

W-17

When Recorded Return to:
ITH, LLC
c/o Bryan Flamm
1099 W. South Jordan Pkwy
South Jordan, UT 84095

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08/20/2018 04:14 PM \$33.00
Book - 10704 Pg - 6834-6837
ADAM GARDINER
RECORDER, SALT LAKE COUNTY, UTAH
ITH, LLC
1099 W SOUTH JORDAN PKWY
SOUTH JORDAN UT 84095
BY: SSP, DEPUTY - WI 4 P.

**SUPPLEMENTAL DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
COBALT VILLAGE
(Plat "E")
An Expandable Planned Unit Development**

This SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR COBALT VILLAGE ("**Supplemental Declaration**") is executed and adopted by ITH, LLC, a Utah limited liability company ("**Declarant**").

RECITALS

A. This Supplemental Declaration shall modify and supplement the "Declaration of Covenants, Conditions and Restrictions for Cobalt Village" ("**Declaration**") recorded with the Salt Lake County Recorder's Office on June 22, 2017 as Entry No. 12561216, in Book 10570, and beginning at Page 4303.

B. ITH, LLC is the Declarant as identified and set forth in the Declaration and is the owner of the real property subject to this Supplemental Declaration as identified on Exhibit A attached hereto.

C. Under the terms of the Declaration, Declarant reserved the right to expand the Property by the addition of all or a portion of the Additional Land including but not limited to Additional Land described in the Declaration.

D. Declarant desires to add a portion of the Additional Land as hereinafter provided for.

ANNEXATION

NOW THEREFORE, in consideration of the recitals set forth above, the Declarant hereby declares and certifies as follows:

1. Annexation of Additional Land. Declarant hereby confirms that all of the real property identified on Exhibit A attached hereto, together with (i) all buildings, if any, improvements, and structures situated on or comprising a part of the above-described real property, whether now existing or hereafter constructed; (ii) all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying said real property; and (iii) all articles of personal property intended for use in connection therewith (collectively referred to herein as the "**Subject Property**") is submitted to and properly

annexed into the Declaration. The Subject Property shall hereinafter be held, transferred, sold, conveyed, and occupied subject to the terms, covenants, restrictions, easements, charges, assessments, and liens set forth in the Declaration and all supplements and amendments thereto.

2. Cobalt Village, Plat "E". The real properties described in Paragraph 1, and the improvements to be constructed thereon, all of which are submitted to the terms and conditions of the Declaration, are more particularly set forth on the **Cobalt Village, Plat "E"** subdivision plat, which plat shall be recorded with this Supplemental Declaration.

3. Submission. The Subject Property shall hereinafter be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration and all supplements and amendments thereto.

4. Membership. The Owner of each Lot or Parcel within the Subject Property shall be a member of the Cobalt Village Owners Association and shall be entitled to all benefits and voting rights of such membership as set forth in the Declaration.

5. Allocation of Assessments. Each Lot or Parcel within the Subject Property shall be apportioned a share of the Common Expenses of the Cobalt Village Owners Association and shall be liable for all Assessments levied by the Association as permitted under the Declaration.

6. Representations of Declarant. Declarant represents that the annexed real property is part of the Additional Land described in the Declaration.

7. Reservation of Declarant's Rights. Pursuant to the Declaration, all rights concerning the Project reserved to Declarant in the Declaration are hereby incorporated and reserved to Declarant with respect to the Subject Property. The exercise of Declarant's rights concerning such Subject Property shall be governed by the terms, provisions and limitations set forth in the Declaration.

8. Master Association Membership. The Owner of each Lot within the Subject Property shall also be a member of the Independence at the Point Master Owners Association, Inc. and shall be entitled to all benefits of such membership and shall be subject to the terms governing the Master Association as set forth in the Master Declaration and Bylaws.

9. Effective Date. This Supplemental Declaration shall take effect upon being recorded with the Salt Lake County Recorder.

IN WITNESS WHEREOF, the Declarant has executed this Supplemental Declaration on the date set forth below.

DATED this 20th day of August, 2018.

DECLARANT
ITH, LLC
A Utah Limited Liability Company

By: _____ 

Name: Naman Shipp

Title: Manager

STATE OF UTAH)
COUNTY OF Salt Lake) ss.

On the 20th day of August, 2018, personally appeared before me Naman Shipp who by me being duly sworn, did say that she/he is an authorized representative of ITH, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.


Notary Public



EXHIBIT A
SUBJECT PROPERTY/ADDITIONAL LAND
(Legal Description)

All of **Cobalt Village, Plat "E"**, according to the official plat on file in the office of the Salt Lake County Recorder.

More particularly described as:

A PORTION OF SECTION 14, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED N89°46'54"E ALONG THE SECTION LINE 204.63 FEET AND SOUTH 2870.05 FEET FROM THE NORTH 1/4 CORNER OF SECTION 14, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N70°42'53"E 21.08 FEET; THENCE S27°27'59"E 96.97 FEET; THENCE ALONG THE ARC OF A 5.00 FOOT RADIUS NON-TANGENT CURVE (RADIUS BEARS: S62°32'01"W) TO THE LEFT 7.85 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" (CHORD: N72°27'59"W 7.07 FEET); THENCE S62°32'01"W 527.24 FEET; THENCE ALONG THE ARC OF A 61.00 FOOT RADIUS CURVE TO THE RIGHT 46.42 FEET THROUGH A CENTRAL ANGLE OF 43°36'09" (CHORD: S84°20'06"W 45.31 FEET); THENCE N73°51'50"W 15.23 FEET; THENCE ALONG THE ARC OF A 5.00 FOOT RADIUS CURVE TO THE LEFT 7.85 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" (CHORD: S61°08'10"W 7.07 FEET); THENCE N73°51'50"W 38.00 FEET; THENCE N16°08'10"E 21.60 FEET; THENCE ALONG THE ARC OF A 264.00 FOOT RADIUS CURVE TO THE RIGHT 209.24 FEET THROUGH A CENTRAL ANGLE OF 45°24'39" (CHORD: N38°50'30"E 203.80 FEET); THENCE S28°41'37"E 38.00 FEET; THENCE N62°24'32"E 14.68 FEET; THENCE S80°18'44"E 16.51 FEET; THENCE N62°32'01"E 221.28 FEET; THENCE N32°32'01"E 20.00 FEET; THENCE N62°31'39"E 12.28 FEET; THENCE S27°27'59"E 18.00 FEET; THENCE N62°31'39"E 118.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: ±1.49 ACRES