

Recording Requested and
after recording, please return to:

Ivory Towns, LLC
978 Woodoak Lane
Salt Lake City, Utah
Attn: Ryan R. Tesch

27-19-107-032, 27-19-107-015
27-19-107-022, 27-19-108-013

13856781 B: 11287 P: 7111 Total Pages: 4
12/27/2021 04:45 PM By: ndarmiento Fees: \$40.00
DECLAR- DECLARATION
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: COTTONWOOD TITLE INSURANCE AGENCY, INC.
1996 EAST 6400 SOUTH SUITE 120SALT LAKE CITY, UT 84121

DECLARATION OF NO BUILD RESTRICTION

THIS DECLARATION OF NO BUILD RESTRICTION (this “**Declaration**”) is declared
this 23 day of December, 2021, by Ivory Towns, LLC (“Ivory”).

The following Recitals of are a material part of this Declaration:

A. Ivory is the holder of legal title to Lots 142, 149, 154, 178 (“**Affected Lots**”) of that certain plat map entitled “DAYBREAK VILLAGE 4 HARBOR PLAT 2 AMENDING LOTS A-4, A-5& O-114 OF THE KENNECOTT DAYBREAK OQUIRRH LAKE PLAT” (the “**Plat**”), recorded on May 6, 2019 as Entry No. 12982043 in Book 2019P of Plats at Page 152 in the Office of the Salt Lake County Recorder, which Lots are a part of a residential development project commonly known as Daybreak Garden Park – Harbor Towns, within the *Daybreak* community in South Jordan, Utah.

B. Ivory desires to establish and grant a no build restriction, together with certain rights and obligations in connection therewith, on the terms and conditions set forth in this Declaration.

NOW, THEREFORE, Ivory declares as follows:

1. No Build Restriction. There shall be a restriction on those certain portions of the Affected Lots legally described in Exhibit A; attached hereto and incorporated herein (collectively, the “**Restricted Area**”). No structures of any kind, including but not limited to sheds, and attached or detached building additions, shall be built on the Restricted Area. Landscaping and concrete patios shall be allowed on the Restricted Area.
2. Covenants Running with the Land. All provisions of this Declaration shall run with the land and are binding upon and shall inure to the benefit of the successors and assigns of the parties hereto.
3. Notices. All notices and other communications given pursuant to this Declaration shall be in writing and shall be deemed properly served if delivered in person to the party to whom it is addressed or two (2) days after deposit in the U.S. mail if sent postage prepaid by U.S. registered or certified mail, return receipt requested, to the record owner of the

applicable lot.

4. Severability. If any clause, sentence, or other portion of the terms, conditions, covenants, and restrictions of this Declaration becomes illegal, null, or void for any reason, or is held by any court of competent jurisdiction to be so, the remaining portions will remain in full force and effect.
5. Recordation. This Declaration shall be recorded in the real property records of Salt Lake County, State of Utah.
6. Amendments. This Declaration may only be amended by a written document signed by Ivory or its applicable successors or assigns.
7. Applicable Law. The Declaration shall be construed and interpreted under, and governed and enforced according to, the laws of the State of Utah without regard for that state's principles of conflict of law.

[Signatures on following pages]

IN WITNESS WHEREOF, the Ivory has executed this Declaration as of the day and year first above written by its duly authorized signatory.

IVORY TOWNS, LLC,
a Utah limited liability company

By: [Signature]
Name: Ryan Tesch
Title: Secretary

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

The foregoing instrument was acknowledged before me this 23 day of December, 2021 by Ryan R. Tesch, the secretary of Ivory Towns, LLC, a Utah limited liability company.

In witness whereof I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
NOTARY PUBLIC

My Commission Expires:

5-30-2022

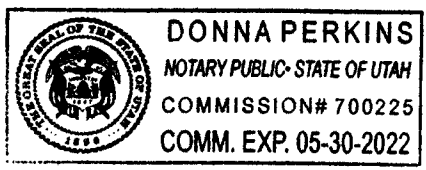


EXHIBIT "A"

LEGAL DESCRIPTION OF RESTRICTED AREAS

LOT 142 NO BUILD EASEMENT

A 3' wide no-build easement located across a portion of Lot 142, DAYBREAK VILLAGE 4 HARBOR PLAT 2 AMENDING LOTS A-4, A-5& O-114 OF THE KENNECOTT DAYBREAK OQUIRRH LAKE PLAT, according to the Official Plat thereof recorded May 6, 2019 as Entry No. 12982043 in Book 2019P of Plats at Page 152 in the Office of the Salt Lake County Recorder, located in the NW1/4 of Section 19, Township 3 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point located S53°26'57"W 14.00 feet from the Northerly corner Common to Lots 142 and 141 of said plat; thence N36°33'03"W 3.00 feet; thence S53°26'57"W 16.00 feet; thence S36°33'03"E 3.00 feet; thence N53°26'57"E 16.00 feet to the point of beginning.

Contains: 48 square feet +/-

LOT 154 NO BUILD EASEMENT

A 3' wide no-build easement located across a portion of Lot 154, DAYBREAK VILLAGE 4 HARBOR PLAT 2 AMENDING LOTS A-4, A-5& O-114 OF THE KENNECOTT DAYBREAK OQUIRRH LAKE PLAT, according to the Official Plat thereof recorded May 6, 2019 as Entry No. 12982043 in Book 2019P of Plats at Page 152 in the Office of the Salt Lake County Recorder, located in the NW1/4 of Section 19, Township 3 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point located S83°26'57"W 51.96 feet from the Westerly corner Common to Lots 154 and 153 of said plat; thence S83°26'57"W along the common line of said lots 16.24 feet; thence N06°33'03"W 3.00 feet; thence N83°26'57"E 16.24 feet; thence S06°33'03"E 3.00 feet to the point of beginning.

Contains: 49 square feet +/-

LOT 149 NO BUILD EASEMENT

A 3' wide no-build easement located across a portion of Lot 149, DAYBREAK VILLAGE 4 HARBOR PLAT 2 AMENDING LOTS A-4, A-5& O-114 OF THE KENNECOTT DAYBREAK OQUIRRH LAKE PLAT, according to the Official Plat thereof recorded May 6, 2019 as Entry No. 12982043 in Book 2019P of Plats at Page 152 in the Office of the Salt Lake County Recorder, located in the NW1/4 of Section 19, Township 3 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point located S83°26'57"W 24.92 feet from the Westerly corner Common to Lots 149 and 150 of said plat; thence S06°33'03"E 3.00 feet; thence S83°26'57"W 16.24 feet; thence N06°33'03"W 3.00 feet to the common lot line of said lots; thence N83°26'57"E along said lot line 16.24 feet to the point of beginning.

Contains: 49 square feet +/-

LOT 178 NO BUILD EASEMENT

A 3' wide no-build easement located across a portion of Lot 178, DAYBREAK VILLAGE 4 HARBOR PLAT 2 AMENDING LOTS A-4, A-5& O-114 OF THE KENNECOTT DAYBREAK OQUIRRH LAKE PLAT, according to the Official Plat thereof recorded May 6, 2019 as Entry No. 12982043 in Book 2019P of Plats at Page 152 in the Office of the Salt Lake County Recorder, located in the NW1/4 of Section 19, Township 3 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point located S36°33'03"E 8.00 feet from the Southerly corner Common to Lots 178 and 179 of said plat; thence S36°33'03"E 16.00 feet; thence S53°26'57"W 3.00 feet; thence N36°33'03"W 16.00 feet; thence N53°26'57"E 3.00 feet to the point of beginning.

Contains: 48 square feet +/-