

When Recorded, Please Mail to:

4 Independence, LLC  
c/o Bryan J. Flamm  
1099 West South Jordan Parkway  
South Jordan, UT 84095

11913883  
9/16/2014 9:16:00 AM \$15.00  
Book - 10260 Pg - 4082-4084  
Gary W. Ott  
Recorder, Salt Lake County, UT  
RAY QUINNEY & NEBEKER  
BY: eCASH, DEPUTY - EF 3 P.

## **SUPPLEMENTAL DECLARATION FOR INDEPENDENCE AT THE POINT**

(Expansion of Master Declaration to Add  
Property Comprising Future Plat C-1)

THIS SUPPLEMENTAL DECLARATION FOR INDEPENDENCE AT THE POINT (this "*Supplemental Declaration*") is made and executed this 5<sup>th</sup> day of September, 2014, and is effective as of the 4<sup>th</sup> day of June, 2014, by 4 Independence, LLC, a Utah limited liability company, with an address of 1099 West South Jordan Parkway, South Jordan, Utah 84095 ("*Declarant*").

### **RECITALS**

A. Declarant previously recorded that certain Declaration of Covenants, Conditions Easements and Restrictions for Independence at the Point (the "*Master Declaration*") on October 17, 2012, as Entry No. 11493945, in Book 10067, at Page(s) 3032 et seq., of the Official Records of the Salt Lake County, Utah Recorder. The Master Declaration subjects the Independence at the Point development project to certain covenants, conditions and restrictions. Capitalized terms not otherwise defined in this Supplemental Declaration shall have the meaning ascribed to such terms in the Master Declaration.

B. Article XVI of the Master Declaration grants Declarant the right to expand Independence at the Point at any time and from time to time by adding to Independence at the Point the Additional Land (as defined in the Master Declaration), or a portion or portions thereof, by recording a Supplemental Declaration containing the information required under Section 16.3 of the Master Declaration.

C. Declarant is the owner of all of that certain real property located in Bluffdale City, Salt Lake County, Utah, more particularly described on Exhibit A attached hereto (the "*Annexed Property*"). The Property comprises a portion of the Additional Land described in the Master Declaration. Pursuant to this Supplemental Declaration, Declarant is adding the Property to Independence at the Point, for the specific purpose of confirming the Association's ownership of and maintenance responsibilities with respect to the portions of the Annexed Property identified on the recorded plat of the Annexed Property as Parcel A and Parcel B..

### **DECLARATION**

1. Annexation of the Annexed Property. Declarant for itself, its successors, and assigns, hereby declares that all of the real property and other improvements (now existing or hereafter constructed or installed) located on or providing any access and service to the Annexed Property shall be held, transferred, sold, conveyed, used and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Master Declaration, and that the provisions of the Master Declaration and this Supplemental Declaration shall run with the land and be binding upon all persons who hereafter

become the Owner of any Lot, Parcel and/or other interest in the Annexed Property. Specifically, Declarant declares that Parcel A and Parcel B (as such parcels are identified on the recorded subdivision plat for the Annexed Property) shall be owned and maintained by the Association as Community Area.

2. Incorporation; Amendment. Declarant hereby incorporates by reference the covenants, conditions and restrictions in the Master Declaration, as if repeated and fully set forth herein. Furthermore, Declarant hereby amends the Master Declaration to the extent necessary to reflect the expansion of Independence at the Point to include the Annexed Property.

3. Severability. Any determination by any court of competent jurisdiction that any provision of this Supplemental Declaration is invalid or unenforceable shall not affect the validity or enforceability of any of the other provisions hereof.

IN WITNESS WHEREOF, Declarant has executed this Supplemental Declaration as of the date set forth above.

4 INDEPENDENCE, LLC, a Utah limited liability company

By: DAI Partners, LLC, a Utah limited liability company

By:   
Bryan J. Flamm, Manager

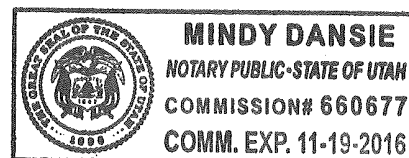
STATE OF UTAH                    )  
  : ss.  
COUNTY OF SALT LAKE        )

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of September, 2014, by Bryan J. Flamm, a Manager of DAI Partners, LLC, a Utah limited liability company, the Manager of 4 Independence, LLC, a Utah limited liability company.

  
Notary Public

My Commission Expires: 11-19-2014

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**EXHIBIT A**

**(Legal Description of the Property)**

The following real property located in Salt Lake County, Utah:

INDEPENDENCE AT THE POINT, PLAT "C-1", according to the official plat thereof on record with the Salt Lake County Recorder's Office.