

When Recorded Return To:
Edge Gardner Point, LLC
13702 S. 200 W. #B12
Draper, UT 84020

ENT69843:2022 PG 1 of 3
Andrea Allen
Utah County Recorder
2022 Jun 13 12:20 PM FEE 40.00 BY TM
RECORDED FOR Trident Title Insurance Agency, LLC
ELECTRONICALLY RECORDED

AMENDED AND RESTATED NOTICE OF REINVESTMENT FEE COVENANT
(Gardner Point Townhomes, Utah County)

Pursuant to Utah Code Ann. § 57-1-46(6), the **Gardner Point Townhome Association** (the "Association") hereby provides this Amended and Restated Notice of Reinvestment Fee Covenant which burdens all of the real property described in Exhibit A hereto (the "Burdened Property"), which is subject to the provisions and restrictions set forth in the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Gardner Point Townhomes recorded with the Utah County Recorder's Office on May 13, 2022, as Entry No. 59284:2022, as the same has been amended (the "**Declaration**").

The Reinvestment Fee Covenant requires, among other things, that upon the transfer of any of the Burdened Property subject to the Declaration, the transferee (other than the Declarant) is required to pay a reinvestment fee to the Association in the amount established by the Association's Board of Directors in accordance with Section 5.19 of the Declaration (as amended by the First Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Gardner Point Townhomes that has been filed of record in the Utah County Recorder's Office), unless the transfer falls within an exclusion listed in Utah Code Ann. § 57-1-46(8). In no event shall the amount of the Reinvestment Fee exceed the maximum rate/amount permitted by applicable law.

NOW THEREFORE, BE IT KNOWN TO ALL OWNERS, SELLERS, BUYERS, AND TITLE COMPANIES owning, purchasing, or assisting with the closing or conveyance of a Burdened Property (any Lot) within the Gardner Point Townhome project that:

1. The name and address of the payee and beneficiary of the Reinvestment Fee Covenant is:

Gardner Point Townhome Association
c/o FCS Property Management
12227 Business Park Dr., Suite 200
Draper, Utah 84020

2. The burden of the Reinvestment Fee Covenant is intended to run with the land of the Burdened Property and be binding on successors in interest and assigns.
3. The existence of this Reinvestment Fee Covenant precludes the imposition of any additional Reinvestment Fee Covenants in favor of the Association on the Burdened Property.

4. The duration of the Reinvestment Fee Covenant is perpetual, except as the same may be amended or terminated through a vote as provided for in the amendment provisions of the Declaration.
5. The purpose of the Reinvestment Fee Covenant is to assist the Association in paying the costs and expenses of (a) common planning, common areas and facilities, and infrastructure; (b) obligations arising from any environmental covenants; (c) community programming; (d) resort facilities; (e) open space and related improvements; (f) recreational amenities and facilities; (g) common expenses of the Association; and (h) funding Association reserves.
6. The Reinvestment Fee required to be paid under the Reinvestment Fee Covenant shall be used to benefit the Burdened Property and the Association's management, repair, and maintenance of the same.
7. If there are any previously-recorded notices of reinvestment fee covenants filed for or on behalf of the Gardner Point Single Family Association, this Notice of Reinvestment Fee Covenant shall supersede and replace the same, including, without limitation, the following previously-recorded notice:

- Notice recorded on October 26, 2021, as Entry No. 181645:2021.

IN WITNESS WHEREOF, the Declarant has executed this Notice of Reinvestment Fee Covenant on behalf of the Association to be effective upon recordation with the Utah County Recorder.

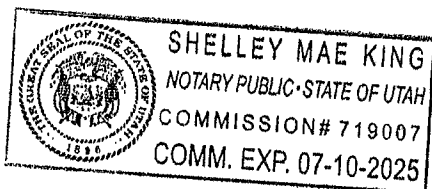
DECLARANT
EDGE GARDNER POINT, LLC
 A Utah limited liability company

STATE OF UTAH)
) ss.
 COUNTY OF Wasatch)

By: *Steve Maddox*
 Name: *Steve Maddox*
 Title: *Manager*

On the 10 day of June, 2022, personally appeared before me *Steve Maddox* who by me being duly sworn, did say that she/he is an authorized representative of Edge Gardner Point, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

SEAL:



Notary Public: *Shelley King*

EXHIBIT A

SUBJECT PROPERTY/BURDENED PROPERTY

(Legal Description)

The Subject Property includes all land in the **Gardner Point Townhomes Project**, as shown in the recorded Gardner Point Phase 1 Plat on file and of record in the Utah County Recorder's Office, State of Utah, including the following real property:

A parcel of land situate in the Northeast Quarter of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point being North 89°53'54" East 1,264.60 feet along the section line from the North Quarter Corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; and running

**thence North 89°53'54" East 1,361.15 feet along the section line;
thence South 00°06'48" East 1,054.16 feet;
thence South 89°57'40" West 208.67 feet;
thence North 00°02'16" West 435.72 feet;
thence South 89°57'48" West 88.18 feet;
thence Northeasterly 37.72 feet along the arc of a 24.00 foot radius curve to the right (center bears North 89°54'00" East and the chord bears North 44°55'07" East 33.96 feet with a central angle of 90°03'10");
thence South 89°56'46" West 932.75 feet;
thence South 89°06'17" West 74.03 feet;
thence South 89°53'38" West 66.67 feet;
thence North 00°06'22" West 224.90 feet;
thence South 89°53'38" West 15.53 feet;
thence North 00°06'22" West 369.47 feet to the point of beginning.**

LESS AND EXCEPTING therefrom Parcels A, B, C, D, E, F, G, & H.

***Note:** This instrument is intended to be recorded against the same real property encumbered by the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Gardner Point Townhomes recorded with the Utah County Recorder's Office on May 13, 2022, as Entry No. 59284:2022, as the same has been amended.