

When recorded return to:
Richards Law, PC
2040 E Murray Holladay Rd, Ste 106
Salt Lake City, Utah 84117

12698293
1/16/2018 2:57:00 PM \$30.00
Book - 10638 Pg - 8209-8217
ADAM GARDINER
Recorder, Salt Lake County, UT
RICHARDS LAW PC
BY: eCASH, DEPUTY - EF 9 P.

**NOTICE OF AGREEMENT AND OBLIGATION
TO EMIGRATION OAKS PROPERTY OWNERS ASSOCIATION, INC.**

This Notice of Agreement and Obligation is hereby executed by Emigration Oaks Property Owners Association, Inc. (“EO” or “EOPOA”), Snowberry Canyon, LLC, Shelby Herrod, Trustee of The Shelby Mallory Herrod Revocable Trust, Dated 4 June 2009, Bradley R. Cairns and Lanna Cairns, Christopher L. Corroon, and Tiffany Rogers Revocable Trust 2/28/2009, Tiffany Rogers, Trustee, collectively referred to herein as the “Parties.”

“Parties” shall include the signatories to this Notice of Agreement, their successors, heirs and assigns, and shall be binding against all. To avoid uncertainty regarding the relationship and obligation of the Parties, the following terms are hereby agreed:

1. Each owner of each lot in the Snowberry Canyon PUD (“SC”) agrees to pay a fee equal to the amount assessed to lot owners under the Emigration Oaks PUD Declaration of Covenants, Conditions, and Restrictions, initially recorded at Book 5648 Page 296, Entry No. 4078735, on April 26, 1985 in the records of the Salt Lake County Recorder, as amended (“EO CC&Rs”), except as modified in this Notice. (The fee is referred to herein as EO Assessments.)

2. This agreement for SC owners to pay EO Assessments shall be an encumbrance upon the property and shall run with the land.

3. Owners of SC lots upon which construction of a living unit has not been commenced shall pay two-thirds of the amount paid for lots upon which such construction has been commenced.

4. With respect to special assessments as defined in the EO CC&Rs (“EO Special Assessments”), the SC owners are obligated to pay EO Special Assessments to the extent that the EO Special Assessments relate to roads in EO and other improvement or amenities that benefit SC owners.

5. The Emigration Oaks Property Owners Association, Inc. has the right to enforce all EO Assessments against SC owners through all means provided in the EO CC&Rs, including liens on delinquent SC lot owners.

6. SC lot owners shall have the right of access to and over all EO roads and common areas in perpetuity.

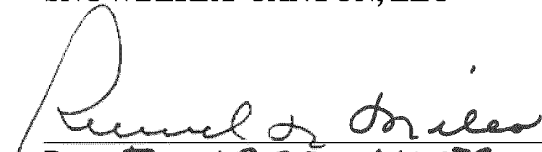
7. Each SC lot owner shall pay a \$2,000 road impact fee to EO upon receiving a building permit for construction on his/her SC lot. \$1,000 of the road impact fee shall be non-refundable and kept by EO for maintenance costs. The remaining \$1,000 shall be refunded to the SC owner to the extent damage or wear and tear or other costs unique and specific to said owner do not exceed the \$1,000 non-refundable portion of the road impact fee.

8. Each SC lot owner shall be eligible for election to the Board of Directors of the EOPOA, but the SC lot owners shall not be considered members of the EOPOA.

9. The Parties agree to execute and record any documents necessary to effectuate this agreement against all SC lots, including any amendments to SC and/or EO CC&Rs and hereby consent to the recording of this document with the Salt Lake County Recorder's Office.

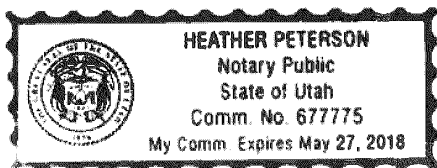
Agreed this _____ day of _____, 2017.

SNOWBERRY CANYON, LLC


By: RICHARD L. MILES
Its: Manager

STATE OF UTAH)
) :SS
COUNTY OF salt Lake)

The foregoing instrument was acknowledged before me on this 6th day of November, 2017 by Richard L. Miles.



Heather Peterson
Notary Public for Utah

EMIGRATION OAKS PROPERTY OWNERS ASSOCIATION, INC.

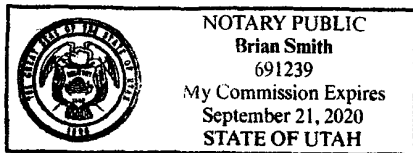
Paul H Brown

By: *Paul H Brown*
Its: *board president*

By:
Its:

STATE OF UTAH)
) :SS
COUNTY OF *Salt Lake*)

The foregoing instrument was acknowledged before me on this 29th day of Dec., 2017 by Paul Brown and _____



Brian Smith
Notary Public for Utah

**SHELBY HERROD, Trustee of
THE SHELBY MALLORY HERROD REVOCABLE TRUST, DATED 4, JUNE 2009**

Owner, Lot 1, Snowberry Canyon

STATE OF UTAH)
) :SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me on this ____ day of _____, 2017 by Shelby Herrod.

Notary Public for Utah

EMIGRATION OAKS PROPERTY OWNERS ASSOCIATION, INC.

By: _____
Its: _____

By: _____
Its: _____

STATE OF UTAH)
)
:SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me on this ____ day of _____, 2017 by _____ and _____

Notary Public for Utah

**SHELBY HERROD, Trustee of
THE SHELBY MALLORY HERROD REVOCABLE TRUST, DATED 4, JUNE 2009**

Shelby Herrod

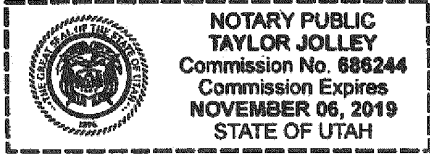
Owner, Lot 1, Strawberry Canyon

STATE OF UTAH)
)
:SS
COUNTY OF *Salt Lake*)

The foregoing instrument was acknowledged before me on this 3rd day of January, 2017 by Shelby Herrod.

Taylor Jolley

Notary Public for Utah



BRADLEY R. CAIRNS

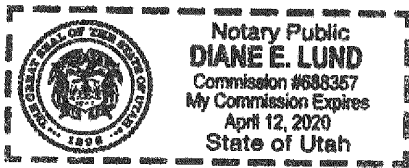
LANNA CAIRNS

Bradley R Cairns
Owner, Lot 2, Snowberry Canyon

Lanna Cairns
Owner, Lot 2, Snowberry Canyon

STATE OF UTAH)
COUNTY OF SALT LAKE) :SS

The foregoing instrument was acknowledged before me on this 22 day of December, 2017 by Bradley R. Cairns and Lanna Cairns.



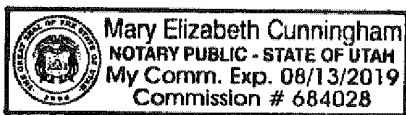
Diane E Lund
Notary Public for Utah

CHRISTOPHER L. CORROON

Christopher L Corroon
Owner, Lot 3, Snowberry Canyon

STATE OF UTAH)
COUNTY OF Salt Lake) :SS

The foregoing instrument was acknowledged before me on this 14th day of December, 2017 by Christopher L. Corroon.



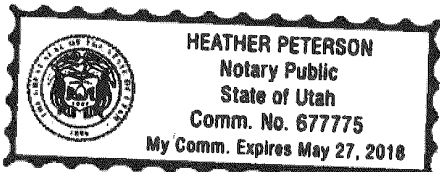
Mary Elizabeth Cunningham
Notary Public for Utah

SNOWBERRY CANYON, LLC

Richard L. Miles
Owner, Lot 4, Snowberry Canyon

STATE OF UTAH)
) :SS
COUNTY OF Salt Lake)

The foregoing instrument was acknowledged before me on this 6th day of November, 2017 by Richard L. Miles.



Heather Peterson
Notary Public for Utah

**TIFFANY ROGERS, TRUSTEE OF THE TIFFANY ROGERS REVOCABLE TRUST
DATED 2/28/2009**

Owner, Lot 5, Snowberry Canyon

STATE OF UTAH)
) :SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me on this ____ day of _____, 2017 by Tiffany Rogers.

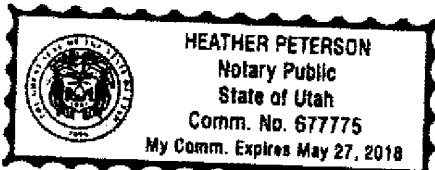
Notary Public for Utah

SNOWBERRY CANYON, LLC

Richard L. Miles
Owner, Lot 4, Snowberry Canyon

STATE OF UTAH)
) :SS
COUNTY OF Salt Lake)

The foregoing instrument was acknowledged before me on this 6th day of November, 2017 by Richard L. Miles.



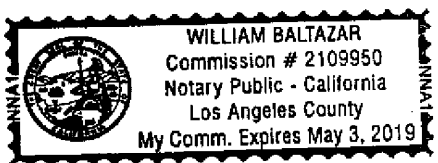
Heather Peterson
Notary Public for Utah

TIFFANY ROGERS, TRUSTEE OF THE TIFFANY ROGERS REVOCABLE TRUST
DATED 2/28/2009

Tiffany Rogers
Owner, Lot 5, Snowberry Canyon

STATE OF ^(CA) ~~UTAH~~ California)
) :SS
COUNTY OF Los Angeles)

The foregoing instrument was acknowledged before me on this 14 day of December, 2017 by Tiffany Rogers.



William Baltazar
Notary Public for Utah
California (CA)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Los Angeles)

On December 14, 2017 before me, William Baltazar, Notary Public

Date

Here Insert Name and Title of the Officer

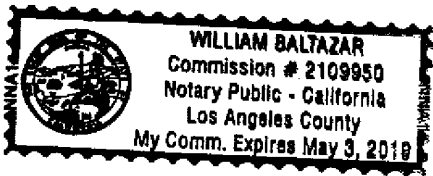
personally appeared Tiffany Rogers

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature William Baltazar
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Notice of Agreement and Obligation to Immigration Cases Prop Owners H&B Inc.

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Tiffany Rogers

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

Signer's Name: _____

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

EXHIBIT A

Legal Description

LOT 1, SNOWBERRY CANYON PUD SUBDIVISION, according to the official plat on file in the office of the recorder, Salt Lake County, state of Utah.

PARCEL NO. 10321010030000

LOT 2, SNOWBERRY CANYON PUD SUBDIVISION, according to the official plat on file in the office of the recorder, Salt Lake County, state of Utah.

PARCEL NO. 10321010040000

LOT 3, SNOWBERRY CANYON PUD SUBDIVISION, according to the official plat on file in the office of the recorder, Salt Lake County, state of Utah.

PARCEL NO. 10321010050000

LOT 4, SNOWBERRY CANYON PUD SUBDIVISION, according to the official plat on file in the office of the recorder, Salt Lake County, state of Utah.

PARCEL NO. 10321520110000

LOT 5, SNOWBERRY CANYON PUD SUBDIVISION, according to the official plat on file in the office of the recorder, Salt Lake County, state of Utah.

PARCEL NO. 10321520100000