

Notice Page 1 of 3
Gary Christensen Washington County Recorder
12/03/2021 02:21:11 PM Fee \$40.00 By MILLER
HARRISON LLC

WHEN RECORDED RETURN TO:

Desert Color St. George, LLC
730 North 1500 West
Orem, Utah 84058

NOTICE OF REINVESTMENT FEE COVENANT

(Desert Color Resort Phase 5)

Pursuant to Utah Code § 57-1-46(6), the Desert Color Community Master Association, Inc. ("**Association**") hereby provides this Notice of Reinvestment Fee Covenant which burdens all of the real property described in Exhibit A (the "**Burdened Property**"), attached hereto, which is subject to the Amended and Restated Declaration of Covenants, Conditions, Restrictions, Easements, Terms and Reservations for Desert Color Community recorded with the Washington County Recorder on July 29, 2020 as Entry No. 20200039512, and any amendments or supplements thereto (the "**Declaration**").

The Reinvestment Fee Covenant 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 Section 6.15 of the Declaration (as may be amended), unless the transfer falls within an exclusion listed in Utah Code § 57-1-46(8). The amount of the reinvestment fee may be set forth in the rules or through a Board resolution. The Burdened Property is part of a Large Master Planned Development, and the reinvestment fee may be assessed accordingly for such project type.

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 **Desert Color Community** and **Desert Color Resort** plats that:

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

Desert Color Community Master Association, Inc.
205 E. Tabernacle St. Suite 2
St. George, Utah 84770

The address of the beneficiary may change from time to time as updated on the Utah Department of Commerce Homeowner Associations Registry.

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

3. The existence of this Reinvestment Fee Covenant precludes the imposition of

any additional Reinvestment Fee Covenant on the Burdened Property.

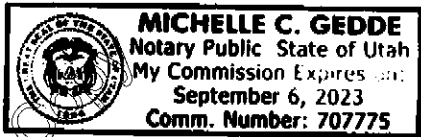
4. The duration of the Reinvestment Fee Covenant is perpetual. The Association's members, by and through a vote as provided for in the amendment provisions of the Declaration, may amend or terminate the Reinvestment Fee Covenant.

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 an environmental covenant; (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 the Reinvestment Fee Covenant is required to benefit the Burdened Property.

IN WITNESS WHEREOF, the Declarant has executed this Notice of Reinvestment Fee Covenant on behalf of the Association on the date set forth below, to be effective upon recording with the Washington County Recorder.

DATED this 3 day of December, 2021



DECLARANT
DESERT COLOR ST. GEORGE, LLC
a Utah limited liability company,

By: [Signature]

Name: Mitchell Damsie

Its: Manager

STATE OF UTAH)
) ss.
COUNTY OF Washington)

On the 3 day of December, 2021, personally appeared before me Mitchell Damsie who by me being duly sworn, did say that she/he is an authorized representative of Desert Color St. George, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

[Signature]
Notary Public

EXHIBIT A
[Legal Description]

All lots within **DESERT COLOR RESORT PHASE 5**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20210068545.

Parcel Numbers: SG-DCR-5-501 through SG-DCR-5-557