

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

Tax Parcel ID Nos.: See Exhibit A
BT-18440

DECLARATION OF INCLUSION

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

This DECLARATION OF INCLUSION (“**Declaration**”) is made by Fieldstone Brylee Farms, LLC, a Utah limited liability company (“**Declarant**”) and is joined and consented to by the owners of real property identified on the consent pages attached hereto (each an “**Owner**”).

RECITALS

A. The Declarant is the developer of a residential subdivision known as the Brylee Farms 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 *Declaration of Covenants, Conditions, and Restrictions for Brylee Farms* (as the same may hereafter be amended from time to time, the “**Brylee Farms Declaration**”) to be recorded in the Real Property Records of Utah County. The Declaration was recorded on April 24, 2020, as Entry No. 54467:2020.

D. The Brylee Farms Declaration provides, among other things, that the Brylee Farms 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 Brylee Farms 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 Brylee Farms Declaration.

G. The Owners wish to consent to the inclusion of the Expansion Property within the scope of the Project and subject the same to the Brylee Farms Declaration.

DECLARATION

NOW, THEREFORE, the Declarant adopts, and the Owners consent to, 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 Brylee Farms 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 Brylee Farms Declaration.
4. Membership in the Association. As set forth in Section 3.1 of the Brylee Farms 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 Brylee Farms 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 Brylee Farms 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.]

CONSENT

The undersigned is / are the Owner(s) of Phases 4 and 5, as noted above, within the Brylee Farms Subdivision in Utah County. The undersigned does / do hereby consent as follows:

1. To the expansion of the Project to include the Expansion Property.
2. To the Expansion Property henceforth being subject to the Brylee Farms Declaration.
3. To all other terms and conditions of the foregoing Declaration.
4. To the recordation of the foregoing Declaration against the real property owned by the undersigned.

Dated this 17th day of December, 2020.

OWNER(S)

Signature: [Handwritten Signature]
 Printed Name: Jason Harris
 Title: Assistant Secretary
Utah Real Estate Ventures, LLC

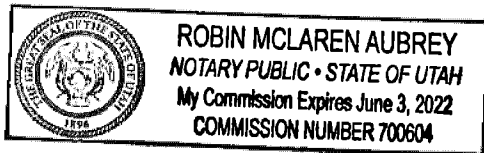
STATE OF UTAH)

ss.

COUNTY OF Utah)

The foregoing instrument was acknowledged before me this 17th day of December, 2020 by Jason Harris ~~the~~ assistant secretary of Utah Real Estate Ventures, LLC.

[Handwritten Signature]
 Notary Public



IN WITNESS WHEREOF, Declarant has executed the foregoing instrument effective the 17th day of December, 2020.

DECLARANT

Fieldstone Brylee Farms, LLC, a Utah limited liability company

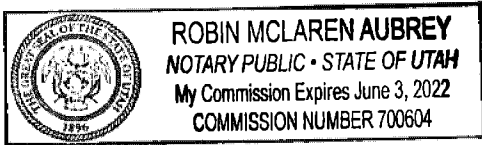
By: [Signature]
Name: Jason Harris
Title: Assistant Secretary

STATE OF UTAH)

ss.

COUNTY OF Utah)

The foregoing instrument was acknowledged before me this 17 day of December, 2020 by Jason Harris as the Assistant Secretary of Fieldstone Brylee Farms, LLC.



[Signature]
Notary Public

EXHIBIT A

(Legal Description of the Expansion Property and Parcel Numbers)

BRYLEE FARMS PHASE A, PLAT "4"

A portion of the Southeast Quarter of Section 2, Township 6 South, Range 2 West, Salt Lake Base & Meridian, located in Eagle Mountain, Utah, more particularly described as follows:

Beginning at the South 1/4 Corner of Section 2, Township 6 South, Range 2 West, Salt Lake Base & Meridian; thence N0°51'28"E along the Quarter Section Line 982.74 feet; thence East 210.67 feet; thence South 159.00 feet; thence West 10.32 feet; thence South 225.00 feet; thence West 3.36 feet; thence South 172.00 feet; thence East 4.57 feet; thence South 141.44 feet; thence East 432.91 feet; thence South 86.00 feet; thence West 16.89 feet; thence South 198.48 feet to the South line of said Section 2; thence S89°56'09"W along the Section Line 632.29 feet to the point of beginning.

Contains: ±7.47 Acres

BRYLEE FARMS PHASE A, PLAT "5"

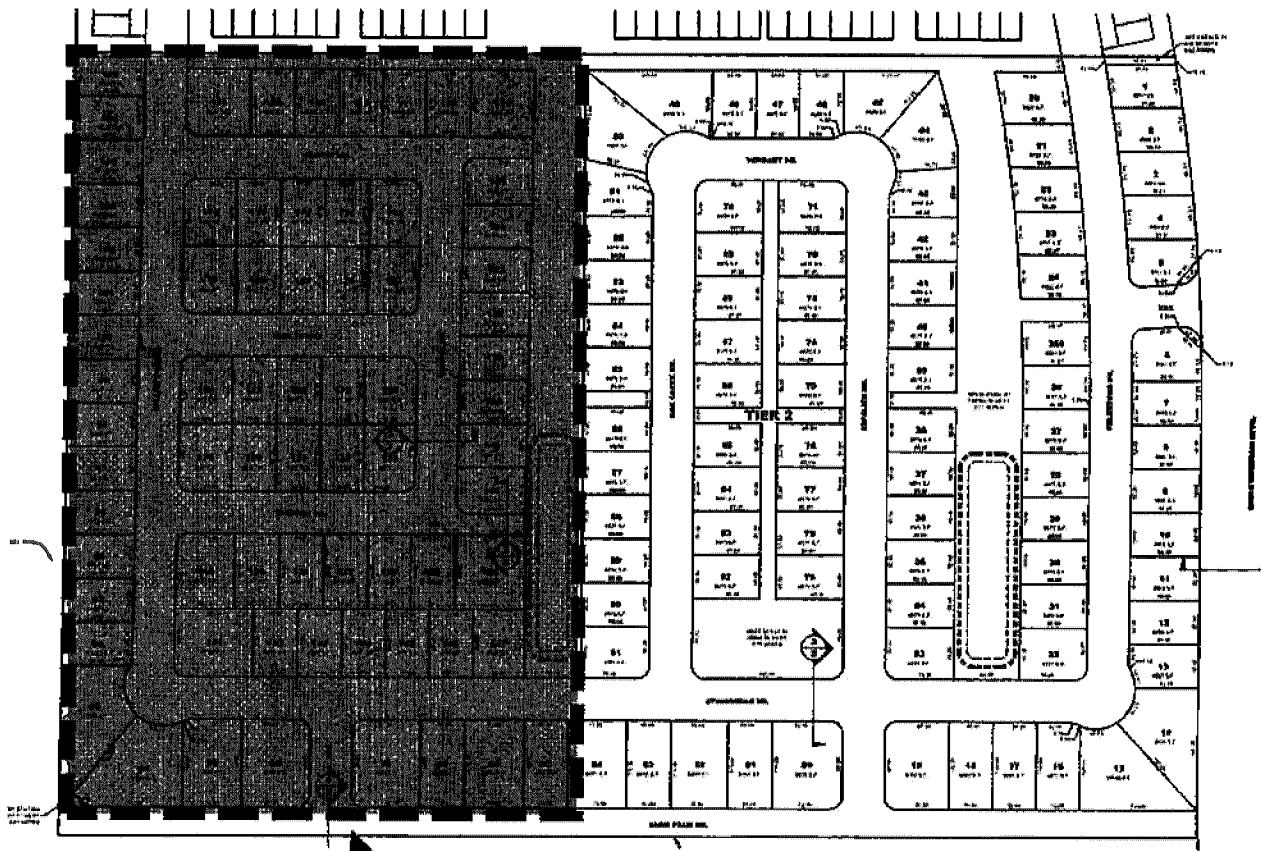
A portion of the Southeast Quarter of Section 2, Township 6 South, Range 2 West, Salt Lake Base & Meridian, located in Eagle Mountain, Utah, more particularly described as follows:

Beginning at point located N0°51'28"E along the Quarter Section Line 982.74 feet and East 210.67 feet from the South 1/4 Corner of Section 2, Township 6 South, Range 2 West, Salt Lake Base & Meridian; thence East 423.80 feet; thence South 697.44 feet; thence West 432.91 feet; thence North 141.44 feet; thence West 4.57 feet; thence North 172.00 feet; thence East 3.36 feet; thence North 225.00 feet; thence East 10.32 feet; thence North 159.00 feet to the point of beginning.

Contains: ±6.92 Acres

EXHIBIT B

(Depiction or Plats of the Expansion Property)



Brylee Farms Phases 4 & Phase 5

CONSENT


The undersigned is / are the Owner(s) of Phases 4 and 5, as noted above, within the Brylee Farms Subdivision in Utah County. The undersigned does / do hereby consent as follows:

1. To the expansion of the Project to include the Expansion Property.
2. To the Expansion Property henceforth being subject to the Brylee Farms Declaration.
3. To all other terms and conditions of the foregoing Declaration.
4. To the recordation of the foregoing Declaration against the real property owned by the undersigned.

Dated this 17th day of December, 2020.

OWNER(S)

Brighton Development Utah, LLC, a Utah Limited Liability Company

Signature: 

Printed Name: Patrick Scott

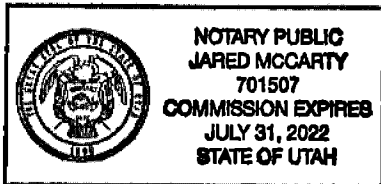
Title: President

STATE OF UTAH)

ss.

COUNTY OF DAVIS)

The foregoing instrument was acknowledged before me this 17 day of DECEMBER, 2020 by PATRICK SCOTT and _____.




 Notary Public