

WHEN RECORDED, RETURN TO:  
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South Jordan, Utah 84095



ENT 55538:2021 PG 1 of 4  
ANDREA ALLEN  
UTAH COUNTY RECORDER  
2021 Mar 24 2:54 pm FEE 146.00 BY SM  
RECORDED FOR AMERICAN FORK CITY

## DECLARATION OF INCLUSION

### (Additional Land for Rockwell Ranch Townhomes, Utah County, Utah)

This *Declaration of Inclusion* is made effective as of the date set forth on the signature page hereof by RWR Property Holdings, LLC, a Utah limited liability company (“**Declarant**”).

### RECITALS

A. Declarant (or its affiliate or predecessor in interest) has previously executed and recorded that certain *Amended and Restated Master Declaration of Covenants, Conditions and Restrictions of Rockwell Ranch* (the “**Declaration**”). The Declaration was recorded in the real property records of Utah County, Utah, on **October 20, 2020, as Entry No. 164121:2020** against the real property identified in the Declaration.

B. In accordance with Section 1.4 and Section 27 of the Declaration, the Property included in the Rockwell Ranch Townhome Project (the “**Project**”) may be expanded, and Declarant has the absolute right and option, but not the obligation, to expand the Project by making all or a portion of the “Additional Land” therein defined part of the Project and subject to the Declaration.

C. Pursuant to Section 27 of the Declaration, the Project can be expanded to include additional land by recording a Supplemental Declaration or similar instrument against such additional land, and recording the same with the Utah County Recorder’s Office.

D. This Declaration of Inclusion is intended to comply with Section 27 of the Declaration; to expand the Project to include the real property described in **Exhibit A** hereto (the “**Expansion Property**”); and to subject such real property to all the terms, conditions, and restrictions of the Declaration.

E. Unless otherwise indicated, capitalized terms used herein shall have the meanings provided in the Declaration.

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

1. Expansion of Project. Declarant hereby declares that all of the Expansion Property described in **Exhibit A** hereto shall be included within the Project and shall be held, sold, conveyed,

encumbered, leased, used, occupied, and improved subject to, and in accordance with, the protective covenants, conditions, restrictions, easements, and equitable servitudes set forth in the Declaration, all of which are created for the benefit of the Owners and the Project as a whole. The covenants, conditions, and restrictions set forth in the Declaration are intended to, and shall in all cases, run with title to the land, and be binding upon the successors, assigns, heirs, lien holders, and any other person holding any interest in the Expansion Property, and shall inure to the benefit of all other Lots and Dwelling Units within the Project. New townhome building(s) and Unit(s) may be constructed on the Expansion Property described in Exhibit A in accordance with the approved and recorded plats filed with the Utah County Recorder's Office against such Expansion Property.

2. Membership in the Association. Each Owner of a Lot or Dwelling Unit in the Expansion Property shall be a member of the Association, with all of the rights, duties, benefits, and obligations associated with membership in the Association as set forth in the Declaration, the Association's Bylaws, and the Association's other governing documents. Voting rights and assessment obligations shall apply to the Units constructed on the Expansion Property as set forth in the Declaration.

3. Declarant's Rights. No provision of this Declaration of Inclusion shall prevent Declarant from doing any of the following, which shall be deemed to be among Declarant's reserved rights – in addition to such rights as may be elsewhere described in the Declaration: (1) constructing the Project; (2) using any Lot/Unit owned by the Declarant as a model home or for the placement of a temporary construction or sales office; (3) installing signs incidental to sales or construction which are in compliance with applicable ordinances; (4) assigning Declarant's rights under the Declaration and this Declaration of Inclusion in whole or in part, to one or more persons intending to construct the Project or any portion thereof; (5) retaining Declarant's rights with respect to subsequent phases of the Project; (6) constructing any improvements as approved by the municipality with appropriate jurisdiction; and (7) enjoying access over, under, and through any portion of the Project for the installation of utilities or any other improvements.

4. Recording. This Declaration of Inclusion shall be recorded in the real property records of Utah County against the Expansion Property described in Exhibit A hereto.

IN WITNESS WHEREOF, the Declarant has executed this Declaration of Inclusion this 22 day of March, 2021.

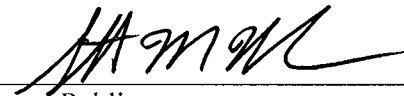
**DECLARANT:**  
RWR Property Holdings, LLC

  
\_\_\_\_\_  
Grant Lefgren, Authorized Member/Manager

STATE OF UTAH )  
 : ss.  
COUNTY OF Utah )

The foregoing instrument was acknowledged before me this 22 day of March, 2021, by Grant Lefgren, in his capacity as Authorized Member/Manager of RWR Property Holdings, LLC.

SEAL:

  
\_\_\_\_\_  
Notary Public

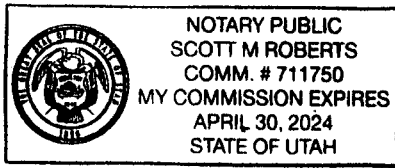


Exhibit A**(Legal Description of Expansion Property for Rockwell Ranch Townhome Project)**

The portion of Additional Land being added to the Rockwell Ranch Townhome Project and made subject to the recorded Amended and Restated Declaration of the Townhome Project is located in Utah County, Utah, and is described as follows:

Rockwell Ranch Block 3 Phase 2 Plat

Beginning at a point being South 89°53'31" East 1,368.00 feet along section line and South 3,472.61 feet from the Northwest Corner of Section 22, Township 5 South, Range 1 East, Salt Lake Base and Meridian; and running

thence Southeasterly 40.33 feet along the arc of a 325.00 foot radius curve to the right (center bears South 37°53'22" West and the chord bears South 48°33'19" East 40.31 feet with a central angle of 07°06'38");  
 thence South 45°00'00" East 50.68 feet;  
 thence Southeasterly 86.33 feet along the arc of a 382.00 foot radius curve to the left (center bears North 45°00'00" East and the chord bears South 51°28'26" East 86.14 feet with a central angle of 12°56'52");  
 thence Southeasterly 21.70 feet along the arc of a 15.00 foot radius curve to the right (center bears South 32°03'08" West and the chord bears South 16°30'36" East 19.85 feet with a central angle of 82°52'32");  
 thence South 63°29'17" East 56.03 feet;  
 thence Southwesterly 49.52 feet along the arc of a 122.00 foot radius curve to the left (center bears South 65°47'59" East and the chord bears South 12°34'17" West 49.18 feet with a central angle of 23°15'28");  
 thence South 00°56'33" West 42.05 feet;  
 thence South 89°13'44" East 146.35 feet;  
 thence South 00°46'16" West 20.00 feet;  
 thence North 89°13'44" West 44.54 feet;  
 thence Southwesterly 15.64 feet along the arc of a 10.00 foot radius curve to the left (center bears South 00°46'16" West and the chord bears South 45°58'19" West 14.09 feet with a central angle of 89°35'54");  
 thence South 01°10'22" West 426.39 feet;  
 thence North 89°03'27" West 75.19 feet;  
 thence Northwesterly 23.56 feet along the arc of a 15.00 foot radius curve to the right (center bears North 00°56'33" East and the chord bears North 44°03'27" West 21.21 feet with a central angle of 90°00'00");  
 thence North 89°03'27" West 56.00 feet;  
 thence Southwesterly 23.56 feet along the arc of a 15.00 foot radius curve to the right (center bears North 89°03'27" West and the chord bears South 45°56'33" West 21.21 feet with a central angle of 90°00'00");  
 thence North 89°03'27" West 127.33 feet;  
 thence Northwesterly 23.55 feet along the arc of a 15.00 foot radius curve to the right (center bears North 00°56'33" East and the chord bears North 44°04'41" West 21.21 feet with a central angle of 89°57'32");  
 thence North 00°54'06" East 636.07 feet;  
 thence Northeasterly 47.11 feet along the arc of a 122.00 foot radius curve to the right (center bears South 89°05'54" East and the chord bears North 11°57'47" East 46.81 feet with a central angle of 22°07'24");  
 thence Northeasterly 27.45 feet along the arc of a 15.00 foot radius curve to the right (center bears South 66°58'31" East and the chord bears North 75°27'26" East 23.78 feet with a central angle of 104°51'53") to the point of beginning.

Contains 177,327 Square Feet or 4.071 Acres and 63 Lots