

E 163211 B 399 P 597
Date: 10-Apr-2023 04:16PM
Fee: \$40.00 ACH
Filed By: SM
BRENDA NELSON, Recorder
MORGAN COUNTY
For: COTTONWOOD TITLE INSURANCE AGENC
Recorded Electronically by Simplifile

WHEN RECORDED, RETURN TO:

Enclave theROAM, LLC
Attn: Legal Department
610 N. 800 W.
Centerville, UT 84014

Affecting Parcel No(s): 00-0090-9181, and 00-0090-9268

Affecting Serial No(s): 09-005-044-02-1-3-7, and 09-005-004-02-1-3-8

NOTICE OF REINVESTMENT FEE COVENANT

Pursuant to Utah Code §57-1-46(6), the Roam Owners Association, Inc. (the "*Association*") hereby provides this Notice of Reinvestment Fee Covenant (the "*Reinvestment Fee*") which burdens all of the real property described on **Exhibit A** attached hereto and incorporated herein by this reference (the "*Burdened Property*"), which is subject to the *Amended and Restated Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Roam*, recorded in the office of the Morgan County Recorder on February 8, 2023, as Entry No. 162837 in Book 398 on Page 168 (including all amendments and/or supplements thereto, collectively, the "*Declaration*").

The Reinvestment Fee requires, among other things, that upon the transfer of any of the Burdened Property subject to the Declaration, the transferee, other than the Declarant, is required to pay a reinvestment fee as established by the Association's Board of Directors in accordance with Section 5.13 of the Declaration, unless the transfer falls within an exclusion listed in Utah Code §57-1-46(8). In no event shall the Reinvestment Fee exceed the maximum rate permitted by applicable law.

BE IT KNOWN TO ALL OWNERS, SELLERS, BUYERS, AND TITLE COMPANIES owning, purchasing, or assisting with the closing of a Burdened Property conveyance within the Roam Townhomes that:

1. The name and address of the beneficiary of the Reinvestment Fee is:

Roam Owners Association, Inc.
610 N. 800 W.
Centerville, Utah 84014

2. The burden of the Reinvestment Fee is intended to run with the Burdened Property and to bind successors in interest and assigns.

3. The existence of the Reinvestment Fee precludes the imposition of any additional reinvestment fee covenant on the Burdened Property.

4. The duration of the Reinvestment Fee is perpetual. The Association's members, by and through a vote as provided for in the Declaration, may amend or terminate this Reinvestment Fee.

5. The purpose of the Reinvestment Fee is to assist the Association in covering the costs of: (a) common planning, facilities, and infrastructure; (b) obligations arising from any environmental covenants; (c) community programming; (d) resort facilities; (e) open space; (f) recreation amenities; (g) common expenses of the Association; or (h) funding Association reserves.

6. The fee required under this Reinvestment Fee is required to benefit the Burdened Property.

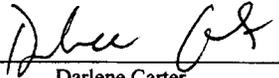
7. The amount of the Reinvestment Fee for each Unit at the time of transfer shall be the *lesser* of (a) 0.5% of the value of each Unit, and (b) Two Thousand Five Hundred and No/100 Dollars (\$2,500.00).

[Remainder of page left intentionally blank. Additional pages follow.]

IN WITNESS WHEREOF, the Declarant has executed this Amended and Restated Notice of Reinvestment Fee Covenant on behalf of the Association on the date set forth below, to be effective upon recording in the office of the Morgan County Recorder.

DECLARANT

CW LAND CO., LLC,
a Utah limited liability company

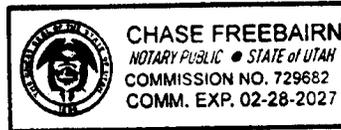
By: 
Name: Darlene Carter
Its: Manager

STATE OF UTAH)
 §
COUNTY OF DAVIS)

On the 23rd day of March, 2023, personally appeared before me Darlene Carter, who by me being duly sworn, did say that she is the Manager of CW Land Co., LLC, a Utah limited liability company, and that the foregoing instrument is signed on behalf of said limited liability company and executed with all necessary authority.



(Notary Public)



(Seal)

[Landowner consent page follows.]

IN WITNESS WHEREOF, Enclave theROAM, LLC, a Delaware limited liability company, consents to recordation of this Reinvestment Fee against its real property.

Enclave theROAM, LLC,
a Delaware limited liability company

By: CW Roam Phase 2 Member, LLC,
a Utah limited liability company
Its: Administrative Member

By: *Darlene Carter*
Name: Darlene Carter
Its: Manager

STATE OF UTAH)
 §
COUNTY OF DAVIS)

On the 23rd day of March, 2023, personally appeared before me Darlene Carter, who by me being duly sworn, did say that she is the Manager of CW Roam Phase 2 Member, LLC, a Utah limited liability company, the Administrative Member of Enclave theROAM, LLC, a Delaware limited liability company, and that the foregoing instrument is signed on behalf of said limited liability company and executed with all necessary authority.

[Signature]
(Notary Public)



(Seal)

Exhibit A
(Burdened Property)

Phase 2 10 Lot Single Family Area Description

A parcel of land, situated in the Northwest Quarter of Section 25 and the Southwest Quarter of Section 24, Township 5 North, Range 1 East, Salt Lake Base and Meridian, said parcel also located in Morgan County, Utah. Being more particularly described as follows:

Beginning at a point South 89°43'35" East 872.03 feet along the section line and South 00°16'25" West 42.61 feet from the Northwest Corner of said Section 25 and running thence:

North 68°59'42" East 315.90 feet to the westerly line of Rollins Ranch Phase 4B;
thence South 58°07'06" East 104.07 feet;
thence South 05°13'54" East 76.52 feet;
thence South 41°45'23" East 129.93 feet;
thence North 72°46'56" East 54.90 feet;
thence South 05°21'12" East 97.80 feet;

thence southerly 168.16 feet along the arc of a 422.00-foot radius tangent curve to the right (center bears South 84°38'48" West and the long chord bears South 06°03'44" West 167.05 feet with a central angle of 22°49'53");

thence South 48°00'22" West 37.45 feet;
thence South 00°06'33" East 51.09 feet;

thence southerly 268.39 feet along the arc of a 376.50-foot radius non-tangent curve to the left (center bears South 73°17'22" East and the long chord bears South 03°42'39" East 262.74 feet with a central angle of 40°50'35") to a point on the northerly line of Roam Phase 1 Single Family Subdivision;

thence South 89°53'43" West 136.95 feet along the northerly line of Roam Phase 1 Single Family Subdivision;
thence North 00°06'33" West 478.04 feet;

thence northerly 130.84 feet along the arc of a 180.00-foot radius tangent curve to the left (center bears South 89°53'27" West and the long chord bears North 20°55'58" West 127.98 feet with a central angle of 41°38'50");

thence North 41°45'23" West 25.41 feet;
thence northwesterly 7.73 feet along the arc of a 15.00-foot radius tangent curve to the right (center bears North 48°14'37" East and the long chord bears North 26°59'23" West 7.65 feet with a central angle of 29°32'00");

thence westerly 183.72 feet along the arc of a 55.00-foot radius curve to the left (center bears South 77°46'37" West and the long chord bears South 72°04'57" West 109.46 feet with a central angle of 191°23'20");

thence South 89°53'27" West 201.64 feet;
thence North 00°06'33" West 111.40 feet to the Point of Beginning.

Contains: 145,677 square feet or 3.344 acres.

[Continued on next page.]

JV Single Family Area Phase 2 Description

A parcel of land, situated in the Northwest Quarter of Section 25 and the Southwest Quarter of Section 24, Township 5 North, Range 1 East, Salt Lake Base and Meridian, said parcel also located in Morgan County, Utah. Being more particularly described as follows:

Beginning at a point South 89°43'35" East 872.03 feet along the section line and South 00°16'25" West 42.61 feet from the Northwest Corner of said Section 25 and running thence:
 South 00°06'33" East 111.40 feet;
 thence North 89°53'27" East 201.64 feet;
 thence easterly 183.72 feet along the arc of a 55.00-foot radius non-tangent curve to the right (center bears North 66°23'17" East and the long chord bears North 72°04'57" East 109.46 feet with a central angle of 191°23'20");
 thence southeasterly 7.73 feet along the arc of a 15.00-foot radius curve to the left (center bears North 77°46'37" East and the long chord bears South 26°59'23" East 7.65 feet with a central angle of 29°32'00");
 thence South 41°45'23" East 25.41 feet;
 thence southerly 130.84 feet along the arc of a 180.00-foot radius tangent curve to the right (center bears South 48°14'37" West and the long chord bears South 20°55'58" East 127.98 feet with a central angle of 41°38'50");
 thence South 00°06'33" East 463.06 feet to a point on the northerly line of Roam Single Family Phase 1 Subdivision;
 thence along the northerly and easterly lines of Roam Single Family Phase 1 Subdivision the following six (6) courses and distances:
 1. South 89°53'25" West 582.74 feet;
 2. South 13°17'54" West 9.68 feet;
 3. North 76°42'06" West 168.38 feet;
 4. North 13°17'54" East 71.36 feet;
 5. northerly 115.98 feet along the arc of a 331.61-foot radius non-tangent curve to the left (center bears North 76°42'07" West and the long chord bears North 03°16'42" East 115.39 feet with a central angle of 20°02'22");
 6. North 06°44'28" West 116.93 feet;
 thence northeasterly 23.56 feet along the arc of a 15.00-foot radius tangent curve to the right (center bears North 83°15'32" East and the long chord bears North 38°15'32" East 21.21 feet with a central angle of 90°00'00");
 thence North 06°44'28" West 60.00 feet;
 thence North 83°15'32" East 21.14 feet;
 thence North 00°06'33" West 147.55 feet;
 thence North 68°59'42" East 363.94 feet to the Point of Beginning.

Contains: 438,057 square feet or 10.056 acres.

Parcel Number(s): 00-0089-0924 and 00-0089-0955

Serial Number(s): 09-005-044-02-1-3-3 and 09-005-044-02-1-4-2