

**When Recorded Return To:**  
Fieldstone Brylee Farms, LLC  
12896 S. Pony Express Road, Suite 400  
Draper, Utah 84020

Tax Parcel ID Nos.: See Exhibit A

## DECLARATION OF INCLUSION

### **(Adding of Land to the Declaration of Covenants, Conditions, and Restrictions)**

This DECLARATION OF INCLUSION (“**Declaration**”) is made by Fieldstone Brylee Farms, LLC, a Utah limited liability company (“**Master Declarant**”) and is joined and consented to by Brylee Estates Development, Inc., a Utah corporation, and Brylee Estates Land Holdings LLC, a Utah limited liability company (collectively, “**Sub-Association Declarant**”).

### RECITALS

A. Master Declarant is the developer of a master planned residential subdivision known as the Brylee Farms Subdivision (“**Project**”) located in the City of Eagle Mountain (“**City**”), Utah County (“**County**”), State of Utah. The Project is more particularly identified in the Master Declaration (defined below).

B. The Project has been, or shall be, subdivided into individual single-family lots for attached and detached dwellings together with streets, other public improvements, and certain common facilities.

C. Master Declarant previously caused that certain *Master Declaration of Covenants, Conditions, and Restrictions for Brylee Farms Subdivision* (as the same may hereafter be amended from time to time, the “**Master Declaration**”) to be recorded in the Real Property Records of Utah County. The Declaration was recorded on April 24, 2020 as Entry No. 54467:2020.

D. The Master Declaration provides, among other things, that the Brylee Farms Homeowners Association (“**Master Association**”), a Utah non-profit corporation, will manage and maintain the Common Areas within the Project, and assess and collect from the owners of lots located within the Master Association a share of the costs of such management and maintenance.

E. Section 2.5 of the Master Declaration provides that the Project may be expanded to include additional adjacent real estate within the scope of the Project and that, upon recording a declaration of inclusion, such additional real property will become subject to the Master Declaration and the covenants set forth therein.

F. Sub-Association Declarant owns adjacent real estate that will be, or has been, subdivided into individual single-family lots for attached dwellings, together with streets, other public improvements, and certain common facilities.

G. Master Declarant and Sub-Association Declarant now wish to expand the Project to include such additional real property, as identified on Exhibit A and Exhibit B (“**Expansion Property**”) within the scope of the Master Declaration.

**DECLARATION**

NOW, THEREFORE, Master Declarant adopts, and Sub-Association Declarant consents to, the following covenants, conditions, and restrictions with respect to the Expansion Property:

1. Recitals Incorporated. The foregoing recitals are incorporated.
2. Definitions. Capitalized terms used herein but not otherwise defined have the meaning provided in the Master Declaration.
3. Expansion of the Project. The Project is hereby expanded to include the Expansion Property. The Expansion Property shall henceforth be subject to the Master Declaration.
4. Membership in the Association. As set forth in Section 3.1 of the Master Declaration, each Owner of real property within the Expansion Property will be a Member of the Master Association, with all the rights, privileges, benefits, duties, and obligations associated with membership in the Master Association as set forth in the Master Declaration.
5. Master Declarant’s Rights. Nothing in this Declaration shall be deemed to impair or limit any of Master Declarant’s rights as set forth in the Master Declaration, all of which will be applicable to the Expansion Property.
6. Recording. This Declaration shall be recorded in the County Recorder’s Office against the Expansion Property.

*[End of Declaration. Signature Pages Follow.]*

IN WITNESS WHEREOF, Master Declarant has executed the foregoing instrument to be effective as of the 1<sup>st</sup> day of July, 2021.

**MASTER DECLARANT**

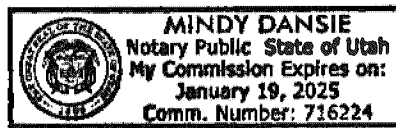
Fieldstone Brylee Farms, LLC,  
a Utah limited liability company

By: Jason Harris  
Name: Jason Harris  
Title: Assistant Secretary

STATE OF UTAH                    )  
  ss.  
COUNTY OF Wasatch

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of July, 2021 by Jason Harris as the Assistant Secretary of Fieldstone Brylee Farms, LLC.

Mindy Dansie  
Notary Public





**EXHIBIT A**

**(Legal Description of the Expansion Property and Parcel Numbers)**



ENGINEERS  
SURVEYORS  
PLANNERS

**LEGAL DESCRIPTION  
PREPARED FOR  
FIELDSTONE HOMES  
Job No. 18-0021  
(March 13, 2019)**

**BRYLEE ESTATES PHASE B, TOWNHOMES LEGAL DESCRIPTION**

A portion of the Southeast Quarter of Section 2, Township 6 South, Range 2 West, Salt Lake Base & Meridian, located in Eagle Mountain, Utah, more particularly described as follows:

Beginning at a point located N0°51'28"E along the Quarter Section Line 982.74 feet from the South 1/4 Corner of Section 2, Township 6 South, Range 2 West, Salt Lake Base & Meridian; thence N0°51'28"E along the Quarter Section Line 500.06 feet; thence East 1221.97 feet to the west line of Eagle Mountain Boulevard; thence southeasterly along the arc of a 2437.50 foot radius non-tangent curve to the right (radius bears: S67°38'00"W) 492.97 feet through a central angle of 11°35'16" (chord: S16°34'22"E 492.13 feet); thence S79°41'28"W 158.22 feet; thence West 1214.16 feet to the point of beginning.

Contains: ±14.96 Acres

(59:034:0144)

**EXHIBIT B**

**(Depiction or Plats of the Expansion Property)**

