

7  
22

**DOC # 20180050211**

Notice Page 1 of 7  
Russell Shirts Washington County Recorder  
12/20/2018 03:06:56 PM Fee \$ 22.00  
By BUSH AND GUDGEN



WHEN RECORDED, RETURN TO:

Desert Color Community Master Association, Inc.  
730 North 1500 West  
Orem, Utah 84058

**NOTICE  
OF  
REINVESTMENT FEE COVENANT**

Pursuant to Utah Code Ann. § 57-1-46(6), DESERT COLOR COMMUNITY MASTER ASSOCIATION, Inc., a Utah non-profit corporation (the "Association") hereby gives notice of a "reinvestment fee covenant" (as that term is defined in Utah Code Ann. § 57-1-46(1)(i)), which reinvestment fee covenant burdens all that real property described on Exhibit A attached hereto and incorporated herein by this reference, and will burden all of the real property described on Exhibit B attached hereto and incorporated herein by reference ("Additional Land") if and when such Additional Land is subjected to the Master Declaration pursuant to Section 9.1 thereof.

The reinvestment fee covenant was created by and is set forth in Section 6.15 of the Declaration of Covenants, Conditions, Restrictions, Easements, Terms and Reservations for Desert Color Community, recorded on 12/20, 2018, as Document No. 20180050210 in the official records of the Washington County Recorder, State of Utah, as supplemented and/or amended from time to time (the "Master Declaration").

The reinvestment fee covenant requires, among other things, that upon the transfer (as defined in Article II and Section 6.15 of the Master Declaration) of any portion of the real property described on Exhibit A attached hereto or any portion of the Additional Land described on Exhibit B attached hereto which is hereafter subjected to the Master Declaration, the transferee is required to pay a real estate transfer assessment determined in accordance with Article II ("Reinvestment Fee," "Reinvestment Fee Levy Date," and "Reinvestment Fee Rate") and Section 6.15 of the Master Declaration, unless the transfer is expressly excluded from the definition of a "Transfer" pursuant to Article II or Section 6.15 of the Master Declaration.

The name and address of the beneficiary of the reinvestment fee covenant is:

Desert Color Community Master Association, Inc.  
730 North 1500 West  
Orem, Utah 84058

The burden of the reinvestment fee covenant is intended to run with the land and to bind successors in interest and assigns. The existence of the reinvestment fee covenant precludes the



EXHIBIT A

Legal Description

The real property is located in Washington County, State of Utah, more particularly described as follows:

**DESERT COLOR SOUTHERN PARCEL**

Beginning at a point which is North 88°46'19" West 1879.38 feet along the North section line and South 00°00'00" East 3148.23 feet from the North 1/4 corner of Section 35, Township 43 South, Range 16 West of the Salt Lake Base and Meridian said point also being a point on the state line between the State of Utah and the State of Arizona said point also being the Southeasterly corner of the Nature Conservancy parcel with Parcel ID No. SG-6-3-35-112 and running thence along the Easterly boundary of said Nature Conservancy parcel North 01°04'41" East 476.84 feet to the Southeasterly corner of the Nature Conservancy parcel with Parcel ID No. SG-6-3-35-430; thence along the Easterly boundary of said Nature Conservancy parcel North 01°04'40" East 976.74 feet to the Northeasterly corner of said Nature Conservancy parcel said corner also being on the Easterly Right of Way of Interstate 15; thence along said Easterly Right of Way through the following six (6) courses: North 28°34'00" East 114.56 feet; thence North 55°35'40" East 203.87 feet; thence North 28°34'22" East 2200.00 feet; thence South 61°25'38" East 250.00 feet; thence South 75°27'48" East 206.16 feet; thence North 30°16'12" East 1350.34 feet; thence leaving said Easterly Right of Way North 81°19'41" East 249.88 feet; thence North 08°40'19" West 400.00 feet; thence South 81°19'41" West 249.65 feet to a point on said Easterly Right of Way; thence along said Easterly Right of Way through the following five (5) courses: North 08°39'43" West 228.21 feet; thence North 28°41'53" East 299.57 feet; thence North 16°45'54" East 200.61 feet; thence North 14°54'48" East 728.00 feet; thence North 28°34'00" East 2864.00 feet to a point on the Southwesterly Right of Way of the Atkinville Interchange; thence along said Southwesterly Right of Way through the following twenty five (25) courses: North 33°39'43" East 676.43 feet; thence North 42°22'04" East 238.09 feet to the point of curvature of a 57.00 foot radius curve to the right; thence Northeasterly along the arc of said curve 88.59 feet through a central angle of 89°02'52" the chord of said curve bears North 86°53'30" East for a distance of 79.94 feet to the point of tangency; thence South 48°35'04" East 153.04 feet; thence South 51°52'44" East 37.25 feet; thence South 51°38'00" East 46.28 feet to the point of curvature of a 500.00 foot radius curve to the right; thence Southeasterly along the arc of said curve 105.87 feet through a central angle of 12°07'55" the chord of said curve bears South 45°34'02" East for a distance of 105.67 feet to the point of tangency; thence South 39°30'04" East 150.78 feet to the point of curvature of an 800.00 foot radius curve to the right; thence Southeasterly along the arc of said curve 130.28 feet through a central angle of 09°19'49" the chord of said curve bears South 35°09'03" East for a distance of 130.13 feet to the point of tangency; thence South 30°18'38" East 78.99 feet; thence South 34°28'13" East 88.02 feet; thence South 27°49'54" East 97.89 feet; thence South 27°49'54" East 107.28 feet; thence South 27°49'54" East 7.76 feet; thence South 24°58'12" East 480.75 feet to the point of curvature of a 180.40 foot radius curve to the right; thence Southwesterly along the arc of a said curve 300.00 feet through the central angle of 95°16'49" the chord of said curve bears South 22°43'10" West for a distance of 266.60 feet to the point of a 600.00 foot radius compound curve to the right; thence Southwesterly along the arc of said curve 225.56 feet through a central angle of

21°32'22" the chord of said curve bears South 81°34'15" West for a distance of 224.23 feet to the point of tangency; thence North 88°11'29" West 104.94 feet to the point on the arc of a 1955.00 foot radius curve to the left; thence Southwesterly along the arc of said curve 136.99 feet through a central angle of 04°00'53" the chord of said curve bears South 04°09'41" West for a distance of 136.96 feet to the point of tangency; thence South 02°09'14" West 17.91 feet; thence North 85°45'20" East 53.53 feet; thence South 86°14'05" East 139.05 feet; thence South 88°01'08" East 141.37 feet; thence North 89°44'45" East 157.82 feet to the point of curvature of a 196.00 foot radius curve to the right; thence Southeasterly along the arc of said curve 139.11 feet through a central angle of 40°39'59" the chord of said curve bears South 69°55'16" East a distance of 136.21 feet to a point on the arc of a 196.00 foot radius curve to the right said point being common to said Southwesterly Right of Way of Atkinville Interchange and the Southerly Right of Way of the Southern Parkway; thence leaving said Southwesterly Right of Way of Atkinville Interchange and along said Southerly Right of Way of the Southern Parkway through the following twenty two (22) courses: Southeasterly along the arc of said 196.00 foot radius curve 78.64 feet through a central angle of 22°59'15" the chord of said curve bears South 38°05'39" East 78.11 feet to the point of tangency; thence South 26°36'08" East 844.17 feet; thence South 28°11'38" East 237.59 feet to the point of curvature of a 2710.00 foot radius curve to the left; thence Southeasterly along the arc of said curve 465.78 feet through a central angle of 09°50'52" the chord of said curve bears South 33°13'16" East for a distance of 465.21 feet to the point of tangency; thence South 37°58'14" East 344.81 feet; thence South 38°35'35" East 702.55 feet; thence South 37°08'17" East 128.76 feet; thence South 40°21'00" East 74.61 feet; thence South 35°26'19" East 257.64 feet to the point of curvature of a 3835.00 foot radius curve to the right; thence Southeasterly along the arc of said curve 347.55 feet through a central angle of 05°11'33" the chord of said curve bears South 35°57'58" East a distance of 347.43 feet to the point of tangency; thence South 32°42'47" East 193.47 feet; thence South 30°52'15" East 685.71 feet; thence South 30°24'56" East 824.93 feet; thence South 30°55'10" East 21.77 feet; thence South 30°55'10" East 100.00 feet; thence South 30°55'10" East 389.26 feet; thence South 32°11'25" East 274.63 feet; thence South 34°43'57" East 606.70 feet to the point of curvature of a 7350.00 foot radius curve to the left; thence Southeasterly along the arc of said curve 789.48 feet through a central angle of 06°09'15" the chord of said curve bears South 42°32'12" East a distance of 789.10 feet to the point on the arc of a 7350.00 foot radius curve to the left; thence Southeasterly along the arc of said curve 2555.47 feet through a central angle of 19°55'15" the chord of said curve bears South 55°34'27" East a distance of 2542.62 feet to a point on the arc of a 7350.00 foot radius curve to the left; thence Southeasterly along the arc of said curve 100.00 feet through a central angle of 00°46'46" the chord of said curve bears South 65°55'28" East a distance of 100.00 feet to a point on the arc of a 7350.00 foot radius curve to the left; thence Southeasterly along the arc of said curve 2751.51 feet through a central angle of 21°26'56" the chord of said curve bears South 70°02'19" East 2735.47 feet to a point of non-tangency; thence South 02°14'12" West 73.75 feet to a point on the state line between the State of Utah and the State of Arizona; thence along said state line through the following four (4) courses: North 88°43'10" West 2641.36 feet to state line marker No. 26; thence North 88°43'10" West 5287.61 feet to state line marker No. 25; thence North 88°43'26" West 5277.59 feet to state line marker No. 24; thence North 88°43'03" West 1429.48 feet to the point of beginning.

Less and excepting that portion of property lying within the dedicated Right of Way of Black Mountain Drive as shown on the Roadway Dedication plat thereof recorded as Document No. 20090041241 in the office of the Washington County Recorder in said County in the State of

Utah also less and excepting that portion of property lying within the dedicated Right of Way of Astragalus Drive as shown on the Roadway Dedication plat thereof recorded as Document No. 20090026781 in the office of said Washington County Recorder.

Parcel Nos. 56-5-3-31-433-56, 56-6-3-23-221, 56-6-3-23-222

**DESERT COLOR NORTHERN PARCEL (A PORTION THEREOF)**

Beginning at the South 1/4 Corner of Section 24, Township 43 South, Range 16 West, Salt Lake Base and Meridian. Running thence along the Center Section line of Section 25 South  $01^{\circ}15'53''$  West 642.36 feet; thence South  $06^{\circ}41'39''$  East 1100.21 feet; thence South  $52^{\circ}24'35''$  West 400.00 feet to a point on the arc of a curve to the left having a radius of 15150.00 feet, said point also being on the Northerly Right-of-Way of State Route 7, thence along said Right-of-Way the following five (5) courses: Northwesterly 301.11 feet along the arc of said curve through a central angle of  $01^{\circ}08'20''$ , the radial direction bears South  $52^{\circ}24'35''$  West, to the point of non-tangency; thence North  $38^{\circ}43'44''$  West 58.48 feet to a point on the arc of a curve to the right having a radius of 4770.00 feet; thence Northwesterly 1262.98 feet along the arc of said curve through a central angle of  $15^{\circ}10'14''$ , the radial direction bears North  $51^{\circ}16'16''$  East; thence North  $23^{\circ}33'44''$  West 456.30 feet; thence North  $23^{\circ}33'30''$  West 410.00 feet to Northeasterly Right of Way of Atkinville Interchange and thence along said Northeasterly Right of Way through the following six (6) courses: North  $42^{\circ}00'27''$  East 249.93 feet to the point of curvature of a 337.00 foot radius curve to the left; thence Northeasterly along the arc of said curve 382.41 feet through a central angle of  $65^{\circ}00'59''$  the chord of said curve bears North  $09^{\circ}30'27''$  East for a distance of 362.22 feet to the point of tangency; thence North  $23^{\circ}00'02''$  West 287.12 feet to the point of curvature of a 456.00 foot radius curve to the left; thence Northwesterly along the arc of said curve 295.96 feet through a central angle of  $37^{\circ}11'14''$  the chord of said curve bears North  $41^{\circ}35'39''$  West for a distance of 290.79 feet to the point of tangency; thence North  $60^{\circ}11'16''$  West 56.89 feet; thence North  $49^{\circ}12'22''$  West 46.69 feet to a point on the Easterly Right of Way of Astragalus Drive said point also being a point on the arc of a 2045.00 foot radius curve to the left; thence along said Easterly Right of Way through the following four (4) courses: Northeasterly along the arc of said curve 599.23 feet through a central angle of  $16^{\circ}47'20''$  the chord of said curve bears North  $17^{\circ}01'25''$  East for a distance of 597.09 feet to the point of reverse curvature of a 1955.00 foot radius curve to the right; thence Northeasterly along the arc of said curve 489.38 feet through a central angle of  $14^{\circ}20'33''$  the chord of said curve bears North  $15^{\circ}48'01''$  East for a distance of 488.11 feet to the point tangency; thence North  $20^{\circ}57'23''$  East 144.88 feet; thence North  $89^{\circ}20'58''$  West 47.35 feet to a point on the Easterly boundary of the Kenworth Sales Company Inc. parcel recorded as Entry No. RS006903-16 in the office of the Washington County Recorder, in said County, in the State of Utah said point also being a point on the arc of a 2015.00 foot radius curve to the left and running thence along said Easterly boundary through the following four (4) courses: Northeasterly along the arc of said curve 594.10 feet through a central angle of  $16^{\circ}53'35''$  the chord of said curve bears North  $10^{\circ}54'16''$  East for a distance of 591.95 feet to the point of tangency; thence North  $02^{\circ}27'28''$  East 805.89 feet; thence North  $15^{\circ}03'11''$  West 307.76 feet; thence North  $06^{\circ}45'25''$  East 185.68 feet to a point on the Easterly Right of Way of Interstate 15; thence along said Easterly Right of Way North  $28^{\circ}34'00''$  East 38.33 feet; thence leaving said Easterly Right of Way South  $72^{\circ}53'53''$  East 1313.40 feet to the Center Section line of Section 24 of said Township 43 South Range 16 West; thence along the Center Section line South  $01^{\circ}16'53''$  West 3951.70 feet to the

South ¼ Corner of Section 24, Township 43 South, Range 16 West Salt Lake Base and Meridian,  
said point also being the point of beginning.

Containing 7,208,826 sq. ft. or 165.49 acres.

Parcel Nos. SG-6-3-24-345, SG-6-3-24-344, SG-6-3-25-412,  
SG-6-3-26-110, SG-5-3-31-433-54

**EXHIBIT B**

**ADDITIONAL PROPERTY**

**(North and East Areas)**

Any real property located in the North Area, East Area, or within ten (10) miles of the perimeter boundary of the real property to be added hereto by Supplement to the Master Declaration as defined in and pursuant to the terms of that certain Development Lease Number 1100 between the State of Utah, acting through the School and Institutional Trust Lands Administration, as "Lessor" and Desert Color St. George, LLC, a Utah limited liability company dated September 11, 2017, and recorded on September 12, 2017, as Document No. 20170036996 in the official records of the Washington County Recorder, State of Utah, as the same may be amended from time to time.