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By SOUTHERN UTAH TITLE CO



WHEN RECORDED RETURN TO:

Darin Haskell
IVORY SOUTHERN, LLC
978 E. Woodoak Lane
Salt Lake City, Utah 84117
(801) 747-7030

**SUPPLEMENTAL DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS,
AND RESERVATION OF EASEMENTS
FOR
VILLA HIGHLANDS AT HIDDEN VALLEY PHASE 1**

This Supplemental Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Villa Highlands at Hidden Valley Phase 1, is made and executed by IVORY SOUTHERN, LLC, a Utah limited liability company, of 978 E. Woodoak Lane, Salt Lake City, Utah 84117 (hereinafter referred to as "Declarant").

RECITALS

Whereas, the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Hidden Valley at St. George, a planned mixed use residential development, was recorded in the office of the County Recorder of Washington County, Utah on June 26, 2007 as Entry No. 20070032840 at Pages 1-71 of the Official Records (the "Declaration").

Whereas, the related Final Plat has also been recorded in the office of the County Recorder of Washington County, Utah.

Whereas, under Article II, Section 2.11 and Article XV, Section 15.4 of the Declaration, Declarant reserved the unilateral right to expand the Project to annex additional land, expand the application of and amend the Declaration.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Washington County, Utah and described with particularity on Exhibit "VH-1" attached hereto and incorporated herein by this reference (the "Villa Highlands at Hidden Valley Phase 1 Property").

Whereas, Declarant desires to expand Casitas at Hidden Valley by creating on the Villa Highlands at Hidden Valley Phase 1 Property fifteen (15) additional Lots and other improvements of a less significant nature.

Whereas, Declarant now intends that the Villa Highlands at Hidden Valley Phase 1 Property shall become subject to the Declaration.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Lot Owners thereof, Declarant hereby executes this Supplemental Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Villa Highlands at Hidden Valley Phase 1.

1. **Supplement to Definitions.** Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:

- A. **Supplemental Declaration** shall mean and refer to this Supplemental Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Villa Highlands at Hidden Valley Phase 1.
- D. **The Villa Highlands Phase 1 Map** shall mean and refer to the Final Plat of the Villa Highlands at Hidden Valley Phase 1 of the Project, prepared and certified to by Robert R. Hermandson of Bush and Gudgell, Inc., a duly registered Utah Land Surveyor holding Certificate No. 6362432, and filed for record in the Office of the County Recorder of Washington County, Utah concurrently with the filing of this Supplemental Declaration.
- E. **Subdivision** shall mean and refer to Villa Highlands at Hidden Valley Phase 1, as it may be amended or expanded from time to time.

Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. **Legal Description.** The real property described in Exhibit "VH-1" is hereby submitted to the provisions of the Declaration and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration as it may be supplemented or amended from time to time.

3. **Annexation.** Declarant hereby declares that the Villa Highlands at Hidden Valley Phase 1 Property, consisting of Lot Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 13 and 15 shall be annexed to and become subject to the Declaration, which, upon recordation of this Supplemental Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit "VH-1" subject to the Declaration and the functions, powers, rights, duties and jurisdiction of the Association and the ARC.

4. Description of Property and Total Number of Lots Revised. The Casitas at Hidden Valley currently consists of:

- Phase 1 - 109 Lots

Upon the recordation of the Villa Highlands at Hidden Valley Phase 1 Map and this Supplemental Declaration, the total number of Lots in Casitas at Hidden Valley will be 124.

The additional Lots (and the homes to be constructed therein) are or will be substantially similar in construction, design and quality to the Lots and homes in the prior Phase.

5. Conflict. In the event of any conflict, inconsistency, or incongruity between the provisions of the Declaration and the provisions of this Amendment, the latter shall in all respects govern and control.

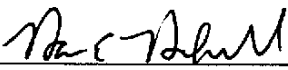
6. Severance. If any provision of this Amendment is held to be illegal, invalid, or unenforceable under any present or future law, then that provision will be fully severable. This Amendment will be construed and enforced as if the illegal, invalid, or unenforceable provision had never comprised a part hereof, and the remaining provisions of this Amendment will remain in full force and effect and will not be affected by the illegal, invalid, or unenforceable provision or by its severance from this Amendment. Furthermore, in lieu of each such illegal, invalid, or unenforceable provision, there will be added automatically, as a part of this Amendment, a provision as similar in terms to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.

7. Incorporation of Declaration. It is the intent of the Declarant that this document is supplemental to the Declaration (as heretofore amended and supplemented), which is by this reference made a part hereof, and all the terms, conditions, and provisions thereof, unless specifically modified herein, are to apply to this document and are made a part of this document as though they were expressly rewritten, incorporated, and included herein.

8. Effective Date. The effective date of this Supplemental Declaration and the Villa Highlands Phase 1 Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Washington County, Utah.

Dated the 12th day of March, 2014.

DEVELOPER:
IVORY SOUTHERN, LLC

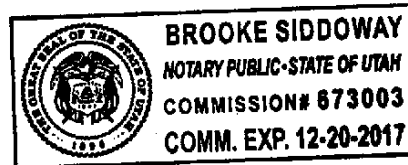
By: 
Name: Dominick E. Harrison
Title: Secretary

ACKNOWLEDGMENT

STATE OF UTAH)
)
) ss:
)
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 12th day of March, 2014 by Dean E Haskell, the ~~President~~ Secretary of IVORY SOUTHERN, LLC, a Utah limited liability company, and said he duly acknowledged to me that said Company executed the same.

Brooke Siddoway
NOTARY PUBLIC



**EXHIBIT "VH-1"
LEGAL DESCRIPTION**

The Property referred to in the foregoing document as the Villa Highlands at Hidden Valley Phase 1 Property is located in Washington County, Utah and is described more particularly as follows:

BEGINNING AT A POINT N 88°51'13" W 948.05 FEET ALONG THE SECTION LINE AND SOUTH 1811.28 FEET FROM THE NORTH QUARTER CORNER OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE SOUTHERLY MOST POINT OF THE ESTATES AT HIDDEN VALLEY PHASE 2 AND ALSO BEING ON THE SOUTHWESTERLY RIGHT-OF-WAY OF ATHENS DRIVE AND RUNNING THENCE N 65°35'28" E 60.01 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY OF SAID ATHENS DRIVE; THENCE S 25°14'42" E 67.85 FEET TO THE POINT OF A 20.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 31.42 FEET THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE S 25°14'42" E 50.00 FEET TO THE POINT OF A 20.00 FOOT NON-TANGENT CURVE TO THE RIGHT WHICH RADIUS BEARS S 25°14'42" E; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 31.42 FEET THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE S 25°14'42" E 98.63 TO THE POINT OF A 280.00 FOOT RADIUS CURVE TO THE LEFT; THENCE 290.85 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 59°30'57"; THENCE S 5°14'21" W 60.00 FEET TO THE POINT OF A 20.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT WHICH RADIUS BEARS S 5°14'21" W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 29.06 FEET THROUGH A CENTRAL ANGLE OF 83°15'04"; THENCE S 11°59'16" W 119.21 FEET; THENCE N 78°00'44" W 120.47 FEET; THENCE N 48°59'57" W 173.25 FEET TO THE POINT OF A 326.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 116.87 FEET THROUGH A CENTRAL ANGLE OF 20°32'26"; THENCE S 61°37'45" W 14.52 FEET; THENCE N 25°46'16" W 41.27 FEET; THENCE N 83°26'49" W 46.90 FEET; THENCE N 71°39'00" W 224.89 FEET TO THE POINT OF A 200.00 FOOT NON-TANGENT CURVE TO THE LEFT WHICH RADIUS BEARS N 49°52'39" W; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 86.85 FEET THROUGH A CENTRAL ANGLE OF 24°52'50"; THENCE N 15°14'31" E 63.21 FEET TO THE POINT OF A 100.00 FEET RADIUS CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 86.42 FEET THROUGH A CENTRAL ANGLE OF 49°30'46"; THENCE N 64°45'18" E 153.85 FEET TO SAID SOUTHWESTERLY RIGHT-OF-WAY OF ATHENS DRIVE; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES; S 32°59'57" E 10.42 FEET; THENCE S 25°14'42" E 39.14 FEET TO THE POINT OF BEGINNING.

CONTAINS 3.8 ACRES OR 166,788 SQ.FT.