" East 39.46 feet to that property owned by Cottonwood Mutual Water Company;
- thence along the North and West line of that property owned by Cottonwood Mutual Water Company the following (2) courses and distances:
 - 1) thence North 89°47'45" West 87.99 feet;
 - 2) thence South 00°11'51" West 61.67 feet to the North line of Paul Warner Subdivision;
- thence along the North and West lines of Paul Warner Subdivision the following two (2) course and distances:
 - 1) West 389.73 feet;
 - 2) South 00°09'40" East 120.00 feet;
- thence South 89°43'47" West 127.73 feet;
- thence South 00°16'13" East 524.98 feet;
- thence Southeasterly 20.27 feet along the arc of a 15.00-foot radius tangent curve to the left (center bears North 89°43'47" East and the long chord bears South 38°58'36" East 18.76 feet with a central angle of 77°24'45") to the northerly right-of-way line of Old Highway Road;
- thence along said northerly right-of-way the following two (2) courses and distances:
 - 1) Westerly 69.11 feet along the arc of a 872.19-foot radius non-tangent curve to the left (center bears South 04°14'46" East and the long chord bears South 83°29'03" West 69.09 feet with a central angle of 04°32'24");

2) South 82°40'32" West 16.33 feet;
thence Northeasterly 21.72 feet along the arc of a 15.00-foot radius non-tangent curve to the left (center bears North 07°19'28" West and the long chord bears North 41°12'07" East 19.87 feet with a central angle of 82°56'50");
thence North 00°16'13" West 411.86 feet;
thence Northwesterly 23.52 feet along the arc of a 15.00-foot radius non-tangent curve to the left (center bears South 89°43'14" West and the long chord bears North 45°12'13" West 21.18 feet with a central angle of 89°49'45");
thence South 89°53'27" West 407.29 feet;
thence Westerly 95.10 feet along the arc of a 280.00-foot radius non-tangent curve to the right (center bears North 00°06'34" West and the long chord bears North 80°22'47" West 94.84 feet with a central angle of 19°27'34");
thence North 70°39'00" West 41.15 feet;
thence Westerly 21.44 feet along the arc of a 15.00-foot radius non-tangent curve to the left (center bears South 19°21'05" West and the long chord bears South 68°24'23" West 19.66 feet with a central angle of 81°53'23");
thence Southerly 287.40 feet along the arc of a 470.00 feet radius curve to the left (center bears South 82°32'13" East and the long chord bears South 09°56'43" West 282.94 feet with a central angle of 35°02'07");
thence South 07°34'20" East 7.48 feet;
thence South 10°38'46" East 48.62 feet;
thence South 07°34'20" East 191.84 feet;
thence Southeasterly 23.59 feet along the arc of a 15.00-foot radius non-tangent curve to the left (center bears North 82°24'56" East and the long chord bears South 52°37'47" East 21.23 feet with a central angle of 90°05'27") to the northerly right-of-way line of Old Highway Road;
thence South 82°40'32" West 89.67 feet along said northerly right-of-way line;
thence Northerly 29.28 feet along the arc of a 38.18-foot radius non-tangent curve to the left (center bears North 53°43'12" West and the long chord bears North 14°18'30" East 28.57 feet with a central angle of 43°56'36");
thence North 07°34'20" West 185.87 feet;
thence North 05°08'53" West 35.47 feet;
thence North 07°34'20" West 12.67 feet;
thence Northerly 329.11 feet along the arc of a 530.00-foot radius non-tangent curve to the right (center bears North 82°25'39" East and the long chord bears North 10°13'01" East 323.85 feet with a central angle of 35°34'44");
thence Northeasterly 9.33 feet along the arc of a 1971.60 feet radius curve to the left (center bears North 82°15'54" West and the long chord bears North 27°52'14" East 9.33 feet with a central angle of 00°16'16");
thence Northwesterly 18.91 feet along the arc of a 27.50-foot radius non-tangent curve to the left (center bears South 60°56'14" West and the long chord bears North 48°46'45" West 18.54 feet with a central angle of 39°23'58");
thence North 21°31'37" East 38.00 feet;
thence Easterly 8.39 feet along the arc of a 225.50-foot radius non-tangent curve to the right (center bears South 20°30'42" West and the long chord bears South 69°31'33" East 8.39 feet with a central angle of 02°07'57");
thence Easterly 21.86 feet along the arc of a 15.00-foot radius non-tangent curve to the left (center bears North 19°54'20" East and the long chord bears North 67°58'01" East 20.05 feet with a central angle of 83°52'38");
thence North 25°48'38" East 15.49 feet;
thence Northerly 422.82 feet along the arc of a 1971.60-foot radius non-tangent curve to the left (center bears North 64°24'52" West and the long chord bears North 19°26'31" East 422.01 feet with a central angle of 12°17'15");
thence North 13°17'54" East 83.57 feet;
thence Northerly 95.00 feet along the arc of a 271.61-foot radius tangent curve to the left (center bears North 76°42'07" West and the long chord bears North 03°18'43" East 94.51 feet with a central angle of 20°02'19");
thence North 06°44'28" West 195.97 feet;
thence Northerly 160.11 feet along the arc of a 340.00-foot radius tangent curve to the right (center bears North 83°15'33" East and the long chord bears North 06°44'59" East 158.64 feet with a central angle of 26°58'56") to the Point of Beginning.

Contains: 545,802 square feet or 12.525 acres, 37 lots and 3 parcels.

Roam Phase 2 A Single Family

BOUNDARY DESCRIPTION

A parcel of land, situated in the Northwest Quarter of Section 25 and the Southwest Quarter of Section 24, Township 5 North, Range 1 East, Salt Lake Base and Meridian, said parcel also located in Morgan County, Utah. Being more particularly described as follows:

Beginning at a point on the North line of said Section 25, said point being South 89°43'35" East 899.46 feet along the section line from the Northwest Corner of said Section 25 and running thence:

North 89°02'40" East 390.21 feet to the westerly line of Rollins Ranch Phase 4B;

thence along said westerly line the following six (6) courses and distances:

- 1) South 05°13'53" East 192.37 feet;
- 2) South 41°45'22" East 110.48 feet;
- 3) North 72°46'57" East 66.68 feet;
- 4) South 05°21'11" East 122.44 feet;
- 5) southerly 218.22 feet along the arc of a 442.00-foot radius tangent curve to the right (center bears South 84°38'49" West and the long chord bears South 08°47'26" West 216.01 feet with a central angle of 28°17'13");
- 6) southerly 301.81 feet along the arc of a 356.50-foot radius curve to the left (center bears South 67°03'58" East and the long chord bears South 01°19'11" East 292.88 feet with a central angle of 48°30'26") to the northerly line of Roam Phase 1 Single Family Subdivision;

thence along the northerly and westerly lines of said Roam Phase 1 Single Family the following nine (9) course and distances:

- 1) South 89°53'43" West 158.97 feet;
- 2) North 00°06'33" West 15.00 feet;
- 3) South 89°53'25" West 582.73 feet;
- 4) South 13°17'54" West 9.68 feet;
- 5) North 76°42'06" West 168.38 feet;
- 6) North 13°17'54" East 71.36 feet;
- 7) northerly 115.98 feet along the arc of a 331.61-foot radius tangent curve to the left (center bears North 76°42'06" West and the long chord bears North 03°16'42" East 115.39 feet with a central angle of 20°02'22");
- 8) North 06°44'28" West 195.97 feet;
- 9) northerly 190.08 feet along the arc of a 280.00-foot radius tangent curve to the right (center bears North 83°15'32" East and the long chord bears North 12°42'00" East 186.45 feet with a central angle of 38°53'44");

thence North 89°02'40" East 388.13 feet to the Point of Beginning.

Contains: 636,690 square feet or 14.616 acres, 51 lots and 2 parcels.

Roam Phase 2 Townhomes

BOUNDARY DESCRIPTION

A parcel of land, situated in the Northwest Quarter of Section 25 and the Northeast Quarter of Section 26, Township 5 North, Range 1 East, Salt Lake Base and Meridian, said parcel also located in Morgan County, Utah. Being more particularly described as follows:

Beginning at a point which is South 89°55'16" East 418.89 feet along the section line South 00°04'44" West 151.48 feet from the Northwest Corner of said Section 25 and running thence:

thence South 39°57'40" East 34.71 feet;

thence North 68°50'59" East 15.68 feet to the westerly right-of-way line of 5000 West Street;

thence along said westerly right-of-way line the following five (5) courses and distances:

- 1) southerly 161.70 feet along the arc of a 340.00-foot radius non-tangent curve to the left (center bears South 69°29'30" East and the long chord bears South 06°53'01" West 160.18 feet with a central angle of 27°14'58");
- 2) South 06°44'28" East 195.97 feet;
- 3) southerly 95.00 feet along the arc of a 271.61-foot radius tangent curve to the right (center bears South 83°15'32" West and the long chord bears South 03°16'43" West 94.51 feet with a central angle of 20°02'22");
- 4) South 13°17'54" West 83.57 feet;
- 5) southerly 89.75 feet along the arc of a 1971.60-foot radius non-tangent curve to the right (center bears North 76°42'08" West and the long chord bears South 14°36'07" West 89.74 feet with a central angle of 02°36'29") to the northerly line of Roam Phase 1 Townhomes Subdivision;

thence along Roam Phase 1 Townhomes Subdivision the following ten (10) courses and distances:

- 1) North 70°39'00" West 79.68 feet;
- 2) northerly 25.36 feet along the arc of a 163.50-foot radius non-tangent curve to the left (center bears North 75°28'22" West and the long chord bears North 10°05'03" East 25.33 feet with a central angle of 08°53'08");
- 3) North 05°38'29" East 45.93 feet;
- 4) North 84°21'31" West 27.00 feet;
- 5) southwesterly 49.78 feet along the arc of a 27.50-foot radius non-tangent curve to the right (center bears North 84°21'31" West and the long chord bears South 57°29'44" West 43.25 feet with a central angle of 103°42'30");
- 6) North 70°39'00" West 150.92 feet;
- 7) northerly 59.92 feet along the arc of a 27.50-foot radius tangent curve to the right (center bears North 19°21'00" East and the long chord bears North 08°13'49" West 48.75 feet with a central angle of 124°50'24");
- 8) North 35°48'37" West 27.00 feet;
- 9) South 54°11'23" West 88.81 feet;
- 10) North 35°48'37" West 126.24 feet to the easterly right-of-way of Trappers Loop Road (Highway 167);

Thence along said right-of-way the following three (3) courses and distances:

- 1) North 53°59'53" East 127.82 feet;
- 2) North 49°48'02" East 370.62 feet;
- 3) northeasterly 97.16 feet along the arc of a 918.51-foot radius non-tangent curve to the left (center bears North 48°16'37" West and the long chord bears North 38°41'40" East 97.60 feet with a central angle of 06°03'26") to the Point of Beginning.

Contains: 155,573 square feet or 3.571 acres.