

ENT 71468:2006 PG 1 of 10
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2006 Jun 08 8:52 am FEE 268.00 BY SS
RECORDED FOR FIELDSTONE HOMES

May 27th, 2006

**DECLARATION OF INCLUSION OF PLAT C, D, E AND F OF THE SPANISH
FIELDS DEVELOPMENT WITHIN THE DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS FOR SPANISH FIELDS DEVELOPMENT,
UTAH COUNTY, UTAH**

This Declaration of Inclusion is made this 23RD day of May, 2006, by

Fieldstone Homes Utah L.L.C, a Utah Limited Liability Company ("Fieldstone") referred to herein as "Declarant".

RECITALS

A. Fieldstone is the owner of the following described real property (the "Plat C, D, E and F Property") located in Utah County, Utah, and known as Spanish Fields Development Plat C, D, E and F: See the attached Exhibit "A"

B. The Declarant previously caused to be recorded in the Office of the County Recorder for Utah County on September 9, 2004 at Entry No. 103518:2004 that certain Declaration of Covenants, Conditions and Restrictions for Spanish Fields Development Utah County, Utah, with respect to The Villages at Spanish Fields Plat of the Spanish Fields Development located in Utah County, Utah (the "CC &R's").

C. Pursuant to the terms of the CC&R's, the Declarant is permitted to subject Additional Property which is part of the Spanish Fields Development, including Plat C, D, E and F Properties, to the terms of the CC&R's.

D. Declarant is now prepared to develop the Plat C, D, E and F Properties and wishes to subject the Plat C, D, E and F Properties to the CC&R's by this Declaration of Inclusion.

E. All capitalized terms herein shall have the same meaning as those set forth in the CC&R's unless otherwise stated herein.

DECLARATION

Declarant hereby declares that all of the Lots within Plat C, D, E and F Properties shall be held, sold, conveyed, encumbered, leased, used, occupied and approved subject to the protective covenants, conditions, restrictions and equitable servitude set forth in the CC&R's, all of which are created for the mutual benefit of the Owners. It is the intention of the Declarant in imposing these covenants, conditions, and restrictions to protect and enhance the property values and aesthetic values of the Lots by eliminating inconsistent uses or improvements, all for the mutual protection and benefit of the Owners. The covenants, conditions and restrictions set forth in the CC&R's are intended to, and shall in all cases run with the title of the land, and be binding upon the successors, assigns, heirs, lien holders, and any other person holding any interests in the Lots, and shall inure to the benefit of all other Lots in the Subdivision to be located on the Entire Property. The covenants, conditions and restrictions set forth in the CC&R's shall be binding upon the Declarant as well as its successors and interest, and may be enforced by the Declarant or by any Owner.

Notwithstanding the foregoing, no provision of this Declaration shall prevent the 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 described elsewhere in the CC&R's: (1) installation and completion of the Subdivision Improvements; (2) use of any Lot owned by the Declarant as a model home, or for the placement of temporary construction or sales office; (3) installation of maintenance of signs incidental to sales or construction, which are in compliance with applicable City ordinances; (4) assignment of Declarant's rights under this Declaration in whole or in part, to one or more persons intending to construct homes within the Subdivision;

(5) retention of Declarant's rights with respect to subsequent phases of the Subdivision; (6) construction of any improvements, including homes, by Declarant as approved by the City; (7) access over any lot for the installation of improvements; and (8) erection of permanent or temporary signs for use during the selling and marketing of the project.

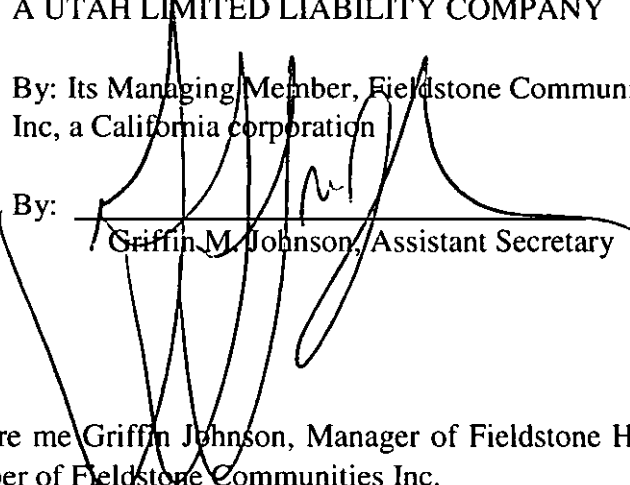
COVENANTS. CONDITIONS AND RESTRICTIONS

1. Incorporation of CC&R's. Declarant hereby incorporates the covenants conditions and restrictions set forth in the CC&R's as if repeated and fully set forth herein.
2. Identification of Property. The Plat C, D, E and F Properties are identified in the CC&R's as a portion of the "Additional Property" and it is the intent of the Declarant to subject the Plat C, D, E and F Properties to all of the rights, obligations, covenants, conditions and restrictions set forth in the CC&R's as if Plat C, D, E and F Properties were originally subject to the CC&R's at the time of its recording.

Executed on the date stated above.

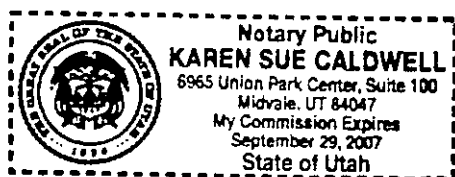
FIELDSTONE HOMES UTAH L.L.C.,
A UTAH LIMITED LIABILITY COMPANY

By: Its Managing Member, Fieldstone Communities,
Inc, a California corporation

By: 
Griffin M. Johnson, Assistant Secretary

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me Griffin Johnson, Manager of Fieldstone Homes Utah LLC, a Utah corporation and managing member of Fieldstone Communities Inc.




NOTARY PUBLIC

**LEGAL DESCRIPTIONS
PREPARED FOR
FIELDSTONE HOMES
SPANISH FIELDS PROJECT
SPANISH FORK, UTAH
(May 23, 2006)**

PLAT "C"

Beginning at a point located N1°09'23"E along the Section line 132.56 feet and East 150.18 feet from the West ¼ Corner of Section 24, T8S, R2E, S.L.B. & M.; thence S89°23'47"E 351.89 feet; thence S0°23'55"W 115.96 feet; thence S18°48'10"W 63.33 feet; thence S0°23'55"W 493.67 feet; thence S6°10'33"E 61.11 feet; thence S0°23'55"W 104.41 feet; thence N88°01'42"W 501.19 feet; thence S0°23'55"W 118.30 feet; thence S26°57'49"W 67.08 feet; thence S0°23'55"W 500.00 feet; thence S3°00'04"W 66.06 feet; thence S0°23'55"W 110.00 feet; thence S89°36'05"E 70.00 feet; thence S0°23'55"W 110.00 feet; thence S2°27'50"E 60.08 feet; thence S0°23'55"W 220.00 feet; thence S18°02'11"E 63.25 feet; thence S4°08'29"W 189.50 feet; thence S79°16'14"W 352.26 feet; thence N1°06'00"W 177.00 feet; thence N0°14'30"W 315.16 feet; thence S89°36'05"E 31.86 feet; thence N0°23'55"E 325.00 feet; thence N89°36'05"W 32.26 feet; thence N0°55'00"E 66.00 feet; thence S89°36'05"E 31.66 feet; thence N0°23'55"E 811.50 feet; thence N86°29'54"W 30.00 feet; thence N2°36'00"E 40.01 feet; thence S86°29'54"E 522.88 feet; thence N15°30'21"W 155.01 feet; thence N1°12'43"W 526.98 feet to the point of beginning.

Contains: 18.02+/- acres

PLAT "D"

Beginning at the Southwest Corner of Lot 330, Plat "C", SPANISH FIELDS Subdivision, according to the Official Plat thereof on file in the Office of the Utah County Recorder, said point is located West 14.97 feet and South 688.66 feet from the West ¼ Corner of Section 24, T8S, R2E, S.L.B. & M.; (Basis of Bearing: N1°09'23"E along the Section line from said West ¼ Corner to the Northwest Corner of Section 24); thence S88°01'42"E 501.19 feet; thence S0°23'55"W 104.54 feet; thence S7°03'11"W 60.41 feet; thence S0°23'55"W 500.00 feet; thence S26°09'53"E 73.79 feet; thence S0°23'55"W 110.00 feet; thence N89°36'05"W 560.00 feet; thence N0°23'55"E 110.00 feet; thence N3°00'04"E 66.07 feet; thence N0°23'55"E 500.00 feet; thence N26°57'49"E 67.08 feet; thence N0°23'55"E 118.30 feet to the point of beginning.

Contains: 10.24+/- acres

PLAT "E"

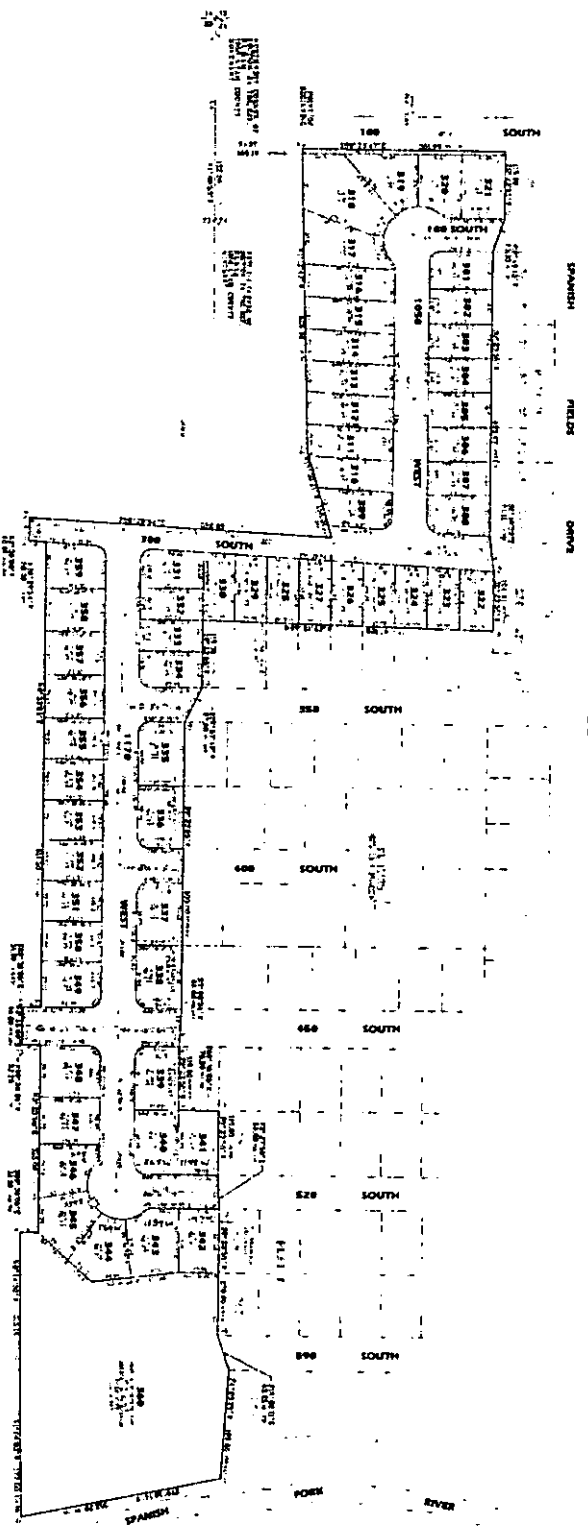
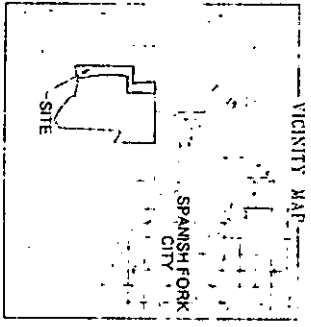
Beginning at a point located N1°09'23"E along the Section line 126.26 feet and East 748.17 feet from the West ¼ Corner of Section 24, T8S, R2E, S.L.B.& M.; thence S89°23'47"E 247.25 feet; thence N89°12'30"E 52.77 feet; thence S0°23'55"W 900.07 feet; thence S89°36'05"E 110.00 feet; thence S0°23'55"W 87.63 feet; thence S89°36'05"E 280.00 feet; thence S88°38'33"E 60.01 feet; thence S89°36'05"E 111.35 feet; thence S0°23'55"W 55.00 feet; thence S89°36'05"E 50.91 feet; thence S8°47'00"W 149.81 feet; thence S3°38'00"W 201.53 feet; thence S2°56'00"W 251.82 feet; thence N89°36'05"W 117.90 feet; thence S63°50'00"W 67.08 feet; thence N89°36'05"W 220.00 feet; thence N63°02'11"W 67.08 feet; thence N89°36'05"W 390.00 feet; thence N0°23'55"E 80.00 feet; thence N27°32'19"W 74.71 feet; thence N0°23'55"E 110.00 feet; thence S89°36'05"E 35.00 feet; thence N0°23'55"E 1,214.58 feet; thence N18°03'57"W 63.16 feet; thence N0°23'55"E 114.00 feet to the point of beginning.

Contains: 19.94+/- acres

PLAT "F"

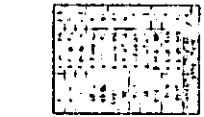
Beginning at the Southwest Corner of Lot 565, Plat "E", SPANISH FIELDS Subdivision, according to the Official Plat thereof on file in the Office of the Utah County Recorder, said point being located N89°55'25"E along the ¼ Section line 759.28 feet and South 1,519.37 feet from the West ¼ Corner of Section 24, T8S, R2E, S.L.B.& M.; (Basis of Bearing: N1°09'23"E along the Section line from said West ¼ Corner to the Northwest Corner of Section 24); thence S89°36'05"E 390.00 feet; thence S63°02'11"E 67.08 feet; thence S89°36'05"E 220.00 feet; thence N63°50'00"E 67.08 feet; thence S89°36'05"E 117.90 feet; thence S2°56'00"W 633.18 feet; thence S2°13'18"W 138.98 feet; thence S48°54'00"W 162.48 feet; thence N48°07'40"W 259.08 feet; thence S41°52'20"W 63.34 feet; thence N48°07'40"W 220.00 feet; thence N38°39'55"W 60.83 feet; thence N48°07'40"W 120.00 feet; thence N41°52'20"E 11.84 feet; thence N48°07'40"W 100.00 feet; thence N37°42'10"W 68.60 feet; thence N27°06'30"W 79.11 feet; thence N14°07'54"W 74.49 feet; thence N0°23'55"E 211.25 feet to the point of beginning.

Contains: 12.22+/- acres

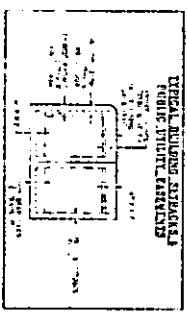


Lot No.	Area (Acres)	Use
200	0.10	Single-Family Residential
201	0.10	Single-Family Residential
202	0.10	Single-Family Residential
203	0.10	Single-Family Residential
204	0.10	Single-Family Residential
205	0.10	Single-Family Residential
206	0.10	Single-Family Residential
207	0.10	Single-Family Residential
208	0.10	Single-Family Residential
209	0.10	Single-Family Residential
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211	0.10	Single-Family Residential
212	0.10	Single-Family Residential
213	0.10	Single-Family Residential
214	0.10	Single-Family Residential
215	0.10	Single-Family Residential
216	0.10	Single-Family Residential
217	0.10	Single-Family Residential
218	0.10	Single-Family Residential
219	0.10	Single-Family Residential
220	0.10	Single-Family Residential
221	0.10	Single-Family Residential
222	0.10	Single-Family Residential

Lot No.	Area (Acres)	Use
223	0.10	Single-Family Residential
224	0.10	Single-Family Residential
225	0.10	Single-Family Residential
226	0.10	Single-Family Residential
227	0.10	Single-Family Residential
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319	0.10	Single-Family Residential
320	0.10	Single-Family Residential
321	0.10	Single-Family Residential
322	0.10	Single-Family Residential



THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE AN OFFER OF SECURITIES OR INVESTMENT. THE INVESTOR SHOULD CONSULT WITH AN ATTORNEY AND A FINANCIAL ADVISOR BEFORE MAKING ANY INVESTMENT DECISIONS. THE DEVELOPER MAKES NO REPRESENTATION OR WARRANTY AS TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.



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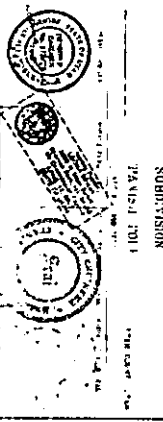


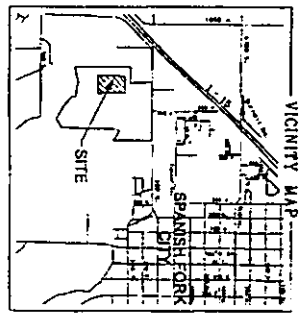
SURVEYOR'S CERTIFICATE
 I, the undersigned, being duly qualified and licensed as a Surveyor General in the State of Utah, do hereby certify that the above described land is the same as shown on the plat of the same filed in my office on this 28th day of June, 2006, and that the same is correctly described in the plat of the same filed in my office on this 28th day of June, 2006, and that the same is correctly described in the plat of the same filed in my office on this 28th day of June, 2006, and that the same is correctly described in the plat of the same filed in my office on this 28th day of June, 2006.

OWNER'S DEDICATION
 We, the undersigned, do hereby dedicate to the public use of the State of Utah the above described land for the purpose of a public park or playground, and we do hereby agree to maintain the same as such for the use of the public.

ACKNOWLEDGMENT
 STATE OF UTAH
 COUNTY OF SAN JUAN
 I, the undersigned, do hereby acknowledge the foregoing and certify that the same are the true and correct intentions of the parties thereto.

PLANNING COMMISSION APPROVAL
SPANISH FIELDS
 SUBDIVISION
 MAY 21 2011

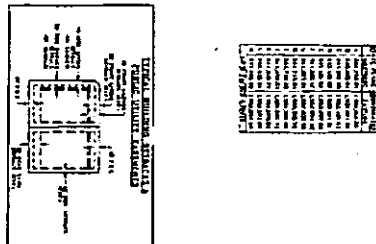




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PROPOSED LOT SIZES

Lot No.	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)
321	4,017	4,017	4,017
322	4,017	4,017	4,017
323	4,017	4,017	4,017
324	4,017	4,017	4,017
325	4,017	4,017	4,017
326	4,017	4,017	4,017
327	4,017	4,017	4,017
328	4,017	4,017	4,017
329	4,017	4,017	4,017
330	4,017	4,017	4,017
331	4,017	4,017	4,017
332	4,017	4,017	4,017
333	4,017	4,017	4,017
334	4,017	4,017	4,017
335	4,017	4,017	4,017
336	4,017	4,017	4,017
337	4,017	4,017	4,017
338	4,017	4,017	4,017
339	4,017	4,017	4,017
340	4,017	4,017	4,017



1. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS FROM THE LOCAL GOVERNMENT AND HAS COMPLIED WITH ALL APPLICABLE REGULATIONS AND ORDINANCES.

2. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS FROM THE LOCAL GOVERNMENT AND HAS COMPLIED WITH ALL APPLICABLE REGULATIONS AND ORDINANCES.

3. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS FROM THE LOCAL GOVERNMENT AND HAS COMPLIED WITH ALL APPLICABLE REGULATIONS AND ORDINANCES.

4. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS FROM THE LOCAL GOVERNMENT AND HAS COMPLIED WITH ALL APPLICABLE REGULATIONS AND ORDINANCES.

DEVELOPER
 DEVELOPER'S NAME, INC.
 1000 SOUTH MAIN STREET, SUITE 200
 SPANISH FORK, UTAH 84303

APPROVED

SPANISH FIELDS

SUBDIVISION

SPANISH FORK

STATE OF UTAH

PLANNING COMMISSION APPROVAL

DATE: _____

BY: _____

COMMISSIONER

PLANNING COMMISSION

STATE OF UTAH

COURT OF STATE

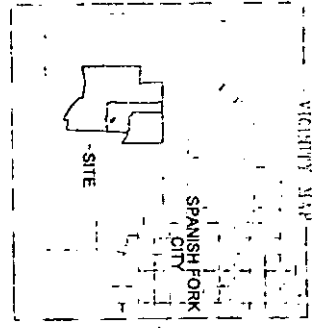
ACKNOWLEDGEMENT

OWNER'S INDICATION

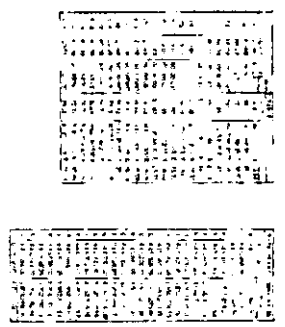
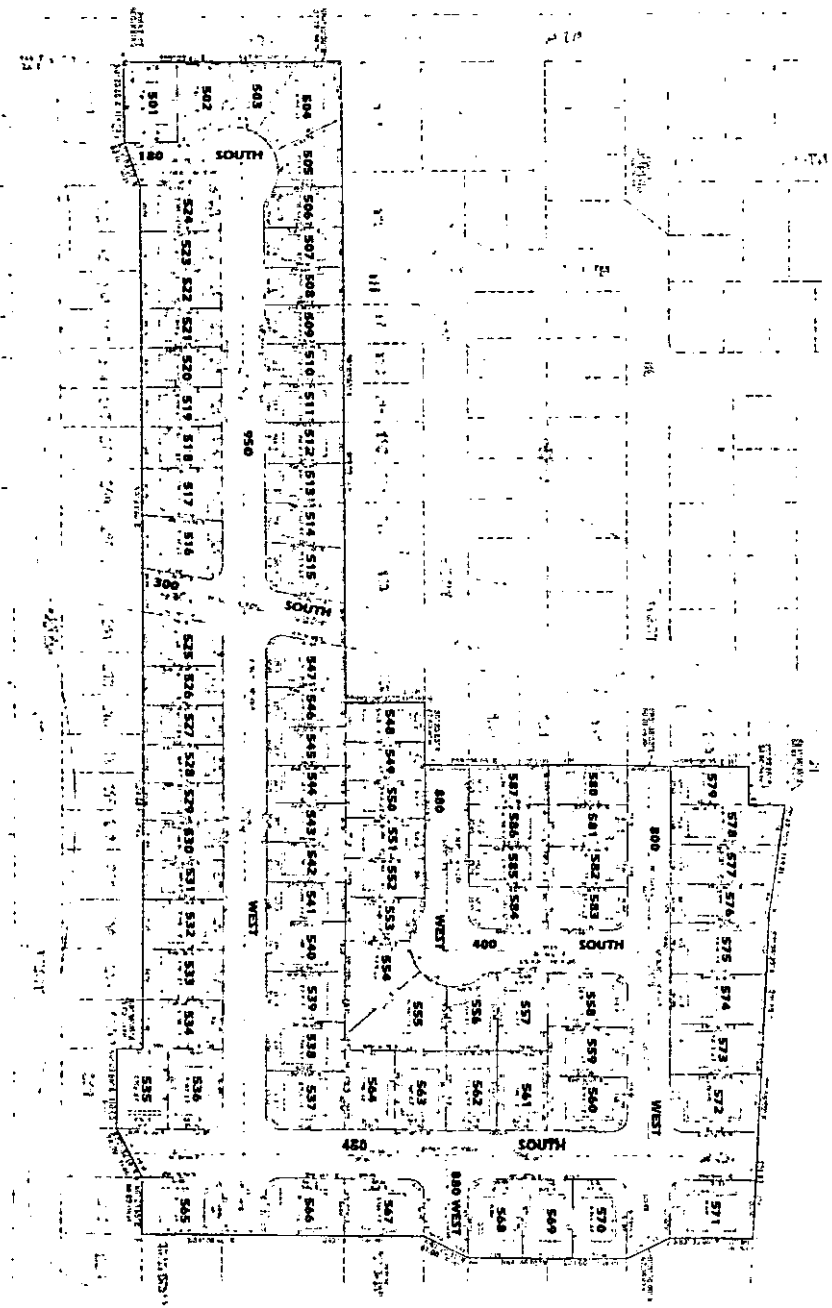
BOUNDARY DESCRIPTION

STATE OF UTAH

PLANNING COMMISSION APPROVAL



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DEVELOPER
 L. J. WILSON
 100 N. WILSON
 SALT LAKE CITY, UT 84119

UTAH
 STATE ENGINEERING BOARD
 LICENSE NO. 10000
 EXPIRES 12/31/2006
 REGISTERED PROFESSIONAL ENGINEER
 CIVIL ENGINEERING
 L. J. WILSON
 100 N. WILSON
 SALT LAKE CITY, UT 84119

SENDER'S CERTIFICATE

BOUNDARY DESCRIPTION

DRAWER'S DECLARATION

ACKNOWLEDGEMENT

STATE OF UTAH

CITY OF JERICHO

BOARD OF HEALTH

PLANNING COMMISSION APPROVAL

HAT

SPANISH FIELDS

SUBDIVISION

