

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

Parcel ID: 58:033:0519, 58:033:0464

## 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 Scenic Mountain Declaration (as defined below).

B. The Project shall be subdivided into individual single-family lots for attached 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 Scenic Mountain 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 Scenic Mountain 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** (the “**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 \_\_\_\_\_ day of Dec. 9, 2020.

**DECLARANT**

Fieldstone Scenic Mountain, LLC, a  
Delaware limited liability company

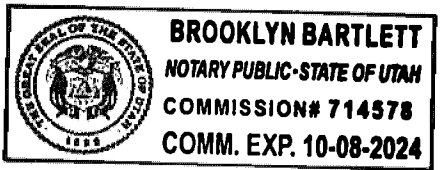
By: *Jason Harris*  
Name: *Jason Harris*  
Title: *Assistant Secretary*

STATE OF UTAH )

ss.

COUNTY OF Salt Lake )

The foregoing instrument was acknowledged before me this 9 day of December, 2020 by Jason Harris as the Assistant Secretary of Fieldstone Scenic Mountain, LLC.



*[Signature]*  
Notary Public

**EXHIBIT A****(Legal Description of the Expansion Property)****PARCEL 1**

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 on the south line of that real property found at Entry No. 68186:2018 in the official records of Utah County, said point being located S0°16'24"W along the Section line 527.89 feet and East 939.58 feet from the West Quarter Corner of Section 16, T5S, R1W, S.L.B.& M.; thence N89°59'55"E along said line 441.26 feet to the west line of Phase B, Plat 1, Scenic Mountain Subdivision; thence along said line the following three (3) courses: S0°15'52"E 128.62 feet; thence S29°41'30"E 47.23 feet; thence S1°50'59"W 43.98 feet; thence S33°46'47"W 287.65 feet; thence S43°09'59"W 135.40 feet; thence S37°05'48"W 85.32 feet to a point on the northerly line of Phase A, Plat 2, Scenic Mountain Subdivision; thence along said line the following fourteen (14) courses: N66°15'56"W 78.21 feet; thence N0°16'26"E 198.40 feet; thence N89°43'34"W 88.50 feet; thence N0°16'26"E 9.37 feet; thence along the arc of a 298.50 foot radius curve to the right 23.76 feet through a central angle of 4°33'40" (chord: N2°32'35"E 23.76 feet); thence N4°48'44"E 51.88 feet; thence northeasterly along the arc of a 261.00 foot radius non-tangent curve to the left (radius bears: N84°48'42"W) 24.02 feet through a central angle of 5°16'26" (chord: N2°33'05"E 24.02 feet); thence N0°16'26"E 103.09 feet; thence along the arc of a 15.00 foot radius curve to the right 23.49 feet through a central angle of 89°43'29" (chord: N45°08'10"E 21.16 feet); thence N0°32'57"E 30.00 feet; thence northwesterly along the arc of a 15.00 foot radius non-tangent curve to the right (radius bears: N0°00'05"W) 23.63 feet through a central angle of 90°16'31" (chord: N44°51'49"W 21.26 feet); thence N0°16'26"E 27.01 feet; thence along the arc of a 100.00 foot radius curve to the left 9.96 feet through a central angle of 5°42'24" (chord: N2°34'43"W 9.96 feet); thence N5°25'52"W 80.72 feet to the point of beginning.

Contains: ±4.62 Acres

**PARCEL 2**

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 on the south line of that real property found at Entry No. 68186:2018 in the official records of Utah County, said point being located S0°16'24"W along the Section line 527.89 feet and East 798.44 feet from the West Quarter Corner of Section 16, T5S, R1W, S.L.B.& M.; thence N89°59'55"E along said line 87.90 feet; thence S5°25'52"E 85.78 feet; thence along the arc of a 47.00 foot radius curve to the right 4.68 feet through a central angle of 5°42'18" (chord: S2°34'44"E 4.68 feet); thence S0°16'25"W 190.36 feet; thence along the arc of a 208.00 foot radius non-tangent curve to the right (radius bears: S89°53'41"W) 19.38 feet through a central angle of 5°20'20" (chord: S2°33'51"W 19.37 feet); thence S4°48'44"W 14.18 feet; thence along the arc of a 15.00 foot radius curve to the right 22.37 feet through a central angle of 85°27'48" (chord: S47°32'38"W 20.36 feet); thence N89°43'28"W 79.81 feet to the east line of that real property described at Entry No. 37441:2009 in the official records of Utah County; thence N0°16'26"E along said line 327.27 feet to the point of beginning.

Contains: ±0.72 Acres

**EXHIBIT B**

**(Depiction of the Expansion Property)**

