

14/14

**DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF THE LARSON COVE/LANE SUBDIVISION**

This Declaration is made this 25 day of June 2012, by the following property owners ("Owners"):

- 1. SCP Larson Cove, LLC, a Utah limited liability company
- 2. Steve and Lynn Cuff
- 3. Chris and Kalli Ashby
- 4. Jordan and Kristen Nelson
- 5. Sean and Kim McDonald
- 6. Floyd and Karen Tarbet
- 7. Howard McDonald
- 8. Genevieve Olson

11417400  
 06/26/2012 10:45 AM \$50.00  
 Book - 10029 Pg - 5342-5355  
 GARY W. OTT  
 RECORDER, SALT LAKE COUNTY, UTAH  
 HENRY WALKER HOMES  
 500 N MARKET PLACE DR STE 201  
 CENTERVILLE UT 84014  
 BY: DDK, DEPUTY - WI 14 P.

**RECITALS**

A. The Owners collectively own those certain real properties located in Midvale City, Salt Lake County, State of Utah more particularly described in Exhibit A hereto (the "Property").

B. The Owners desire to establish an association of the Owners (the "Association") to enforce this Declaration.

C. All Owners, their successors, heirs and assigns shall have the right to enforce these covenants, conditions and restrictions.

D. The Owners have adopted, imposed and subjected the Property hereinafter to these certain covenants, conditions and restrictions for the purpose of: helping to insure the maintenance of the road connecting the Property, commonly known as 8135 South or Larson Lane (the "Road"); creating certain covenants and use restrictions to help protect long term property values and a desired quality of life; and to facilitate the sale by the Declarant, its successors and assigns, and by individual Owners of the land in the by reason of its ability to help assure such purchasers of uniformity and basic restrictions intending to preserve property values over time.

NOW, THEREFORE, the Owners and the Declarant do hereby establish and impose upon the Property this Declaration for the benefit of, and to be observed and enforced by, the Declarant, its successors and assigns as well as by all purchasers of any portion of the Property, to wit:

1. Establishment of the Association. The Association is a Utah non-profit corporation charged with the duties and invested with the powers prescribed by law and set forth in its Articles of Incorporation, its Bylaws, and this Declaration. Neither the Articles nor Bylaws of the Association shall, for any reason be amended, changed or otherwise interpreted so as to be inconsistent with this Declaration. In the event of any conflict or inconsistency between this Declaration and the Articles, Bylaws, or Association rules, this Declaration shall control.

2. Purpose of Association. The purpose of the Association is: (1) to maintain and improve the Road, including without limitation repairing normal wear and tear of the Road and clearing the Road of snowfall in a timely manner; (2) to enforce this Declaration; and (3) to further the best interests of the Owners.

3. Right of Use. Each Owner shall have, a nonexclusive easement over, through and around the Road for the purpose of ingress, egress, access, installation, repair and replacement of storm drains, sewers, utilities and other proper services necessary for the orderly development and operation of the Property, with such right being perpetual and appurtenant to the Property.

4. Board of Directors. The Association shall be governed and controlled by a Board of Directors (the "**Board**") to be appointed by the Owners. The Initial Board shall be Henry Walker Land, LLC ("**Declarant**"). During the time Declarant owns a portion of the Property, the Owners shall appoint an Owners representative to coordinate and work with the Declarant and represent the Owners' interest. At such time as Declarant no longer owns any portion of the Property, Declarant shall automatically resign from the Board and the Owners shall appoint three (3) Owners to serve on the Board. The Owners shall vote on the Board members on an annual basis.

4. Declarant/Association Rights. In addition to any other rights under this Declaration, Declarant and the Association shall have the right to improve the certain parts of the Road and take all necessary and legal actions to preserve and protect the Road for the benefit of the Association.

5. Annual Assessment. Membership dues and assessments shall be collected from each Owner on an annual basis. The annual assessment amount shall be fixed or modified by the Association on an annual calendar year basis. The Annual Fee is initially set at One Hundred and Fifty Dollars (\$150.00) (the "**Annual Fee**"), which shall be used by the Association to maintain and preserve the Road, including without limitation, snow removal. The Annual Fee shall be paid to the Association on or before October 1<sup>st</sup> of each year to the address of the Association.

6. Additional Property. During the time Declarant owns a portion of the Property, Declarant reserves the right to unilaterally annex additional property to the Property and subject such additional property to this Declaration in its sole discretion.

7. Amendments; Duration. This Declaration may be amended any time by a majority of the Owners. This Declaration perpetually shall run with the land and shall be and remain in full force and effect at all times with respect to all property included within the Property (including any subdivision of any portion of the Property) and the Owners thereof for an initial period of thirty (30) years commencing with the date on which this Declaration is recorded. Thereafter, this Declaration shall continue to run with the land and be and remain in full force and effect at all times with respect to all property within the Property and the Owners thereof for successive additional period of ten (10) years each. The continuation from the initial or any additional period into the next subsequent period shall be automatic and without the necessity of any notice, consent or other action whatsoever.

IN WITNESS WHEREOF, the undersigned have executed this DECLARATION OF COVENANTS, CONDITIONS, AND RESTIRCTIONS OF THE LARSON LANE/COVE SUBDIVISION the 25 day of June 2012.

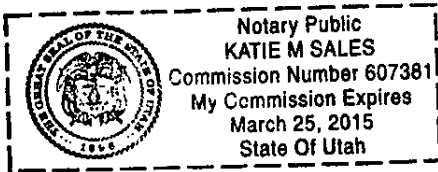
LARSON COVE HOMEOWNERS ASSOCIATION,  
a Utah nonprofit corporation

By: Henry Walker Land, LLC,  
a Utah Limited Liability Corporation  
Its: Manager, Henry Walker Homes, LLC

Colin H. Wright  
By: Colin H. Wright  
Its: Manager

STATE OF UTAH            )  
  )ss.  
COUNTY OF DAVIS        )

The Foregoing instrument was acknowledged before me this 25 of June, 2012, by Colin H. Wright, as Manager of Henry Walker Homes, the Manager of Henry Walker Land, LLC.



Katie Sales  
Notary Public  
Residing at: 21002 W. Remuda Dr.  
FARR WEST, UT 84404

THE OWNERS:

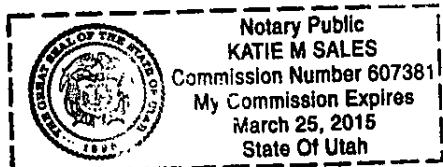
SCP LARSON COVE, LLC,  
a Utah limited liability company



Name: Chad Bessinger  
Its: Manager  
Address: 500 N. Marketplace Dr., Suite 250  
Centerville, UT 84014

STATE OF Utah )  
  )ss.  
COUNTY OF Davis  )

The foregoing instrument was acknowledged before me on the 25 day of June, 2012, by Chad Bessinger, having authority as Manager of SCP Larson Cove, LLC, a Utah limited liability company to execute the same.



Katie Sales  
Notary Public  
Residing at: 2102 W. Remuda Dr.  
Fair West, Utah 84404

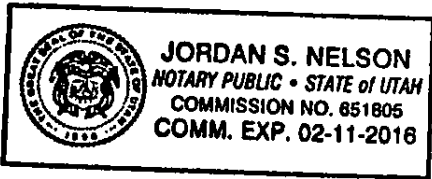
STEVEN AND LYNN CUFF

Steven Cuff  
Steven Cuff

Lynn Cuff  
Lynn Cuff

STATE OF Utah )  
COUNTY OF Salt Lake ) ss.

The foregoing instrument was acknowledged before me on the 27<sup>th</sup> day of June, 2012, by Steven + Lynn Cuff a resident of the State of Utah.

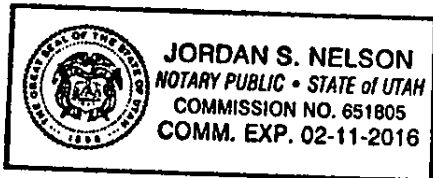


Jordan S. Nelson  
Notary Public

Residing at: Sandy, UT

STATE OF Utah )  
COUNTY OF Salt Lake ) ss.

The foregoing instrument was acknowledged before me on the 27<sup>th</sup> day of June, 2012, by Steven + Lynn Cuff a resident of the State of Utah.



Jordan S. Nelson  
Notary Public

Residing at: Sandy, UT

CHRIS AND KALLI ASHBY

Chris Ashby  
Chris Ashby

Kalli Ashby  
Kalli Ashby

STATE OF Utah )  
COUNTY OF Salt Lake ) ss.

The foregoing instrument was acknowledged before me on the 25<sup>th</sup> day of June, 2012, by Chris & Kalli Ashby a resident of the State of Utah.



Jordan S. Nelson  
Notary Public

Residing at: Sandy, UT

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

The foregoing instrument was acknowledged before me on the \_\_\_ day of \_\_\_\_\_, 2012, by \_\_\_\_\_, a resident of the State of Utah.

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

Residing at: \_\_\_\_\_

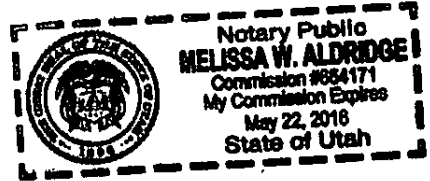
JORDAN AND KRISTIN NELSON

[Signature]  
Jordan Nelson

[Signature]  
Kristin Nelson

STATE OF Utah )  
COUNTY OF Salt Lake )ss.

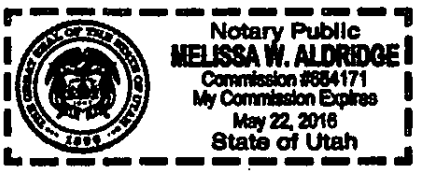
The foregoing instrument was acknowledged before me on the 25<sup>th</sup> day of June, 2012, by Jordan and Kristin Nelson a resident of the State of Utah.



[Signature]  
Notary Public  
Residing at: Sandy, UT

STATE OF Utah )  
COUNTY OF Salt Lake )ss.

The foregoing instrument was acknowledged before me on the 25<sup>th</sup> day of June, 2012, by Kristin Nelson, a resident of the State of Utah.



[Signature]  
Notary Public  
Residing at: Sandy, UT

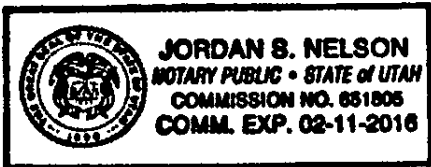
SEAN AND KIM MCDONALD

Sean McDonald  
Sean McDonald

Kim McDonald  
Kim McDonald

STATE OF Utah )  
COUNTY OF Salt Lake ) ss.

The foregoing instrument was acknowledged before me on the 25<sup>th</sup> day of June, 2012, by Sean + Kim McDonald, a resident of the State of Utah.



Jordan S. Nelson  
Notary Public

Residing at: Sandy UT

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

The foregoing instrument was acknowledged before me on the \_\_\_ day of \_\_\_\_\_, 2012, by \_\_\_\_\_, a resident of the State of Utah.

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

Residing at: \_\_\_\_\_



FLOYD AND KAREN TARBET

*Floyd Tarbet*

Floyd Tarbet

*Karen Tarbet*

Karen Tarbet

Address: \_\_\_\_\_

STATE OF Utah )

COUNTY OF Salt Lake ) ss.

The foregoing instrument was acknowledged before me on the 20th day of June, 2012, by Floyd & Karen Tarbet, a resident of the State of Utah.



*Jordan S. Nelson*  
Notary Public

Residing at: Sandy, UT

STATE OF Utah )

COUNTY OF Salt Lake ) ss.

The foregoing instrument was acknowledged before me on the 20th day of June, 2012, by Floyd & Karen Tarbet, a resident of the State of Utah.



*Jordan S. Nelson*  
Notary Public

Residing at: Sandy, UT

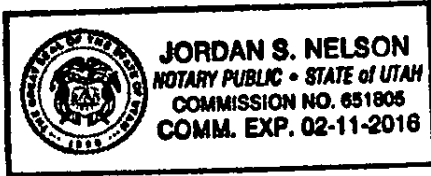
Genevieve E. Olson  
Genevieve Olson

Address: 8125 S. 100 E. Midvale

STATE OF Utah,

COUNTY OF Salt Lake )<sup>ss.</sup>

The foregoing instrument was acknowledged before me on the 20<sup>th</sup> day  
of June, 2012, by Genevieve Olson, a resident of the State of Utah.



Jordan S. Nelson  
Notary Public

Residing at: Sandy, UT

Sharon M. Jensen  
 Sharon M. Jensen, for and on behalf of the  
 Howard McDonald Estate

Address: \_\_\_\_\_ MIDDVALE, UT.

STATE OF UTAH )  
 )ss.  
 COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me on the 22 day  
 of JUNE, 2012, by Sharon Jensen, for and on behalf of the Howard  
 McDonald Estate, a resident of the State of Utah.



Brooke Rowberry  
 Notary Public

Residing at: West Jordan, UT

**EXHIBIT A**  
**PROPERTY DESCRIPTION**

**Genevieve Olsen**  
**22311760890000**

BEG N 395.175 FT & W 1189.65 FT FR THE CEN OF SEC 31, T 2S, R 1E, SLM; W 203.99 FT M OR L; N 19.45 FT; N 80°29'58" W 9.07 FT; N 89°57'02" W 3.55 FT; N 56°20'34" W 2.77 FT; N 21°58'52" W 66.80 FT; E 214.71 FT M OR L; S 19° E 89.1 FT TOBEG. 0.40 AC M OR L.

**Steven & Lynne Cuff**  
**22311761100000**

LOT 3, LARSON LANE SUB

**Christopher & Kalli Ashby**  
**22311761090000**

LOT 2, LARSON LANE SUB

**Jordan Nelson**  
**22311761110000**

LOT 4, LARSON LANE SUB.

**Floyd & Karen Tarbet**  
**22311760250000**

COM 33.1 RDS N & 660 FT W FR CEN SEC 31 T 2S R 1E SL MER S 10.15 RDS W 120 FT N 135 FT N 40° E 46 FT E 89.75 FT TO BEG 0.39 AC.

**Floyd & Karen Tarbet**  
**2231176071**

BEG W 10 FT FR NW COR LOT 4, BROOKSIDE ESTATES; S 89°39'55" W 194.46 FT; S 167.475 FT; W 120 FT; N 135 FT; S 39°26'55" W 186.54 M OR L; SE'LY ALG A 100 FT RADIUS CURVE TO R 50.37 FT; E'LY ALG A 108.20 RADIUS CURVE TO L 55.775 FT M OR L; S 0°09'15" E 27.02 FT; E'LY ALG A 133.20 FT RADIUS CURVE TO L 19.413 FT; N 0°20'05" W 25 FT; N 89°39'55" E 163.83 FT; N 0°09'15" W 25 FT; N 89°39'55" E 168.538 FT; N 0°09'14" W 44.07 FT; W 10 FT; N 0°09'14" W 155.83 FT TO BEG. 1.36 AC M OR L.

**Floyd & Karen Tabet**  
**2231176062**

BEG N 0°09'14" W 215.71 FT & S 89°46'35" W 346.894 FT & S 89°46'24" W 108.644 FT FR CEN SEC 31, T 2S, R 1E, SLM; S 89°46'24" W 351.636 FT; N 0°09'15" W 111.68 FT; E'LY ALG 133.2 FT RADIUS CURVE TO L 19.413 FT; N 0°20'05" W 25 FT; N 89°39'55" E 163.83 FT; N 0°09'15" W 25 FT; N 89°39'55" E 168.853 FT; S 0°09'14" E 160.923 FT TO BEG. 1.18 AC.

**Floyd & Karen Tabet**  
**2231177003**

BEG N 89°57'25" W 2654.85 FT & N 0°09'15" W 216.75 FT & S 89°39'55" W 799.27 FT & N 0°09'15" E 112.04 FT FR E 1/4 COR SEC 31, T 2S, R 1E, S L M; N 0°09'15" E 20 FT M OR L; NW'LY ALG CURVE TO R 60 FT M OR L; NW'LY ALG CURVE TO L 37 FT M OR L; S 0°09'15" E 20 FT M OR L; SE'LY ALG CURVE TO R 23.758 FT; SE'LY ALG CURVE TO L 72.996 FT TO BEG.

**Sean & Kimberly McDonald**  
**22311770040000**

BEG N 12.25 RDS & W 5 FT M OR L & N 0°26'51" W 13.61 FT M OR L & S 89°46'24" W 460.31 FT & S 89°22'39" W 338.96 FT M OR LFR CEN SEC 31, T 2S, R 1E, S L M; S 89°22'39" W 9.55 FT M OR L; S 89°40'48" W 80.45 FT M OR L; N 0°09'15" W 146.73 FT M OR L; SE'LY ALG CURVE TO R 23.758 FT; SE'LY ALG REVERSE CURVE TO L 72.996 FT; S 0°09'15" E 103.93 FT M OR L TO BEG. 0.26 AC M OR L.

**Howard McDonald**

**2231177011**

BEGINNING AT A POINT LOCATED NORTH, 208.80 FEET AND EAST, 1548.22 FEET FROM THE STREET MONUMENT LOCATED AT THE INTERSECTION OF 8200 SOUTH AND STATE STREET IN MIDVALE CITY, UTAH; SAID STREET MONUMENT BEING LOCATED NORTH 89°58'02" EAST, 99.28 FEET AND NORTH 00°21'18" EAST, 2649.23 FEET FROM THE SOUTH QUARTER CORNER OR SECTION 31, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE NORTH, 183.50 FEET; THENCE EAST, 76.23 FEET; THENCE NORTH 41°42'25" EAST, 5.11 FEET; THENCE SOUTH, 186.87 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF ANGEL STREET AMENDED SUBDIVISION; THENCE ALONG SAID NORTH BOUNDARY LINE OF ANGEL STREET AMENDED SUBDIVISION SOUTH 89°40'44" WEST, 79.63 FEET TO THE POINT OF BEGINNING.

CONTAINS: 0.335 ACRES

**SCP Larson Cove, LLC**

**2231177001**

BEGINNING AT A POINT LOCATED NORTH, 206.72 FEET, EAST, 1175.99 FEET AND NORTH 17°27'15" WEST, 124.98 FEET FROM THE STREET MONUMENT LOCATED AT THE INTERSECTION OF 8200 SOUTH AND STATE STREET IN MIDVALE CITY, UTAH; SAID STREET MONUMENT BEING LOCATED NORTH 89°58'02" EAST, 99.28 FEET AND NORTH 00°21'18" EAST, 2649.23 FEET FROM THE SOUTH QUARTER CORNER OR SECTION 31, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE NORTH 89°55'01" EAST, 409.72 FEET; THENCE NORTH, 65.76 FEET; THENCE WEST, 433.87 FEET; THENCE SOUTH 20°00'00" EAST, 70.61 FEET TO THE POINT OF BEGINNING.

CONTAINS: 0.637 ACRES

**2231177002**

BEGINNING AT A POINT LOCATED NORTH, 206.72 FEET AND EAST, 1175.99 FEET FROM THE STREET MONUMENT LOCATED AT THE INTERSECTION OF 8200 SOUTH AND STATE STREET IN MIDVALE CITY, UTAH; SAID STREET MONUMENT BEING LOCATED NORTH 89°58'02" EAST, 99.28 FEET AND NORTH 00°21'18" EAST, 2649.23 FEET FROM THE SOUTH QUARTER CORNER OR SECTION 31, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE NORTH 89°40'48" EAST, 33.30 FEET; THENCE NORTH 15°16'06" WEST, 70.86 FEET; THENCE NORTH 89°32'02" EAST, 123.60 FEET; THENCE SOUTH, 68.78 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF ANGEL STREET AMENDED SUBDIVISION; THENCE ALONG SAID NORTH BOUNDARY LINE OF ANGEL STREET AMENDED SUBDIVISION NORTH 89°40'48" EAST, 234.00 FEET; THENCE NORTH, 117.75 FEET; THENCE SOUTH 89°55'01" WEST, 409.72 FEET; THENCE SOUTH 17°27'15" EAST, 124.98 FEET TO THE POINT OF BEGINNING.

CONTAINS: 0.884 ACRES