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When Recorded Return to:  
ITH LLC  
c/o Bryan Flamm  
14034 S. 145 E. Suite 204  
Draper, UT 84020

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Book - 10849 Pg - 1662-1665  
RASHELLE HOBBS  
RECORDER, SALT LAKE COUNTY, UTAH  
ITH LLC  
14034 S 145 E  
STE 204  
DRAPER UT 84020  
BY: MGP, DEPUTY - WI 4 P.

**SUPPLEMENTAL DECLARATION  
FOR  
INDEPENDENCE AT THE POINT**  
**An Expandable Planned Unit Development  
(Cobalt Village Plat "I")**

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 "I". 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 "I"** 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.

\* \* \* \*



**EXHIBIT A**  
**SUBJECT PROPERTY/ADDITIONAL LAND**  
**(Legal Description)**

All of **Cobalt Village, Plat "I"**, 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 Quarter and the Southwest Quarter Section 14, Township 4 South, Range 1 West, Salt Lake Base and Meridian, described as follows:

Beginning at a point located N89°46'54"E along the section line 62.13 feet and South 3231.10 feet from the North Quarter Corner of Section 14, Township 4 South, Range 1 West, Salt Lake Base and Meridian; thence S24°44'33"E 160.60 feet to the northerly line of Porter Rockwell Boulevard; thence S65°27'14"W along said line 536.38 feet; thence along the arc of a 30.00 foot radius curve to the right 47.07 feet through a central angle of 89°53'27" (chord: N69°36'02"W 42.39 feet) to the easterly line of Harmon Day Drive; thence along said line the following two (2) courses: N24°39'18"W 70.58 feet; thence along the arc of a 335.00 foot radius non-tangent curve to the left (radius bears: S65°18'15"W) 151.38 feet through a central angle of 25°53'29" (chord: N37°38'30"W 150.10 feet); thence N56°37'49"E 77.22 feet; thence N79°48'11"E 16.57 feet; thence N70°19'58"E 111.75 feet; thence southeasterly along the arc of a 69.00 foot radius non-tangent curve to the left (radius bears: N70°04'59"E) 114.01 feet through a central angle of 94°40'01" (chord: S67°15'01"E 101.47 feet); thence N65°24'58"E 5.78 feet; thence S84°35'02"E 20.00 feet; thence N65°24'58"E 177.35 feet; thence N35°24'58"E 20.00 feet; thence N65°24'58"E 67.54 feet; thence S84°35'02"E 20.00 feet; thence N65°24'58"E 24.80 feet to the point of beginning.

Contains: ± 2.54 Acres

# 33-14-327-079