

4 x 20
When Recorded Return to:
ITH, LLC
c/o Bryan Flamm
1099 W. South Jordan Pkwy
South Jordan, UT 84095

12947801
03/12/2019 09:23 AM \$44.00
Book - 10759 Pg - 6421-6424
RASHELLE HOBBS
RECORDER, SALT LAKE COUNTY, UTAH
ITH, LLC
14034 S 145 E, STE 202
DRAPER UT 84020
BY: NPA, DEPUTY - WI 4 P.

**SUPPLEMENTAL DECLARATION
FOR
INDEPENDENCE AT THE POINT**

**An Expandable Planned Unit Development
(Cobalt Village Plat "G")**

This SUPPLEMENTAL DECLARATION FOR INDEPENDENCE AT THE POINT ("**Supplemental Declaration**") is executed and adopted by 4 Independence, LLC, a Utah limited liability company ("**Declarant**").

RECITALS

A. This Supplemental Declaration shall modify and supplement the Declaration of Covenants, Conditions, Easements and Restrictions for Independence at the Point, recorded with the Salt Lake County Recorder's Office on February 22, 2016 as Entry No. 11493945 in Book 10067, and beginning at Page 3032 ("**Declaration**").

B. 4 Independence, LLC is the Declarant as identified and set forth in the Declaration.

C. ITH, LLC ("**Subject Property Owner**") is the owner of the real property subject to this Supplemental Declaration as identified on Exhibit A attached hereto.

D. 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 described in the Declaration.

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

F. Unless otherwise defined herein, all capitalized terms shall have the meaning defined in the Declaration.

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 "G". 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 "G"** subdivision plat, which plat shall be recorded with the Salt Lake County Recorder.

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. Neighborhood. The Cobalt Village Townhome Project is a "Neighborhood" as that term is used in the Declaration and is subject to the rights and limitations set forth therein.

5. Land Use Classification. The Lots within the Cobalt Village Townhome Project shall be limited to single family residential use consisting of attached dwelling units.

6. Membership. The Owner of each Lot or Parcel within the Subject Property shall 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 Declaration.

7. Allocation of Assessments. Each Lot within the Subject Property shall be apportioned a share of the Community Expenses attributable to the Independence at the Point Master Owners Association, Inc. as provided in the Declaration.

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

9. 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.

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

* * * *

IN WITNESS WHEREOF, the Declarant has executed and adopted this Supplemental Declaration.

DATED this 12th day of February, 2019.

DECLARANT
4 Independence LLC
a Utah Limited Liability Company

By: _____

Name: Nathan Shipp

Title: Manager

STATE OF UTAH)
) ss.
COUNTY OF Salt Lake)

On the 12th day of February, 2019, personally appeared before me Nathan Shipp who by me being duly sworn, did say that she/he is an authorized representative of 4 Independence, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.



Katelyn Mickelsen
Notary Public

IN WITNESS WHEREOF, the Subject Property Owner has executed this Supplemental Declaration and consents to subjecting its property to the terms and conditions set forth herein.

DATED this 12th day of February, 2019.

SUBJECT PROPERTY OWNER
ITH, LLC, a Utah limited liability company

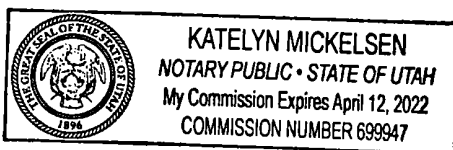
By: _____

Name: Nathan Shipp

Title: Manager

STATE OF UTAH)
) ss.
COUNTY OF Salt Lake)

On the 12th day of February, 2019, personally appeared before me Nathan 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.



Katelyn Mickelsen
Notary Public

EXHIBIT A
SUBJECT PROPERTY/ADDITIONAL LAND
(Legal Description)

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

More particularly described as:

A portion of the Southeast 1/4 and the Southwest 1/4 of Section 14, Township 4 South, Range 1 West, Salt Lake Base & Meridian, located in Salt Lake County, Utah, and being more particularly described as follows:

Beginning at a point located N89°46'54"E along the section line 269.26 feet and South 2949.38 feet from the North 1/4 Corner of Section 14, Township 4 South, Range 1 West, Salt Lake Base and Meridian; thence S27°27'59"E 86.92 feet; thence along the arc of a 21.00 foot radius curve to the right 15.36 feet through a central angle of 41°53'41" (chord: S6°31'08"E 15.02 feet); thence S75°34'18"E 38.00 feet; thence along the arc of a 59.00 foot radius non-tangent curve (radius bears: N75°34'18"W) to the right 16.97 feet through a central angle of 16°28'33" (chord: S22°39'59"W 16.91 feet); thence S30°54'15"W 35.78 feet; thence S62°32'01"W 177.15 feet; thence N87°27'59"W 20.00 feet; thence S62°32'01"W 41.88 feet; thence S26°25'49"W 16.97 feet; thence S62°32'01"W 19.67 feet; thence along the arc of a 329.50 foot radius curve to the right 16.58 feet through a central angle of 2°52'57" (chord: S63°58'30"W 16.58 feet); thence S65°24'58"W 32.06 feet; thence N84°35'02"W 20.00 feet; thence S65°24'58"W 67.54 feet; thence S35°24'58"W 20.00 feet; thence S65°24'58"W 177.35 feet; thence N84°35'02"W 20.00 feet; thence S65°24'58"W 5.78 feet; thence along the arc of a 69.00 foot radius curve to the right 114.01 feet through a central angle of 94°40'01" (chord: N67°15'01"W 101.47 feet); thence N70°19'58"E 38.00 feet; thence along the arc of a 31.00 foot radius non-tangent curve (radius bears: N69°46'37"E) to the right 19.67 feet through a central angle of 36°21'34" (chord: N2°02'37"W 19.34 feet); thence N16°08'10"E 97.42 feet; thence along the arc of a 5.00 foot radius curve to the right 7.85 feet through a central angle of 90°00'00" (chord: N61°08'10"E 7.07 feet); thence S73°51'50"E 15.23 feet; thence along the arc of a 61.00 foot radius curve to the left 46.42 feet through a central angle of 43°36'09" (chord: N84°20'06"E 45.31 feet); thence N62°32'01"E 527.24 feet; thence along the arc of a 5.00 foot radius curve to the right 7.85 feet through a central angle of 90°00'00" (chord: S72°27'59"E 7.07 feet) to the point of beginning.

Parcel #: 33-14-327-078

Contains: ± 2.39 Acres