



W2465891

E# 2465891 PG 1 OF 2
ERNEST D ROWLEY, WEBER COUNTY RECORDER
05-APR-10 1044 AM FEE \$36.00 DEP LF
REC FOR: TROY CALLANTINE

**NOTICE OF APPLICABILITY OF
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FORT BINGHAM SUBDIVISION**

PHASE 7

Lots 281 thru 303; 12-237-0001 thru 0023

**THE STATE OF UTAH
COUNTY OF WEBER**

This Notice of Applicability is made and executed by **FORESTAR (USA) REAL ESTATE GROUP INC.**, a Delaware corporation formerly known as "Lumbermen's Investment Corporation" ("Declarant") and is as follows:

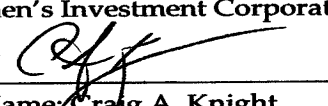
1. **Applicability of Master Covenant.** This Notice of Applicability is filed with respect Phase 7 of Fort Bingham Subdivision ("Phase 7") located in Ogden City, Weber County, Utah, according to the map or plat so named to be recorded in the Records of Weber County, Utah. Declarant is the owner of Phase 7. Pursuant to that certain "Declaration of Covenants, Conditions and Restrictions" recorded as Document # 2130178 on September 20, 2005, as amended by "Amendment of Restrictive Covenants Fort Bingham Subdivision" recorded at Document # 2147990 on December 12, 2005, (collectively, the "Master Covenant"), Declarant reserved the right to add areas to the "Property" subjected to the Master Covenant, upon the filing of appropriate notices of applicability from time to time, and thereby making the added areas subject to the terms, covenants, conditions, restrictions, reservations, easements, servitudes, liens and charges of the Master Covenant.

2. **Property Incorporated Into Development.** The provisions of the Master Covenant shall apply to Phase 7. Phase 7 is hereby included within and made a part of the "Property", and is hereby subjected to the terms, covenants, conditions, restrictions, reservations, easements, servitudes, liens and charges of the Master Covenant.

Any capitalized terms used and not otherwise defined in this notice shall have the meanings set forth in the Master Covenant.

EXECUTED to be effective as of the 9th day of March, 2010

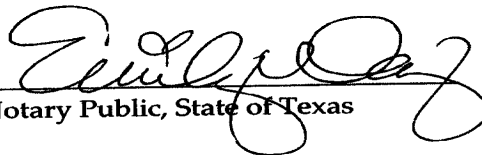
DECLARANT:
**FORESTAR (USA) REAL ESTATE
GROUP INC.,** formerly known as
Lumbermen's Investment Corporation

By: 
Printed Name: Craig A. Knight
Title: Chief Investment Officer
Real Estate

STATE OF TEXAS §
 DALLAS §
COUNTY OF FRAVIS §

This instrument was acknowledged before me on the 9th day of March, 2010, by Craig A. Knight, Chief ~~Investment~~^{Real Estate} Officer of Forestar (USA) Real Estate Group Inc., formerly known as "Lumbermen's Investment Corporation", a Delaware corporation, on behalf of such corporation.

[seal]


Notary Public, State of Texas

