

WHEN RECORDED, RETURN TO:

Ivory Development, LLC
978 Woodoak Lane
Salt Lake City, Utah 84117

13210641
3/5/2020 3:24:00 PM \$98.00
Book - 10906 Pg - 1838-1842
RASHELLE HOBBS
Recorder, Salt Lake County, UT
COTTONWOOD TITLE
BY: eCASH, DEPUTY - EF 5 P.

DECLARATION OF DEED RESTRICTION

This DECLARATION OF DEED RESTRICTION (“**Declaration**”) is effective as of the date the Declaration is recorded at the office of the Salt Lake County, Utah Recorder’s Office (the “**Effective Date**”) and is declared by Ivory Development, LLC a Utah limited liability company (“**Ivory**”) which is the owner of certain real property more particularly described on **Exhibit A**.

WHEREAS, Ivory owns and is developing a residential project located in the City of West Jordan (“**City**”), Salt Lake County, State of Utah known as Daybreak Village 4 Harbor Plat 1 (“**Residential Project**);

WHEREAS, Ivory desires to ensure that the buildings constructed in the Residential Project are preserved in accordance with the City’s codes and ordinances;

NOW THEREFORE, Ivory Covenants, Warrants, and Represents as follows:

1. DEFINITIONS:

1.1. **Affected Units.** Units 108, 112, 118, and 122 of the Residential Project.

1.2. **Owner.** The title owner of record, of at least a fifty percent (50%) undivided interest, of an Affected Unit.

1.3. **Structure.** The building built by Ivory on the Residential Project for residential use.

2. MODIFICATION IMPROVEMENTS. No Owner shall modify or allow the modification of the location of the exterior walls of the Structure.

3. DEED LANGUAGE:

All deeds conveying the Affected Units shall include the following provision:

Subject to the restrictions and provisions of “Declaration
Deed Restriction” recorded on March 5, 2020 in
Records of the Salt Lake County Recorder.

4. **ENFORCEMENT OF DECLARATION.** The City shall have the right to enforce any violations of this Declaration at the City's discretion.

5. **MISCELLANEOUS**

5.1. **TERM OF DECLARATION.** The term of this Declaration shall commence as of the date first set forth above and continue in full force and effect for a period not less than fifty (50) years.

5.2. **SEVERABILITY.** Whenever possible, each provision of this Declaration shall be interpreted in such a manner as to be valid under applicable law. If any provision of any of the foregoing Declaration shall be invalid or prohibited under applicable law, such provisions shall be ineffective to the extent of such invalidity or prohibition without invalidating the remaining provisions in this Declaration.

5.3. **CHOICE OF LAW.** This Declaration shall be governed and construed in accordance with the laws of the State of Utah.

5.4. **SUCCESSORS.** The provisions and covenants contained herein shall inure to and be binding upon subsequent Owners of the Affected Units as well as the heirs, successors, and assigns of Ivory.

5.5. **COVENANTS RUN WITH LAND.** Ivory intends, declares and covenants, on behalf of itself, that the covenants and restrictions set forth herein shall run with the land.

[signature page to follow]

Dated this 5th day of March, 2020.

IVORY DEVELOPMENT, LLC

By: *Kevin Anglesey*
Kevin Anglesey

Its: Secretary

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

On this 5, day of March, 2020, personally appeared before me Kevin Anglesey, whose identity is personally known to me, (proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he is the Secretary of Ivory Development, LLC and that said document was signed by him on behalf of said entity with all necessary authority, and acknowledged to me that said entity executed the same.

Steve Oldknow
Notary Public

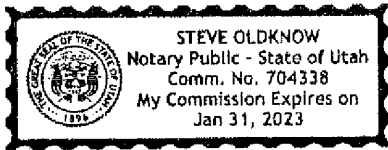


EXHIBIT A**PROPERTY DESCRIPTION**

The real property and lots or units referred to in the foregoing DECLARATION OF DEED RESTRICTION are located in Salt Lake County, Utah and are more particularly described as follows:

Daybreak Village 4 Harbor Plat 1 Amending Lots A-5, 0-114 & 0-115 of the Kennecott Daybreak Oquirrh Lake Plat, Lots 101-134, inclusive, as shown on the official plat thereof on file and of record in the Office of the Sale Lake County Recorder.

27191030140000	LOT	124
27191030150000	LOT	123
27191030160000	LOT	P-103
27191030170000	LOT	122
27191030180000	LOT	121
27191030190000	LOT	120
27191030200000	LOT	119
27191030210000	LOT	118
27191030220000	LOT	117
27191030230000	LOT	116
27191030240000	LOT	115
27191030250000	LOT	114
27191030260000	LOT	113
27191030270000	LOT	P-102
27191030280000	LOT	112
27191030290000	LOT	111
27191030300000	LOT	110
27191030310000	LOT	109
27191030320000	LOT	101
27191030330000	LOT	102
27191030340000	LOT	103
27191030350000	LOT	104
27191030360000	LOT	105
27191030370000	LOT	106
27191030380000	LOT	107
27191030390000	LOT	P-101
27191030400000	LOT	108
27191030410000	LOT	O-101
27191030420000		
27191050010000	LOT	125
27191050020000	LOT	126
27191050030000	LOT	127
27191050040000	LOT	128
27191050050000	LOT	129
27191050060000	LOT	130
27191050070000	LOT	131
27191050080000	LOT	132
27191050090000	LOT	133
27191050100000	LOT	134