



WHEN RECORDED RETURN TO:

Walter J. Plumb
201 South Main Street, Suite 2000
Salt Lake City, Utah 84111

Tax Parcels:

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

**FIFTH AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS
AND PROTECTIVE COVENANTS OF PALISADES AT SNOW CANYON**

This Fifth Amendment to Declaration of Covenants, Conditions, Easements and Protective Covenants of Palisades at Snow Canyon (this "Amendment") is executed by ROCKY CANYON PROPERTIES, LLC, a Utah limited liability company ("Declarant") and PALISADES AT SNOW CANYON, LLC, a Utah limited liability company ("Owner"), pursuant to the Declaration of Covenants, Conditions, Easements and Protective Covenants of Palisades at Snow Canyon described in the recitals.

RECITALS

A. On November 9, 2013, Gardner-Plumb Ivins, L.C., a Utah limited liability company ("Original Declarant") recorded with the Recorder of Washington County, Utah, a Declaration of Covenants, Conditions, Easements and Protective Covenants of Palisades at Snow Canyon as Entry No. 20130043086 (the "Original Declaration").

B. The Original Declaration has been amended as follows (together with the Original Declaration, collectively, the "Declaration"): (i) that certain First Amendment to the Original Declaration recorded on January 21, 2014, as Entry No. 20140001976; (ii) that certain Second Amendment to the Original Declaration recorded on September 26, 2014, as Entry No. 20140029492; (iii) that certain Third Amendment to the Original Declaration recorded on April 22, 2015, as Entry No. 20150013381; and (iv) that certain Fourth Amendment to the Original Declaration recorded on March 12, 2020, as Entry No. 20200012560.

C. As of the date hereof, the Declaration covers the real property described on Exhibit "A" attached hereto (the "Project").

D. On February 27, 2019, Original Declarant recorded an Assignment of Declarant Rights Under Declaration of Covenants and Easements for the Palisades at Snow Canyon, as Entry No. 20190007298, pursuant to which Original Declarant assigned and transferred all of Original Declarant's rights and obligations as "Declarant" under the Declaration to Declarant.

E. Pursuant to Article 12 of the Declaration, Declarant has the right to expand the Project without the prior consent of any other Person.

F. Declarant desires to expand the Project by adding the additional real property described on Exhibit "B" attached hereto and incorporated herein by this reference (the "Additional Land") which is owned by Owner.

NOW THEREFORE, Declarant hereby amends the Declaration as follows:

AMENDMENT

1. **Recitals; Defined Terms.** The above recitals are incorporated into and made a part of this Amendment. Capitalized terms used without definition in this Amendment shall have the meanings assigned to such terms in the Declaration.

2. **Incorporation of Additional Land.** The Additional Land is hereby added to and made a part of the Project. From and after the date hereof, the Additional Land shall be subject to, and governed by, the Declaration in all respects. All subdivided lots of the Additional Land shall constitute Lots under the Declaration.

3. **Consent by Owner.** Owner hereby consents to the incorporation of the Additional Land under the Declaration on the terms set forth herein.

4. **Miscellaneous.** Except as hereby amended, the Declaration shall in all other particular terms and conditions remain in full force and effect. In the event of any inconsistency between the terms and conditions set forth in the Declaration and this Amendment, the terms and conditions of this Amendment shall prevail. This Amendment may be executed in any number of separate counterparts, each of which when so executed and delivered shall be deemed original, but all such counterparts together shall constitute but one and the same instrument.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Declarant has executed this Fifth Amendment to Declaration of Covenants, Conditions, Easements and Protective Covenants of Palisades at Snow Canyon as of March 19, 2021.

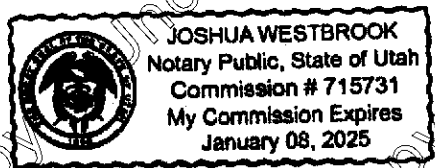
ROCKY CANYON PROPERTIES, LLC,
a Utah limited liability company

By: [Signature]
Name: Justin Aucoin
Title: Manager

STATE OF UTAH)
) : ss.
COUNTY OF Washington)

The foregoing instrument was acknowledged before me this 19 day of March, 2021, by Justin Aucoin, the Manager of Rocky Canyon Properties, LLC, for and on behalf of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Seal]

[Signature]
NOTARY PUBLIC

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Owner has executed this Fifth Amendment to Declaration of Covenants, Conditions, Easements and Protective Covenants of Palisades at Snow Canyon as of March 19, 2021.

PALISADES AT SNOW CANYON, LLC,
a Utah limited liability company, by its Managers

GARDNER-PLUMB, L.C.,
a Utah limited liability company

By: _____
Name: _____
Title: Manager

ROCKY CANYON PROPERTIES, LLC
a Utah limited liability company

By: [Signature]
Name: Justin Aucoin
Title: Manager

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

The foregoing instrument was acknowledged before me this _____ day of _____, 2021, by _____, a manager of Gardner Plumb, L.C., a manager of PALISADES AT SNOW CANYON, LLC, a Utah limited liability company, for and on behalf of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

NOTARY PUBLIC

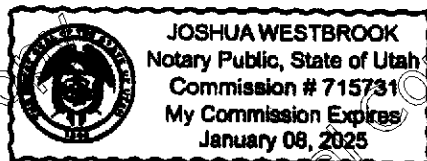
[Seal]

STATE OF UTAH)
)
) : ss.
)
COUNTY OF Washington)

The foregoing instrument was acknowledged before me this 19 day of March, 2021, by Justin Aucoin the Manager of Rocky Canyon Properties, LLC, a manager of SNOW CANYON, LLC, a Utah limited liability company, for and on behalf of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Seal]



NOTARY PUBLIC

IN WITNESS WHEREOF, Owner has executed this Fifth Amendment to Declaration of Covenants, Conditions, Easements and Protective Covenants of Palisades at Snow Canyon as of March 19, 2021.

PALISADES AT SNOW CANYON, LLC,
a Utah limited liability company, by its Managers

GARDNER-PLUMB, L.C.,
a Utah limited liability company

By: Walter J Plumb III
Name: Walter J Plumb
Title: Manager

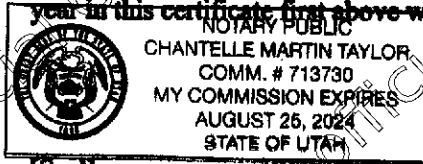
ROCKY CANYON PROPERTIES, LLC
a Utah limited liability company

By: Justin Ascoin
Name: Justin Ascoin
Title: Manager

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

The foregoing instrument was acknowledged before me this 19th day of March, 2021, by Walter J Plumb III, a manager of Gardner Plumb, L.C., a manager of PALISADES AT SNOW CANYON, LLC, a Utah limited liability company, for and on behalf of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Chantelle Martin Taylor
NOTARY PUBLIC

[Seal]
STATE OF UTAH)
)
COUNTY OF Washington) : ss.

The foregoing instrument was acknowledged before me this 19 day of March, 2021, by Justin Ascoin the Manager of Rocky Canyon Properties, LLC, a manager of SNOW CANYON, LLC, a Utah limited liability company, for and on behalf of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Joshua Westbrook
NOTARY PUBLIC

EXHIBIT "A"

Legal Description of Project

Palisades at Snow Canyon Phase 1 2nd Amended, more particularly described as:

Lots 101 through 126, together with all Common Area, the Palisades at Snow Canyon Phase 1 2nd Amended, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSC-1-101 through I-PSC-1-126

Amended Lot 108, the Palisades at Snow Canyon Phase 1 Second Amended; more particularly described as:

Lot 108, of the Amended Lot 108 the Palisades at Snow Canyon Phase 1 Second Amended Subdivision, according to the Official Plat thereof on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No: I-PSCA-1-108

Palisades at Snow Canyon Phase 2 Amended and Extended, more particularly described as:

Lots 320 through 348 and Lots 357, 358, and 363 through 367, together with all Common Area, the Palisades at Snow Canyon Phase 2 Amended and Extended, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSC-2-320 through I-PSC-2-348; I-PSC-2-357, I-PSC-2-358 and I-PSC-2-363 through I-PSC-2-367

Palisades at Snow Canyon Phase 3, more particularly described as:

Lots 301, 349, 350 and 351, together with all Common Area, Palisades at Snow Canyon Phase 3, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSC-3-349, I-PSC-3-349 through I-PSC-3-351

Palisades at Snow Canyon Phase 4, more particularly described as:

Lots 302 through 310, together with all Common Area, Palisades at Snow Canyon Phase 4, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSC-4-302 through I-PSC-4-310

Palisades at Snow Canyon Phase 5, more particularly described as:

Lots 311 through 319; Lots 353 through 356 and Lots 359 through 362, together with all Common Area, Palisades at Snow Canyon Phase 5, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSC-5-311 through I-PSC-5-319; I-PSC-5-353 through I-PSC-5-356 and I-PSC-5-359 through I-PSC-5-362

Palisades at Snow Canyon Phase 6 Amended, more particularly described as:

Lots 201 through 207; Lots 210 through 220; and Lots 222, 224 and 226, together with all Common Area, Palisades at Snow Canyon Phase 6, Amended, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSC-6-201 through I-PSC-6-207; I-PSC-6-210 through I-PSC-6-220; I-PSC-6-222; I-PSC-6-224 and I-PSC-6-226

The Palisades at Snow Canyon Phase 6 Amended Lot 208 Amended, more particularly described as:

Lot 208, the Palisades at Snow Canyon Phase 6 Amended, Lot 208 Amended, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSCB-6-208

EXHIBIT "B"

Legal Description of Additional Land

Palisades at Snow Canyon Phase 8, more particularly described as:

Lots 1 through 31 and Lot AM, together with all Common Area, the Palisades at Snow Canyon Phase 8, according to the Official Plat thereof, on file in the office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSC-8-1 through I-PSC-8-31; I-PSC-8-AM