

WHEN RECORDED, RETURN TO:
Building Construction Partners, LLC
1250 East 200 South, Suite 1-D
Lehi, Utah 84043
R/O

DECLARATION OF ANNEXATION AGREEMENT TO HARMONY PHASE A PLAT 6

THIS DECLARATION OF ANNEXATION AGREEMENT TO HARMONY PHASE A PLAT 6 (the “**Annexation Agreement**”) is made on the date evidenced below by Building Construction Partners, LLC, a Utah limited liability company (the “**Declarant**”) and joined by Monte Vista Ranch, L.C., a Utah limited liability company (the “**Master Declarant or Founder**”) pursuant to the Declaration (as defined below).

RECITALS

A. Whereas, a Declaration of Covenants, Conditions, and Restrictions for Harmony Homeowners Association, Inc. was recorded in the official records of the office of the County Recorder of Utah County, State of Utah (the “**Official Records**”) on September 27, 2018, Entry No. 93086:2018, as amended by that certain First Amendment to Declaration of Covenants, Conditions, and Restrictions for Harmony Homeowners Association, Inc. also recorded in the Official Records on April 12, 2019, Entry No. 30671:2019 (and as may be further amended from time to time, the “**Declaration**”).

B. Whereas, under Article II of the Declaration, the Declarant reserved an option to expand the District Property (as defined in Article 1 of the Declaration) and annex additional property into the District Property at any time by recording an amendment or supplement to the Declaration.

C. Whereas, the Declarant is the fee simple owner of record of that certain real property located in Utah County, Utah and described with particularity in **Exhibit A** attached hereto and incorporated herein by this reference (“**Harmony Phase A Plat 6**”).

D. Whereas, the undersigned desires to expand the District Property by annexing Harmony Phase A Plat 6 into the District Property by recording this Annexation Agreement and now intends that Harmony Phase A Plat 6 shall be subject to the Declaration in all respects.

E. Harmony Phase A Plat 6 is a portion of the Properties as that term is defined in that certain Master Declaration of Covenants for Eagle Mountain Properties Communities Master Association, Inc. (the “**Master Association**”), recorded in the Official Records on October 29, 2009, Entry No. 113261:2009; as amended by that certain Amendment to the Master Declaration of Covenants for the Master Association also recorded in the Official Records on December 13, 2010, Entry No.

108314:2010; as further amended by that certain Second Amendment to the Master Declaration of Covenants for the Master Association also recorded in the Official Records on May 25, 2018, Entry No. 49096:2018; as further amended by that certain Third Amendment to the Master Declaration of Covenants for the Master Association also recorded in the Official Records on June 14, 2019, Entry No. 54420:2019; as further amended by that certain Fourth Amendment to the Master Declaration of Covenants for the Master Association also recorded in the Official Records on September 17, 2019, Entry Number 92248:2019; as further amended by that certain Fifth Amendment to the Master Declaration of Covenants for the Master Association also recorded in the Official Records on November 8, 2019, Entry No. 117084:2019; as further amended by that certain Sixth Amendment to the to the Master Declaration of Covenants for the Master Association also recorded in the Official Records on July 30, 2021, Entry No. 133535:2021; as further amended by that certain Seventh Amendment to the Master Declaration of Covenants for the Master Association also recorded in the Official Records on August 23, 2021, Entry No. 146829:2021; and as further amended by that certain Eight Amendment to the Master Declaration of Covenants for the Master Association also recorded in the Official Records on December 17, 2021, Entry No. 209239:2021 (the “**Master Declaration**”);

F. Whereas, the Founder, desires to consent to this Annexation Agreement as required under the terms of the Master Declaration.

NOW THEREFORE, the above and foregoing recitals are incorporated herein and made a part of this Annexation Agreement and the Declarant hereby declares as follows:

1. The real property described in **Exhibit A**, Harmony Phase A Plat 6, which property is situated in Utah County, Utah, is hereby submitted to the provisions of the Declaration and, pursuant thereto, is hereby annexed into the District Property, and is to be held, transferred, sold, conveyed, and occupied as a part of the District Property.

2. Article 6, Section 6.1.8., Property Line Setbacks, of the Declaration shall also include the following:

a. Any structure to be constructed on a Lot or a Unit in the Harmony Phase A Plat 6 subdivision shall comply with the property line setbacks set forth in the Plat titled Harmony Phase A Plat 6 recorded in the Official Records.

3. Except as amended by the provisions of this Annexation Agreement, the Declaration shall remain unchanged and, together with this Annexation Agreement, shall constitute the Declaration of Covenants, Conditions and Restrictions for the Community as further expanded by the annexation of the property described herein.

4. All capitalized terms used in this Annexation Agreement (including in the recitals hereof) and not otherwise defined herein shall have the meanings assigned to them in the Declaration.

[Signatures on the Following Pages]

IN WITNESS WHEREOF, the Declarant has executed this instrument the 28th day of January, 2022.

DECLARANT
Building Construction Partners, LLC,
a Utah limited liability company

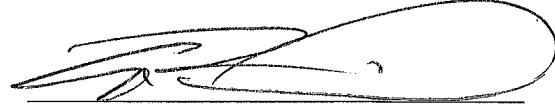


By: Peter Evans, Manager

STATE OF UTAH)
)ss:
COUNTY OF UTAH)

On this 28th day of JANUARY, 2022 before me, the undersigned notary public, personally appeared Peter Evans, the Manager of Building Construction Partners, LLC, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same.

Witness my hand and official seal.



Notary Public



IN WITNESS WHEREOF, the Master Declarant has executed this instrument the 28 day of January, 2022

MASTER DECLARANT
Monte Vista Ranch, L.C.,
a Utah limited liability company

By: MVR Management LLC,
a Utah limited liability company,
its Manager

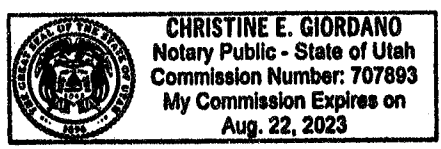


By: Tiffany A. Walden, Manager of MVR Management LLC,

STATE OF UTAH)
)ss:
COUNTY OF UTAH)

On this 28 day of January, 2022 before me, the undersigned notary public, personally appeared Tiffany A. Walden, the Manager of MVR Management LLC, the Manager of Monte Vista Ranch, L.C., proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged she executed the same.

Witness my hand and official seal.





Notary Public

EXHIBIT A

Legal Description for the Harmony Phase A Plat 6 Subdivision

Beginning at a point which is South 00°27'29" West 1375.63 feet along the section line and East 92.01 feet from the Northwest Corner of Section 13, Township 6 South, Range 2 West, Salt Lake Base and Meridian; thence North 64°00'05" East 271.01 feet; thence North 25°39'55" West 20.00 feet; thence North 28°08'04" West 148.49 feet; thence North 10°42'08" East 61.01 feet; thence North 72°43'28" East 96.52 feet; thence South 89°59'38" East 566.95 feet; thence North 05°06'41" East 55.79 feet; thence South 84°53'41" East 160.80 feet; thence South 05°06'19" West 340.41 feet; thence North 84°53'19" West 109.83 feet; thence North 87°08'52" West 51.04 feet; thence North 89°59'23" West 370.19 feet; thence South 47°31'46" West 54.73 feet; thence South 69°09'15" West 110.00 feet; thence South 20°49'08" East 40.00 feet; thence South 17°41'35" East 91.98 feet; thence South 15°06'35" East 80.00 feet; thence South 12°26'37" East 80.00 feet; thence South 10°16'40" East 51.16 feet; thence South 89°59'24" East 93.79 feet; thence South 12°44'17" East 52.29 feet; thence North 89°59'24" West 105.33 feet; thence Westerly 265.62 feet along the arc of a 2599.50 foot radius curve to the left, through a central angle of 05°51'17" the chord of which bears South 87°04'58" West 265.51 feet; thence North 05°50'41" West 51.00 feet; thence North 13°55'32" West 95.84 feet; thence North 16°08'32" West 88.00 feet; thence North 19°48'16" West 97.14 feet; thence North 23°27'37" West 88.00 feet to the point of beginning.

Parcel contains: 8.515 acres

Basis of Bearing: the line between the Northwest Corner and the West Quarter Corner of Section 13, Township 6 South, Range 2 West, Salt Lake Base and Meridian which bears South 00°27'29" West (NAD 83).

Also known as Proposed Harmony Phase A, Plat 6 Subdivision