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Gary Christensen Washington County Recorder
12/16/2021 03:27:52 PM Fee \$40.00 By MILLER
HARRISON LLCWHEN RECORDED RETURN TO:Desert Color St. George, LLC
730 North 1500 West
Orem, Utah 84058

NOTICE OF REINVESTMENT FEE COVENANT(Auburn Hills Phase 18A Condominiums)

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 Association 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, including amounts the Association authorizes to be paid to or used by the Auburn Hills at Desert Color Condominiums Neighborhood Association in order to benefit the Burdened Property.

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 **Auburn Hills at Desert Color Condominiums** 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 16 day of December, 2021.



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

By: [Signature]

Name: Mitchell Dansie

Its: Manager

STATE OF UTAH)
) ss.
COUNTY OF Washington)

On the 16 day of December, 2021, personally appeared before me Mitchell Dansie 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
SUBJECT PROPERTY
(Legal Description)

All of **AUBURN HILLS PHASE 18A CONDOMINIUMS**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20210078824.

Including Units: 2101 through 2304

Parcel Numbers: **SG-AUBC-18A-2101-2102; SG-AUBC-18A-2201-2204; SG-AUBC-18A-2301-2304** and **Common Area Parcels**

More particularly described as:

BEGINNING AT A POINT THAT LIES NORTH 88°50'55" WEST ALONG THE SECTION LINE 832.75 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 25, TOWNSHIP 43 SOUTH RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 22°46'27" EAST 0.99 FEET; THENCE SOUTH 67°14'26" WEST 85.08 FEET; THENCE NORTH 24°21'17" WEST 185.92 FEET; THENCE NORTH 86°10'36" WEST 19.52 FEET; THENCE NORTHWESTERLY ALONG A 20.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 47°41'13" WEST A DISTANCE OF 24.90 FEET), CENTER POINT LIES SOUTH 80°48'11" WEST THROUGH A CENTRAL ANGLE OF 76°58'47", A DISTANCE OF 26.87 FEET; THENCE NORTH 86°10'36" WEST 59.08 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF GARNET DRIVE; THENCE NORTH 03°49'24" EAST ALONG SAID LINE 25.00 FEET; THENCE SOUTH 86°10'36" EAST 59.08 FEET; THENCE NORTHEASTERLY ALONG A 20.00 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 48°49'24" EAST A DISTANCE OF 28.28 FEET), CENTER POINT LIES NORTH 03°49'24" EAST THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET; THENCE NORTH 03°49'24" EAST 31.48 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SCARLET HILL DRIVE; THENCE ALONG SAID LINE THE FOLLOWING TWO (2) COURSES: 1) SOUTH 86°10'36" EAST 107.92 FEET AND 2) NORTH 03°49'24" EAST 11.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF CARNELIAN PARKWAY; THENCE ALONG SAID LINE THE FOLLOWING TWO COURSES: 1) SOUTHEASTERLY ALONG A 26.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (LONG CHORD BEARS SOUTH 41°10'36" EAST A DISTANCE OF 36.77 FEET), CENTER POINT LIES SOUTH 03°49'24" WEST THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 40.84 FEET AND 2) SOUTH 03°49'24" WEST 147.25 FEET; THENCE NORTH 86°10'37" WEST 108.92 FEET; THENCE SOUTH 03°49'24" WEST 155.42 FEET; THENCE SOUTHERLY ALONG A 50.00 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS SOUTH 09°55'56" EAST A DISTANCE OF 24.34 FEET), CENTER POINT LIES SOUTH 86°10'36" EAST THROUGH A CENTRAL ANGLE OF 28°10'40", A DISTANCE OF 24.59 FEET; THENCE SOUTH 24°21'17" EAST 173.28 FEET; THENCE EASTERLY ALONG A 10.00 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS SOUTH 88°33'52" EAST A DISTANCE OF 13.95 FEET), CENTER POINT LIES NORTH 65°38'43" EAST THROUGH A CENTRAL ANGLE OF 88°25'11", A DISTANCE OF 15.43 FEET; THENCE NORTH 67°13'33" EAST 51.04 FEET; THENCE SOUTH 22°46'27" EAST 24.05 FEET, TO THE POINT OF BEGINNING.

CONTAINING 35,761 SQUARE FEET OR 0.82 ACRES.