

WHEN RECORDED, RETURN TO:

Design Build Contractors, Inc
Attn: Ken Cordner
520 S. 850 E., Suite A300
Lehi, Utah 84043



ENT 90310:2022 PG 1 of 5
ANDREA ALLEN
UTAH COUNTY RECORDER
2022 Aug 12 2:33 pm FEE 40.00 BY KR
RECORDED FOR WHITE HORSE DEVELOPERS

**DECLARATION OF INCLUSION
AND NOTICE OF REINVESTMENT FEE COVENANT**

(Lakeshore Landing Townhomes; American Fork City, Utah County)

This *Declaration of Inclusion* is made effective as of the date set forth on the signature page hereof by Design Build Contractors, Inc (“**Declarant**”).

RECITALS

A. Declarant (or its affiliate or predecessor in interest) has previously executed a *Declaration of Covenants, Conditions and Restrictions for Lakeshore Landing Townhomes* (the “**Townhome CC&Rs**”). The Townhome CC&Rs were recorded in the real property records of Utah County, Utah, on July 8, 2021, as Entry No. 121180:2021, and FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR LAKESHORE LANDING TOWNHOMES as Entry No. 43915:2022 on APRIL 8, 2022 against the real property identified in the Townhome CC&Rs.

B. In accordance with Section 27 of the Townhome CC&Rs, the Property included in the 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 Townhome CC&Rs.

C. Pursuant to Section 27 of the Townhome CC&Rs, the Project can be expanded to include additional land by recording a Supplemental Declaration (or Declaration of Inclusion) against such additional land, and recording the same with the Utah County Recorder’s Office against such additional land.

D. This Declaration of Inclusion is intended to comply with the provisions of Section 27.2 of the Townhome CC&Rs to expand the Townhome 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 Townhome CC&Rs.

E. Unless otherwise indicated, capitalized terms used herein shall have the meanings provided in the Townhome CC&Rs.

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 approved subject to, and in accordance with, the protective covenants, conditions, restrictions, easements, and equitable servitudes set forth in the Townhome CC&Rs, 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 Townhome CC&Rs 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 Townhome Project.

2. Membership in the Townhome Association. Each Owner of a Unit in the Expansion Property shall be a member of the Townhome Association, with all of the rights, duties, benefits, and obligations associated with membership in the Townhome Association as set forth in the Townhome CC&Rs, the Townhome Association's Bylaws, and the Townhome Association's other governing documents.

3. Reinvestment Fee. All Units in the Expansion Property are subject to a reinvestment fee requirement (payment obligation) as described in Section 19.5 of the Townhome CC&Rs. As set forth in Section 19.5 of the Townhome CC&Rs, the initial amount of the reinvestment fee to be paid to the Townhome Association is \$600.00 as the same may be adjusted (in addition to the Reinvestment Fee to be paid to the Master Association under the Master Declaration).

4. Declarant's Rights. Notwithstanding the foregoing, 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 Townhome CC&Rs: (1) installing and completing the Project; (2) using any Unit owned by the Declarant as a model home or for the placement of a temporary construction or sales office; (3) installing and maintaining signs incidental to sales or construction which are in compliance with applicable ordinances; (4) assigning Declarant's rights under the Townhome CC&Rs 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 or other governmental entity with appropriate jurisdiction; (7) enjoying access over, under, and through any portion of the Project for the installation of utilities or any other

improvements; and (8) erecting permanent or temporary signs for use during the selling and marketing of the Project.

5. 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 12 day of Aug., 2022.

Design Build Contractors, Inc

By: [Signature]
Name: Ken Cardner
Title: V.P.

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

The foregoing instrument was acknowledged to me this 12 day of August, 2022, by Ken Cardner, in his capacity as Vice President of Design Build Contractors, Inc.

SEAL: [Signature]
NOTARY PUBLIC

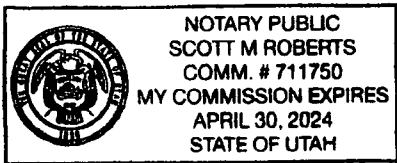


Exhibit A

(Legal Description of Expansion Property being added to the Lakeshore Landing Project)

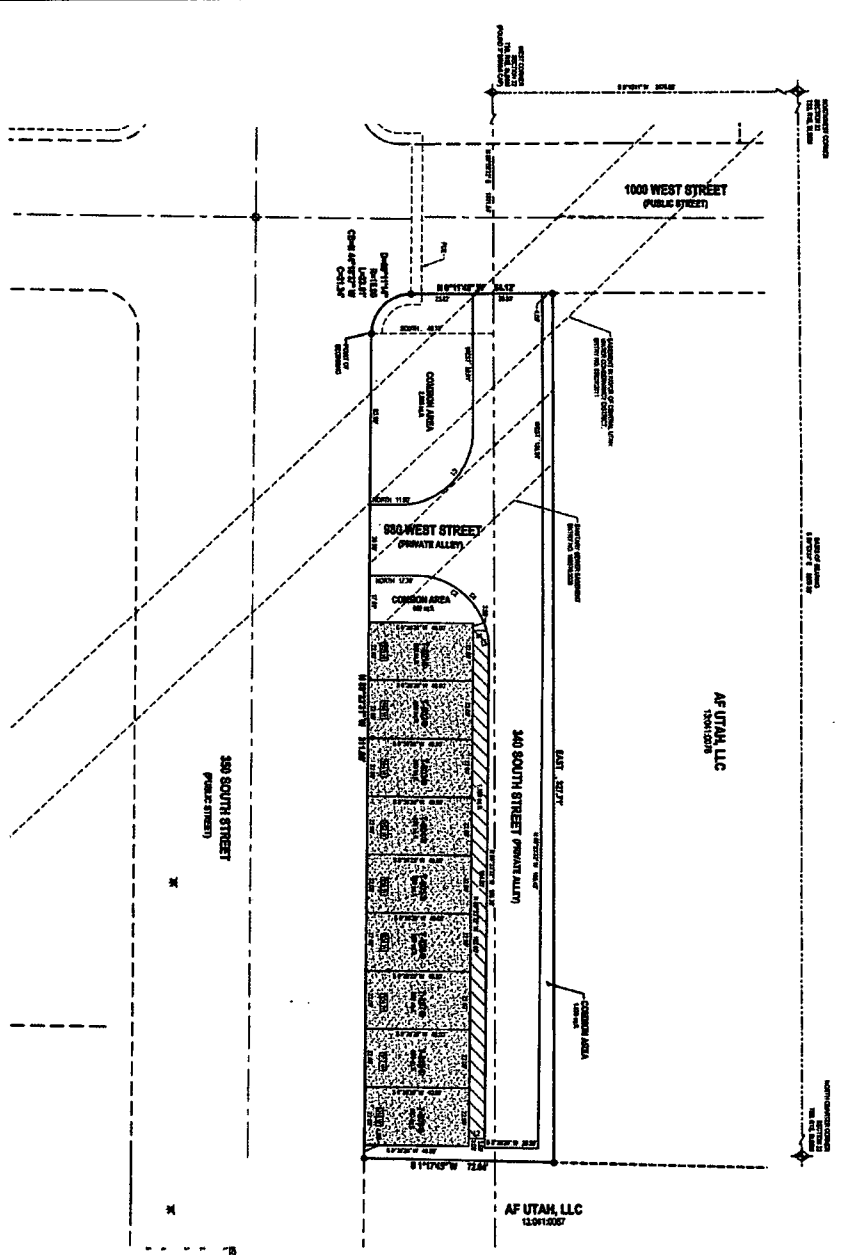
Rockwell Ranch Block 8 Plat

Beginning at a point being North 89°59'22" East 1,811.54 feet along section line and South 46.75 feet from the West Quarter Corner of Section 22, Township 5 South, Range 1 East, Salt Lake Base and Meridian; and running thence Northwesterly 23.61 feet along the arc of a 15.00 foot radius curve to the right (center bears North 00°35'46" East and the chord bears North 44°18'37" West 21.24 feet with a central angle of 90°11'14"); thence North 00°11'49" West 54.12 feet; thence East 327.71 feet; thence South 01°17'45" West 72.64 feet; thence North 89°23'31" West 311.06 feet to the point of beginning.

Contains 23,119 Square Feet or 0.531 Acres

ROCKWELL RANCH BLOCK 8 PLAT

LOCATED IN THE WEST HALF OF SECTION 22,
TOWNSHIP 3 NORTH, RANGE 1 EAST,
SOUTH PLAINS AND PRAIRIE REGION,
ADAMS COUNTY, NEBRASKA (SECTION 22)
(SHOWING 100)



CREATING TABLE	
NO. 1	1.00
NO. 2	1.00
NO. 3	1.00
NO. 4	1.00
NO. 5	1.00
NO. 6	1.00
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LINE TABLE	
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ROCKWELL RANCH
BLOCK 8 PLAT
ADAMS COUNTY, NEBRASKA

APPROVED AND AUTHORIZED
BY THE BOARD OF DIRECTORS
OF THE ROCKWELL RANCH
ADAMS COUNTY, NEBRASKA



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