

SW 24 4N-1W
ALL Twin Peaks Cove

11-237-0001 to 0003, 0005 to 0010
0012 to 0019, 0021 to 0027
11-033-0027

E# 290931 BK 1351 PG 379
CAROL DEAN PAGE, DAVIS CNTY RECORDER
1990 MAY 15 3:27 PM FEE 63.50 DEP JB
REC'D FOR FOUNDERS TITLE COMPANY

glaw
legals

all Tanglewood and
NOTICE OF ADDITION OF TERRITORY TO TANGLEWOOD
A PLANNED UNIT DEVELOPMENT

R.O.
11-034-0001 to 0006,
0008 to 0018, 0020 to 0030,
0037 to 0100, 0102 to 0105, 0109 to
0128, 0131 to 0131, 0138 to 0142

This Notice of Addition of Territory to Tanglewood, a Planned Unit Development, is made this 23rd day of January, 1990, by Tanglewood Owners Association, a Utah nonprofit corporation (the "Association"), and by Yeates Priest and Company, Inc., a Utah Corporation (the "Declarant").

R E C I T A L S:

1. The Association's predecessors have heretofore executed a Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Tanglewood, a Planned Unit Development (the "Initial Declaration"), which was recorded on February 9, 1989, as Instrument Number 522469, in Book 752, page 559, et. seq., Official Records of Davis County, Utah.

2. The Association's predecessors have heretofore executed an Amendment to Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Tanglewood, a Planned Unit Development (the Initial Declaration, as so amended, being called the "Declaration"), which was recorded on January 17, 1980, as Instrument Number 555615, in Book 809, page 774, et. seq., Official Records of Davis County, Utah. All capitalized terms used herein but not otherwise defined herein shall have the meanings ascribed to them in the Declaration.

3. The Declaration relates to the following described real property situated in Davis County, State of Utah, and more particularly described as follows:

BEGINNING at a point on the easterly line of the frontage road to Highway 89, said point being South 89° 50' 45" East 326.40 feet more or less along the section line and North 2° 36' 35" East 187.59 feet from the Southwest corner of Section 24, Township 4 North, Range 1 West, Salt Lake Base and Meridian and running thence Northeasterly along a 222.0 foot radius curve to the right 251.06 feet whose long cord bears North 57° 05' 21" East 237.90 feet, thence North 89° 29' 15" East 177.89 feet thence Northeasterly along a 242.45 foot radius curve to the left 211.58 feet,

whose long chord bears North 64° 29' 15" East 204.93 feet, thence North 39° 29' 15" East 28.99 feet thence Southeasterly along a 285.85 foot radius curve to the left 69.18 feet, whose long chord bears South 63° 04' 01" East 69.01 feet, thence South 70° East 44.00 feet, thence South 20° West 183.70 feet, thence South 35° East 26.30 feet, thence South 12° 56' 48" East 32.83 feet, thence South 0° 30' 45" East 150.00 feet, thence South 89° 50' 45" East 168.32 feet, thence North 89° 50' East 381.58 feet, thence South 89° 54' East 250.12 feet, thence North 104.16 feet, thence North 60° 02' 53" West 119.27 feet, thence North 45° East 119.81 feet, thence North 60° West 467.75 feet, thence North 14° 59' 15" East 140.49 feet, thence North 48° 05' 21" East 77.50 feet, thence North 12° 29' 15" East 127.95 feet, thence North 73° 30' 45" West 172.11 feet, thence North 16° 29' 15" East 18.08 feet, thence North 5° East 303.59 feet, thence North 14° 10' 35" West 220.71 feet, thence West 935.16 feet to the East line of the existing Highway 89, thence South 0° 30' 45" East 1102.04 feet along said East line, thence South 89° 50' 45" East 55.00 feet, thence South 0° 30' 45" East 60.00 feet, thence South 2° 36' 15" West 187.39 feet to the point of beginning. Contains 31.23 acres.

4. Article XV of the Declaration, captioned "Annexation of Additional Property," Section 2 permits additional real property to be annexed to the Properties, upon the approval by vote or written consent of Members entitled to exercise no less than two-thirds (2/3) of the voting power of the Class A Members.

5. The Declarant is the legal and beneficial owner of a certain tract of land situated in Davis County, State of Utah, which is known as "Twin Peaks Cove" and which lies immediately east of the Property, and more particularly described as follows:

BEGINNING at the South Quarter Corner of Section 24, Township 4 North, Range 1 West, Salt Lake Base & Meridian, in the City of Layton, Utah, and running thence North 89° 50' 45" West 847.81 feet along the section line; thence along the Easterly boundary line of Tanglewood Amended Plat, Phase 1

through the following sixteen courses: North 106.53 feet; thence North $60^{\circ} 02' 53''$ West 119.27 feet; thence North $45^{\circ} 00' 00''$ East 119.81 feet; thence North $60^{\circ} 00' 00''$ West 218.20 feet; thence North $27^{\circ} 00' 00''$ East 18.02 feet; thence North $60^{\circ} 00' 00''$ West 96.61 feet to a point on a 221.51 foot radius curve to the right (radius point bears North $64^{\circ} 39' 35''$ West); thence Southwesterly along the arc of said curve 18.01 feet (Delta = $4^{\circ} 39' 35''$); thence North $60^{\circ} 00' 00''$ West 152.72 feet; thence North $73^{\circ} 30' 00''$ West 92.69 feet; thence North $14^{\circ} 59' 15''$ East 140.49 feet; thence North $48^{\circ} 05' 21''$ E. 77.50 feet; thence North $12^{\circ} 29' 15''$ East 127.95 feet; thence North $73^{\circ} 30' 45''$ East 172.11 feet; thence North $16^{\circ} 29' 15''$ East 18.08 feet; thence North $5^{\circ} 00' 00''$ East 303.59 feet; thence North $14^{\circ} 10' 35''$ West 220.71 to the Northeast corner of Lot 24 of said Tanglewood Phase 1; thence leaving said Easterly Boundary Line and running thence South $89^{\circ} 50' 45''$ East 1426.15; thence South $0^{\circ} 00' 18''$ East 1401.98 feet to the point of beginning. Contains 39.37 Acres.

6. The Declarant desires to annex Twin Peaks Cove to the Properties solely for purposes of subjecting Twin Peaks Cove to certain provisions of the Declaration, as herein described, and for purposes of entitling the owners of lots in Twin Peaks Cove to the benefits and burdens of Membership in the Association.

7. Such annexation was approved by a vote of not less than two thirds ($2/3$) of the Association's Members at a meeting duly called and held on October 26, 1989, and at which a quorum was present.

A G R E E M E N T:

NOW, THEREFORE, the Association and the Declarant hereby declare that the following portions (and only the following portions) of the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Tanglewood, a Planned Residential Development, which was recorded on February 9, 1989, as Instrument Number 522469, in Book 752, page 559, et. seq., Official Records of Davis County, Utah, as amended by that certain Amendment to Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Tanglewood, a

Planned Unit Development, which was recorded on January 17, 1980, as Instrument Number 555615, in Book 809, page 774, et. seq., Official Records of Davis County, Utah, shall apply to all lots included in the Property (i.e., TWIN PEAKS COVE Subdivision Lots 1 through 55):

- (1) Recitals B, C and E;
- (2) Articles I, captioned "Definitions," Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 20, 21, 22, 23, 24, 25 and 26;
- (3) Article II, captioned "Owners' Property Rights", Section 1 paragraphs (a) through and including (g), (h) and (i), and Sections 2, and 3;
- (4) Article III, captioned "Membership in Association;"
- (5) Article IV, captioned "Voting Rights;"
- (6) Article V, captioned "Duties and Powers of Association;"
- (7) Article VI, captioned "Covenant for Maintenance Assessments;"
- (8) Article VII, captioned "Effective [sic] of Non-Payment of Assessments;"
- (9) Article IX, captioned "Maintenance and Repair Obligations," Section 3;
- (10) Article X, captioned "Use Restrictions," Section 11;
- (11) Article XII, captioned "Damage or Destruction to Common Area;"
- (12) Article XIII, captioned "Insurance," Sections 1, 3, 4, 5, 6, and 7 insofar as they apply to Common Areas and the Association;
- (13) Article XIV, captioned "Mortgage Protection Clause;" and
- (14) Article XVI, captioned "General Provisions," Section 1.

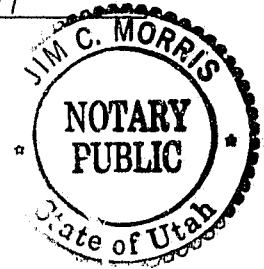
STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

The foregoing instrument was acknowledged before me
this 23 day of January, 1990, by R. Scott Priest and K.
Delyn Yeates, of Yeates Priest and Company Inc., a corporation.

[Handwritten Signature]

NOTARY PUBLIC
Residing at: BEAUNTIFFUL, UT

My Commission Expires:
10-30-91



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