

When Recorded Return To:
Fieldstone Scenic Mountain, LLC
12896 S. Pony Express Road, Suite 400
Draper, Utah 84020

Tax Parcel ID Nos.: See Exhibit A

DECLARATION OF INCLUSION

(Adding of Land to the Declaration of Covenants, Conditions, and Restrictions)

This DECLARATION OF INCLUSION (“**Declaration**”) is made by Fieldstone Scenic Mountain, LLC, a Delaware limited liability company (“**Declarant**”).

RECITALS

A. The Declarant is the developer of a residential subdivision known as the Scenic Mountain Subdivision (“**Project**”) located in the City of Eagle Mountain (“**City**”), Utah County (“**County**”), State of Utah. The Project is more particularly identified in the Declaration.

B. The Project shall be subdivided into individual single-family lots for attached and detached dwellings together with streets, other public improvements, and certain common facilities.

C. Declarant previously caused that certain *Master Declaration of Covenants, Conditions, and Restrictions for Scenic Mountain* (as the same may hereafter be amended from time to time, the “**Scenic Mountain Declaration**”) to be recorded in the Real Property Records of Utah County. The Declaration was recorded on October 24, 2018, as Entry No. 102187:2018.

D. The Scenic Mountain Declaration provides, among other things, that the Scenic Mountain Homeowners Association (“**Association**”), a Utah non-profit corporation, will manage and maintain the Common Areas within the Project, and assess and collect from owners a share of the costs of such management and maintenance.

E. Section 2.5 of the Declaration provides that the Project may be expanded to include additional adjacent real estate within the scope of the Project and that, upon recording a declaration of inclusion, such additional real property will become subject to the Scenic Mountain Declaration and the Covenants set forth therein.

F. Declarant now wishes to expand the Project and to include the additional real property identified on **Exhibit A** and **Exhibit B** (“**Expansion Property**”) within the scope of the Scenic Mountain Declaration.

DECLARATION

NOW, THEREFORE, the Declarant adopts the following covenants, conditions, and restrictions with respect to the Expansion Property:

1. Recitals Incorporated. The foregoing recitals are incorporated.

2. Definitions. Capitalized terms used herein but not otherwise defined have the meaning provided in the Scenic Mountain Declaration.

3. Expansion of the Project. The Project is hereby expanded to include the Expansion Property. The Expansion Property shall henceforth be subject to the Scenic Mountain Declaration.

4. Membership in the Association. As set forth in Section 3.1 of the Scenic Mountain Declaration, each owner of real property within the Expansion Property will be a Member of the Association, with all the rights, privileges, benefits, duties, and obligations associated with membership in the Association as set forth in the Scenic Mountain Declaration.

5. Declarant’s Rights. Nothing in this Declaration shall be deemed to impair or limit any of the Declarant’s rights as set forth in the Scenic Mountain Declaration, all of which will be applicable to the Expansion Property.

6. Recording. This Declaration shall be recorded in the County Recorder’s Office against the Expansion Property.

[End of Amendment. Signature Page Follows.]

IN WITNESS WHEREOF, Declarant has executed the foregoing instrument effective the 5th day of November, 2020.

DECLARANT

Fieldstone Scenic Mountain, LLC, a
Delaware limited liability company

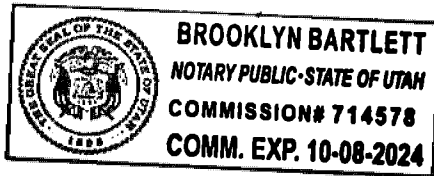
By: [Signature]
Name: Jason Harris
Title: Assistant Secretary

STATE OF UTAH)

ss.

COUNTY OF Salt Lake)

The foregoing instrument was acknowledged before me this 5 day of November, 2020 by Jason Harris as the Assistant Secretary of Fieldstone Scenic Mountain, LLC.



[Signature]
Notary Public

EXHIBIT A

(Legal Description of the Expansion Property and Parcel Numbers)

Scenic Mountain Phase A Plat 3

Lots 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, and Parcel A of Scenic Mountain Phase A Plat 3, according to the official plat thereof on file in the office of the Utah County Recorder.

Scenic Mountain Phase A Plat 4

BOUNDARY DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED S0°16'24"W ALONG THE SECTION LINE 741.49 FEET AND EAST 1404.42 FEET FROM THE WEST QUARTER CORNER OF SECTION 16, T5S, R1W, S.L.B. & M.; THENCE N89°42'26"E 245.58 FEET; THENCE S0°17'34"E 168.82 FEET; THENCE ALONG THE ARC OF A 123.50 FOOT RADIUS CURVE TO THE RIGHT 44.11 FEET THROUGH A CENTRAL ANGLE OF 20°27'46" (CHORD: S9°56'19"W 43.87 FEET); THENCE S89°42'26"W 118.50 FEET; THENCE S33°57'55"W 409.85 FEET; THENCE S56°02'05"E 43.50 FEET; THENCE S33°57'55"W 75.50 FEET; THENCE S56°02'06"E 58.00 FEET; THENCE S33°57'55"W 33.06 FEET; THENCE N53°21'40"W 202.22 FEET; THENCE N55°29'27"W 48.00 FEET; THENCE N57°12'34"W 48.01 FEET; THENCE N28°06'40"E 21.04 FEET; THENCE N0°00'05"W 82.19 FEET; THENCE N37°14'25"E 22.03 FEET; THENCE N37°14'01"E 85.28 FEET; THENCE N43°19'39"E 131.86 FEET; THENCE N33°46'47"E 291.25 FEET TO THE POINT OF BEGINNING.

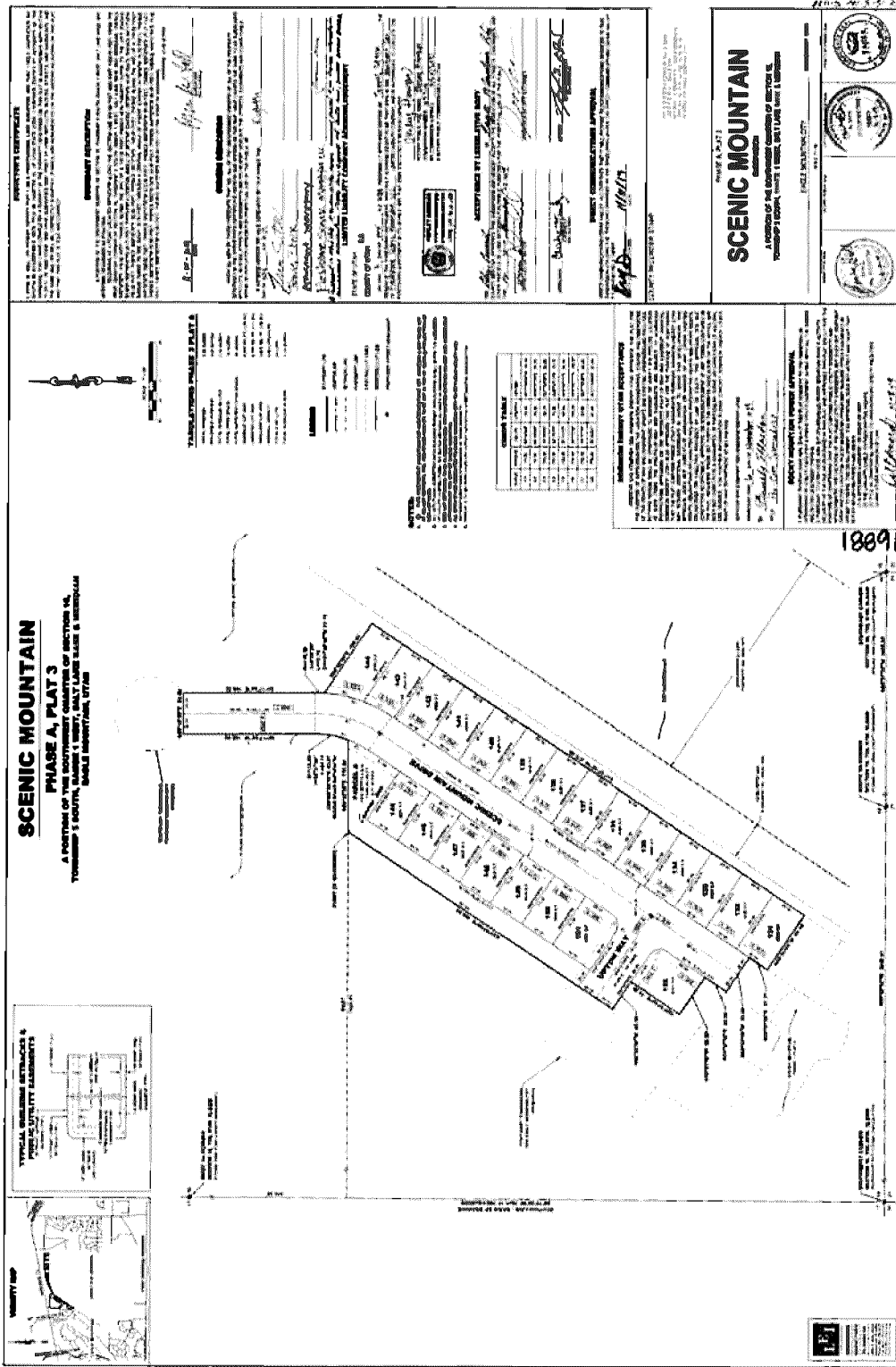
CONTAINS: ±3.95 ACRES

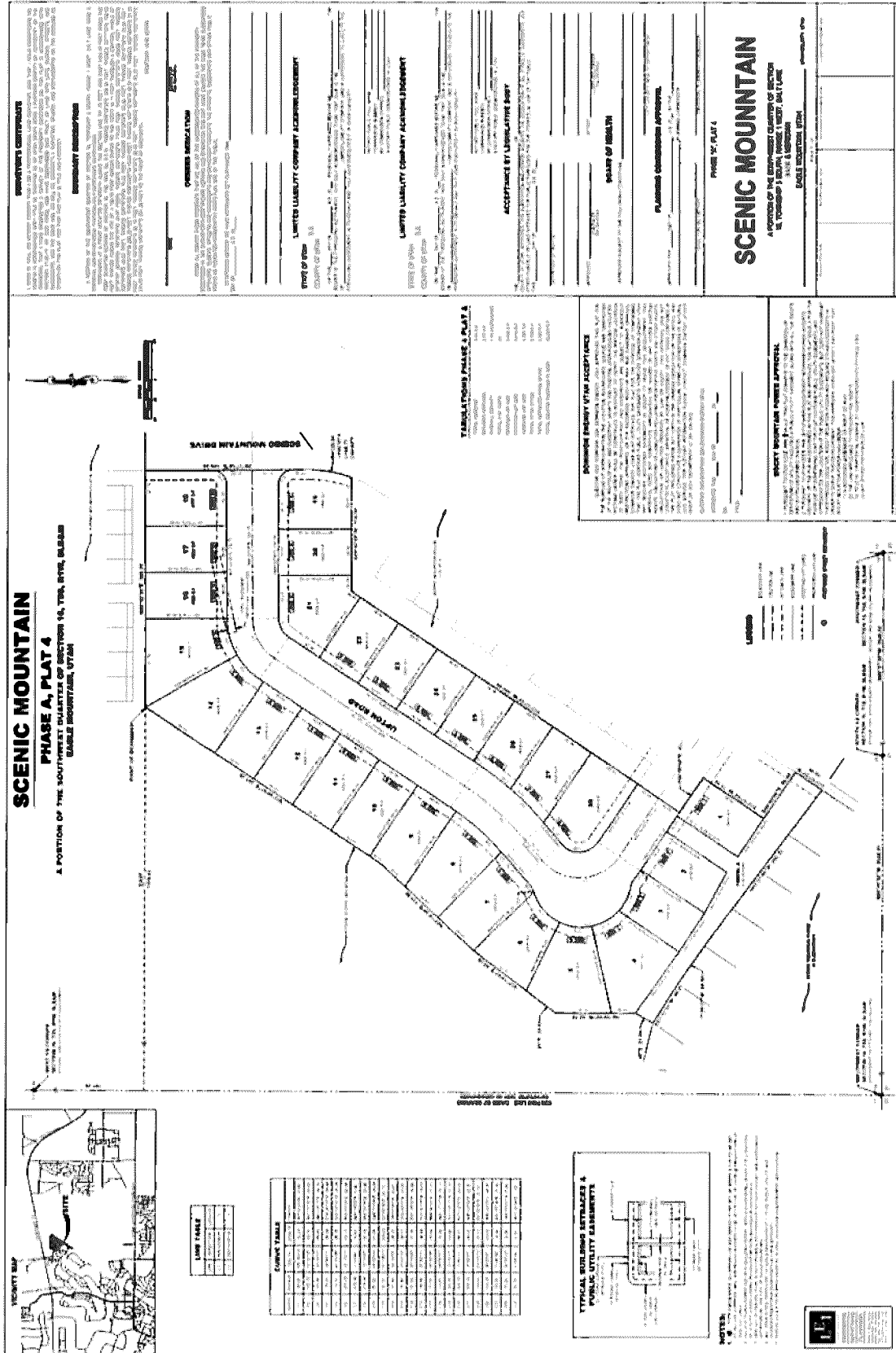
Scenic Mountain Phase B Plat 1

Lots 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, Parcel A, and Parcel B of Scenic Mountain Phase B Plat 1, according to the official plat thereof on file in the office of the Utah County Recorder.

EXHIBIT B

(Depiction or Plats of the Expansion Property)





SCENIC MOUNTAIN
PHASE A, PLAT 4
 A PORTION OF THE SOUTHWEST QUARTER OF SECTION 16, T19N, R17E, BL28E, SLEB&B, GARLAND COUNTY, ARKANSAS

PROPERTY CONTRACT
 I, the undersigned, hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that I am the owner of the property described herein.

OWNER INFORMATION
 Name: _____
 Address: _____
 City: _____
 State: _____
 Zip: _____

UNITED LIABILITY COMPANY ACKNOWLEDGMENT
 I, the undersigned, hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that I am the owner of the property described herein.

UNITED LIABILITY COMPANY ACKNOWLEDGMENT
 I, the undersigned, hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that I am the owner of the property described herein.

ACCEPTANCE BY LEGISLATIVE BODY
 I, the undersigned, hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that I am the owner of the property described herein.

PLANNED PROPERTY WITH ACCEPTANCE
 I, the undersigned, hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that I am the owner of the property described herein.

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PLANNED PROPERTY WITH ACCEPTANCE
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LIMIT TABLE

Lot No.	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)
1	10,000	10,000	10,000
2	10,000	10,000	10,000
3	10,000	10,000	10,000
4	10,000	10,000	10,000
5	10,000	10,000	10,000
6	10,000	10,000	10,000
7	10,000	10,000	10,000
8	10,000	10,000	10,000
9	10,000	10,000	10,000
10	10,000	10,000	10,000
11	10,000	10,000	10,000
12	10,000	10,000	10,000
13	10,000	10,000	10,000
14	10,000	10,000	10,000
15	10,000	10,000	10,000
16	10,000	10,000	10,000
17	10,000	10,000	10,000
18	10,000	10,000	10,000
19	10,000	10,000	10,000
20	10,000	10,000	10,000
21	10,000	10,000	10,000
22	10,000	10,000	10,000
23	10,000	10,000	10,000
24	10,000	10,000	10,000

COMMON TABLE

Item	Description	Quantity	Unit
1	Asphalt	10,000	sq. ft.
2	Concrete	10,000	sq. ft.
3	Gravel	10,000	cu. yd.
4	Water	10,000	gal.
5	Electric	10,000	kw.
6	Gas	10,000	cu. ft.
7	Plumbing	10,000	hr.
8	Landscaping	10,000	hr.
9	Site Work	10,000	hr.
10	Foundation	10,000	hr.
11	Roofing	10,000	hr.
12	Interior Finishes	10,000	hr.
13	Exterior Finishes	10,000	hr.
14	Painting	10,000	hr.
15	Insulation	10,000	hr.
16	HVAC	10,000	hr.
17	Electrical	10,000	hr.
18	Plumbing	10,000	hr.
19	Mechanical	10,000	hr.
20	Structural	10,000	hr.
21	Foundation	10,000	hr.
22	Roofing	10,000	hr.
23	Interior Finishes	10,000	hr.
24	Exterior Finishes	10,000	hr.
25	Painting	10,000	hr.
26	Insulation	10,000	hr.
27	HVAC	10,000	hr.
28	Electrical	10,000	hr.
29	Plumbing	10,000	hr.
30	Mechanical	10,000	hr.
31	Structural	10,000	hr.
32	Foundation	10,000	hr.
33	Roofing	10,000	hr.
34	Interior Finishes	10,000	hr.
35	Exterior Finishes	10,000	hr.
36	Painting	10,000	hr.
37	Insulation	10,000	hr.
38	HVAC	10,000	hr.
39	Electrical	10,000	hr.
40	Plumbing	10,000	hr.
41	Mechanical	10,000	hr.
42	Structural	10,000	hr.
43	Foundation	10,000	hr.
44	Roofing	10,000	hr.
45	Interior Finishes	10,000	hr.
46	Exterior Finishes	10,000	hr.
47	Painting	10,000	hr.
48	Insulation	10,000	hr.
49	HVAC	10,000	hr.
50	Electrical	10,000	hr.
51	Plumbing	10,000	hr.
52	Mechanical	10,000	hr.
53	Structural	10,000	hr.
54	Foundation	10,000	hr.
55	Roofing	10,000	hr.
56	Interior Finishes	10,000	hr.
57	Exterior Finishes	10,000	hr.
58	Painting	10,000	hr.
59	Insulation	10,000	hr.
60	HVAC	10,000	hr.
61	Electrical	10,000	hr.
62	Plumbing	10,000	hr.
63	Mechanical	10,000	hr.
64	Structural	10,000	hr.
65	Foundation	10,000	hr.
66	Roofing	10,000	hr.
67	Interior Finishes	10,000	hr.
68	Exterior Finishes	10,000	hr.
69	Painting	10,000	hr.
70	Insulation	10,000	hr.
71	HVAC	10,000	hr.
72	Electrical	10,000	hr.
73	Plumbing	10,000	hr.
74	Mechanical	10,000	hr.
75	Structural	10,000	hr.
76	Foundation	10,000	hr.
77	Roofing	10,000	hr.
78	Interior Finishes	10,000	hr.
79	Exterior Finishes	10,000	hr.
80	Painting	10,000	hr.
81	Insulation	10,000	hr.
82	HVAC	10,000	hr.
83	Electrical	10,000	hr.
84	Plumbing	10,000	hr.
85	Mechanical	10,000	hr.
86	Structural	10,000	hr.
87	Foundation	10,000	hr.
88	Roofing	10,000	hr.
89	Interior Finishes	10,000	hr.
90	Exterior Finishes	10,000	hr.
91	Painting	10,000	hr.
92	Insulation	10,000	hr.
93	HVAC	10,000	hr.
94	Electrical	10,000	hr.
95	Plumbing	10,000	hr.
96	Mechanical	10,000	hr.
97	Structural	10,000	hr.
98	Foundation	10,000	hr.
99	Roofing	10,000	hr.
100	Interior Finishes	10,000	hr.



NOTES

1. All utility lines shall be installed in accordance with the applicable codes and standards.
2. The utility lines shall be installed in the locations shown on the site plan.
3. The utility lines shall be installed in the depths shown on the site plan.
4. The utility lines shall be installed in the materials shown on the site plan.
5. The utility lines shall be installed in the manner shown on the site plan.
6. The utility lines shall be installed in the locations shown on the site plan.
7. The utility lines shall be installed in the depths shown on the site plan.
8. The utility lines shall be installed in the materials shown on the site plan.
9. The utility lines shall be installed in the manner shown on the site plan.
10. The utility lines shall be installed in the locations shown on the site plan.
11. The utility lines shall be installed in the depths shown on the site plan.
12. The utility lines shall be installed in the materials shown on the site plan.
13. The utility lines shall be installed in the manner shown on the site plan.
14. The utility lines shall be installed in the locations shown on the site plan.
15. The utility lines shall be installed in the depths shown on the site plan.
16. The utility lines shall be installed in the materials shown on the site plan.
17. The utility lines shall be installed in the manner shown on the site plan.
18. The utility lines shall be installed in the locations shown on the site plan.
19. The utility lines shall be installed in the depths shown on the site plan.
20. The utility lines shall be installed in the materials shown on the site plan.

PLANNED PROPERTY WITH ACCEPTANCE

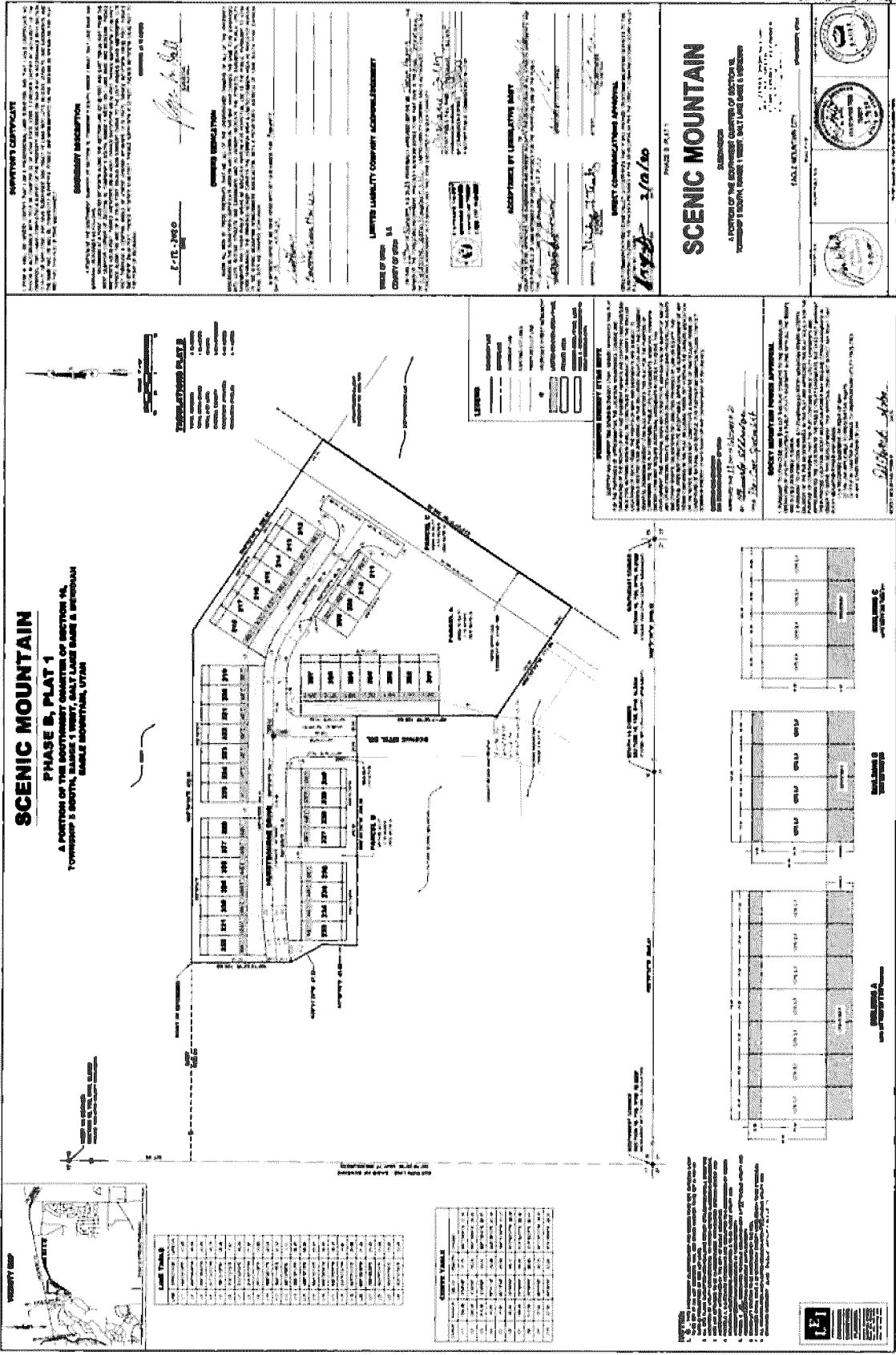
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SCENIC MOUNTAIN
PHASE B, PLAT 1
 A PORTION OF THE SOUTHWEST QUARTER OF SECTION 14,
 TOWNSHIP 3 SOUTH, RANGE 1 WEST, GALE LAKE BASIN & INTERLUKE
 BASIN RESORT, UTM

DATE: FEBRUARY 2020
 PROJECT: SCENIC MOUNTAIN PHASE B, PLAT 1

PROPERTY DESCRIPTION
 THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 1 WEST, GALE LAKE BASIN & INTERLUKE BASIN RESORT, UTM, AS SHOWN ON THE ATTACHED PLAT.

PROPERTY IDENTIFICATION
 THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 1 WEST, GALE LAKE BASIN & INTERLUKE BASIN RESORT, UTM, AS SHOWN ON THE ATTACHED PLAT.

ACCEPTANCE BY LEGISLATIVE BODY
 THE LEGISLATIVE BODY HAS REVIEWED AND APPROVED THIS INSTRUMENT AND THE PLAT ATTACHED HERETO.

PROJECT COMPLETION APPROVALS
 THE PROJECT COMPLETION APPROVALS HAVE BEEN OBTAINED FROM THE RELEVANT AGENCIES.

SCENIC MOUNTAIN
 A PORTION OF THE SOUTHWEST QUARTER OF SECTION 14,
 TOWNSHIP 3 SOUTH, RANGE 1 WEST, GALE LAKE BASIN & INTERLUKE
 BASIN RESORT, UTM

DATE: FEBRUARY 2020

SCALE: AS SHOWN

PROJECT NO: 176087

DATE: FEBRUARY 2020

SCALE: AS SHOWN

LIMITS TABLE

Lot No.	Area (sq. ft.)	Area (Acres)	Notes
1	10,000	0.23	
2	10,000	0.23	
3	10,000	0.23	
4	10,000	0.23	
5	10,000	0.23	
6	10,000	0.23	
7	10,000	0.23	
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10	10,000	0.23	
11	10,000	0.23	
12	10,000	0.23	
13	10,000	0.23	
14	10,000	0.23	
15	10,000	0.23	
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19	10,000	0.23	
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94	10,000	0.23	
95	10,000	0.23	
96	10,000	0.23	
97	10,000	0.23	
98	10,000	0.23	
99	10,000	0.23	
100	10,000	0.23	

COMMENTS TABLE

Lot No.	Comments
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NOTES:
 1. ALL LOTS ARE TO BE DEVELOPED WITH SINGLE-FAMILY RESIDENTIAL USE.
 2. THE DEVELOPER SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES.
 3. THE DEVELOPER SHALL MAINTAIN ALL EXISTING EASEMENTS AND RIGHTS.
 4. THE DEVELOPER SHALL MAINTAIN ALL EXISTING SETBACKS AND DISTANCES.
 5. THE DEVELOPER SHALL MAINTAIN ALL EXISTING ZONING REGULATIONS.
 6. THE DEVELOPER SHALL MAINTAIN ALL EXISTING ENVIRONMENTAL REGULATIONS.
 7. THE DEVELOPER SHALL MAINTAIN ALL EXISTING HISTORICAL REGULATIONS.
 8. THE DEVELOPER SHALL MAINTAIN ALL EXISTING CULTURAL REGULATIONS.
 9. THE DEVELOPER SHALL MAINTAIN ALL EXISTING ARCHITECTURAL REGULATIONS.
 10. THE DEVELOPER SHALL MAINTAIN ALL EXISTING LANDMARK REGULATIONS.

LEGEND

Symbol	Description
---	Proposed Lot Lines
---	Existing Lot Lines
---	Proposed Easements
---	Existing Easements
---	Proposed Setbacks
---	Existing Setbacks
---	Proposed Distances
---	Existing Distances
---	Proposed Zoning
---	Existing Zoning
---	Proposed Environmental
---	Existing Environmental
---	Proposed Historical
---	Existing Historical
---	Proposed Cultural
---	Existing Cultural
---	Proposed Architectural
---	Existing Architectural
---	Proposed Landmark
---	Existing Landmark

APPROVED BY:
 [Signature]
 [Title]

DATE:
 FEBRUARY 2020

SCALE:
 AS SHOWN

PROJECT NO:
 176087

DATE:
 FEBRUARY 2020