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DOC # 20220051861

Restrictive Page 1 of 9
Gary Christensen Washington County Recorder
12/02/2022 01:13:11 PM Fee \$ 40.00
By VISIONARY HOMES 2022



WHEN RECORDED RETURN TO:
50 E 2500 N Ste. 101,
North Logan, UT 84341

Recorded against the property
Described in Exhibit A

**SUPPLEMENTAL DECLARATION TO THE DECLARATION OF
CONDOMINIUM
FOR
AUBURN HILLS AT DESERT COLOR CONDOMINIUMS**

This Supplemental Declaration to the Declaration of Condominium for Auburn Hills at Desert Color Condominiums (“Supplemental Declaration”) is executed and adopted by Visionary Homes 2022, LLC, a Utah limited liability company (“Declarant”).

RECITALS

- A. This Supplemental Declaration shall amend and supplement the Declaration of Condominium for Auburn Hills at Desert Color Condominiums recorded with the Washington County Recorder’s Office on December 14, 2021 as Entry No. 20210078825 (“Declaration”).
- B. Visionary Homes 2022, LLC is the Declarant as identified and set forth in the Declaration.
- C. Visionary Desert Color Condominiums, LLC is the owner of the Subject Property and consents to subjecting this real property to the terms and conditions set forth herein.
- D. Under the terms of the Declaration, Declarant reserved the unilateral right to add or define additional rights and use restrictions for portions of Additional Land without the requirement of Owner vote or consent.
- E. Declarant desires to confirm that the subject property as set forth herein, is subject to the terms, covenants and restrictions contained in the Declaration and as hereinafter provided for.
- F. Capitalized terms shall have the same meaning as set forth in the Declaration.

NOW THEREFORE, in consideration of the recitals set forth above, the Declarant hereby declares and certifies as follows:

1. Submission. Declarant hereby confirms that all of the real property identified on Exhibit B attached hereto, together with (i) all buildings, improvements, and structures situated on or comprising a part of the above-described real property, whether now existing or hereafter constructed; (ii) all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying said real property; and (iii) all articles of personal property intended for use in connection therewith (collectively referred to herein as the "Subject Property") is subject to the Declaration. The Subject Property shall hereinafter be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration, this Supplemental Declaration, and all supplements and amendments thereto.
2. Plat. The real property described in paragraph 1, and the improvements thereon, all of which are submitted to the terms and conditions of this Supplemental Declaration, are more particularly set forth in the plat recorded herewith, which plat is recorded in the office of the Washington County Recorder and incorporated herein.
3. Membership. The Owner of each Unit within the Subject Property shall be a member of the Auburn Hills at Desert Color Condominiums ("Neighborhood Association") and shall be entitled to all benefits and voting rights of such membership and shall be subject to the Declaration, as may be amended from time to time. Each owner of each Unit within the Subject Property shall also be a member of the Desert Color Community Master Association, Inc. ("Master Association"), and shall be entitled to all benefits and voting rights of such membership and shall be 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's Office on July 29, 2020 as Entry No. 20200039512 ("Master Declaration"), as may be amended from time to time. The terms of the Declaration shall be subordinate to the terms of the Master Declaration.
4. Allocated Interest. Upon recording of this Supplemental Declaration, the Project will consist of a total of 50 Units. **Exhibit C to the Declaration is hereby supplemented and amended to provide that each Unit within the Project shall now have an equal Allocated Interest equivalent to a 1/50th fractional amount.**
5. Assessments. Each Unit within the Subject Property shall be liable for all Assessments levied by the Neighborhood Association as permitted under the Declaration. Each Unit within the Subject Property shall also be liable for all Assessments levied by the Master Association as permitted under the Master Declaration.
6. Maintenance Allocations. Unit Owners are subject to the maintenance requirements set forth in Article 8 and Exhibit E of the Declaration. Unit Owners shall also be subject to the general maintenance allocations set forth in the Master Declaration for

Units within the Residential Areas if such maintenance responsibilities are not otherwise assigned in the Declaration.

- 7. Common Area. Certain Common Areas, Limited Common Areas, open spaces, civic spaces, and private streets shall be owned by the Master Association as indicated on the plat, and the cost to maintain such facilities may be borne solely by Units within the Neighborhood Association, or by all of the Lots, Units, or Parcels within the entire Desert Color Community as set forth in a Neighborhood Notice, the Master Declaration, or any supplement or amendment thereto. The costs to maintain those Common Areas and Limited Common Areas owned by the Neighborhood Association and/or Owners shall be allocated to Units pursuant to the Declaration.
- 8. Reservation of Declarant's Rights. Pursuant to the Declaration and Master Declaration, all rights concerning the Project reserved to Declarant and/or master Declarant as set forth in the Declaration and/or Master Declaration are hereby incorporated and reserved to Declarant and/or master Declarant with respect to the Subject Property. The exercise of Declarant's and/or master Declarant's rights concerning such Subject Property shall be governed by the terms, provisions and limitations set forth in the Declaration and/or Master Declaration.
- 9. Effective Date. This Supplemental Declaration shall take effect upon being recorded with the Washington County Recorder.

IN WITNESS WHEREOF, the undersigned, acting as Declarant, hereby adopts and consents to the terms of this Supplemental Declaration this 21 day of November, 2022.

DECLARANT
VISIONARY HOMES 2022, LLC
a Utah limited Liability Company

By: Reed Scow
Name: Reed Scow
Its Manager/Authorized Representative

STATE OF UTAH)
) ss
COUNTY OF CACHE)

On the 21 day of November, 2022 personally appeared before me Reed Scow who by me begin duly sworn, did say that he/she is an authorized representative of Visionary Homes 2022, LLC, and/or in the capacity as the Manager/Authorized Representative of Visionary Homes 2022, LLC and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

IN WITNESS WHEREOF, the undersigned consents to subjecting the Subject Property to the terms of the Declaration this 21 day of Nov, 2022.

OWNER
VISIONARY DESERT COLOR CONDOMINIUMS, LLC
a Utah Limited Liability Company

By: [Signature]
Name: JEFF JACKSON
Its: Manager/Authorized Representative

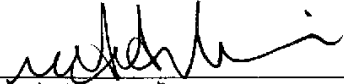
STATE OF UTAH)
Cache) ss
COUNTY OF WASHINGTON)

On the 21 day of Nov, 2022 personally appeared before me Jeffrey Jackson who by me begin duly sworn, did say that he/she is the Manager and/or Authorized Representative of Visionary Desert Color Condominiums, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.



APPROVED AS TO FORM AND CONTENT by DESERT COLOR ST. GEORGE, LLC

DESERT COLOR ST. GEORGE, LLC
a Utah Limited Liability Company

By: 
Name: Mitchell Damsie
Its: Manager/Authorized Representative

STATE OF UTAH)
) ss
COUNTY OF WASHINGTON)



On the 1 day of December, 2022 personally appeared before me Mitchell Damsie who by me begin duly sworn, did say that he/she is an authorized representative of Desert Color St. George, LLC, and/or in the capacity as its Manager, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.



EXHIBIT A
(Legal Description)

Auburn Hills Phase 18A Condominiums Legal Description
Units 2101, 2102, 2201, 2202, 2203, 2204, 2301, 2302, 2303, 2304

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 311.48 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 10°15'56" 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 68°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 33,761 SQUARE FEET OR 0.82 ACRES.

Auburn Hills Phase 18B Condominiums Legal Description
Units 1101, 1102, 1201, 1202, 1203, 1204, 1301, 1302, 1303, 1304

Beginning at a point that lies North 88°50'55" West along the section line 1070.74 feet and due North 357.04 feet, from the South Quarter Corner of Section 25, Township 43 South, Range 16 West, Salt Lake Base and Meridian, said point being on the east right of way line of Garnet Drive, and running thence along said line the following two (2) courses: 1) North 03°49'24" East 141.75 feet and 2) northeasterly along a 10.00 foot radius curve to the right, (long chord bears North 48°49'24" East a distance of 14.14 feet), center point lies South 86°10'36" East through a central angle of 90°00'00", a distance of 15.71 feet to a point on the south right of way line of Scarlet Hill Drive; thence South 86°10'36" East along said line 69.08 feet to a point on the west boundary line of Auburn Hills Phase 18A Condominiums, Doc. No. 20210078824, Official Records, Washington County, Utah; thence South 03°49'24" West along said line 151.75 feet; thence North 86°10'36" West 79.08 feet, to the point of beginning.

Containing 11,979 square feet or 0.28 acres.

Auburn Hills Phase 18C Condominiums Legal Description
3101, 3102, 3201, 3202, 3203, 3204, 3301, 3302, 3303, 3304

BEGINNING AT A POINT THAT LIES ON THE EASTERLY RIGHT OF WAY LINE OF GARNETT DRIVE, SAID POINT ALSO LIES NORTH 88°50'55" WEST 1,082.72 FEET AND NORTH 177.47 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE NORTH 03°49'24" EAST ALONG SAID EASTERLY LINE 179.73

FEET TO THE SOUTH LINE OF AUBURN HILLS PHASE 18B CONDOMINIUMS AS ON FILE IN THE WASHINGTON COUNTY RECORDER'S OFFICE; THENCE SOUTH 86°10'36" EAST ALONG SAID SOUTH LINE 79.08 FEET TO THE WESTERLY LINE OF AUBURN HILLS PHASE 18A CONDOMINIUMS AS ON FILE IN WASHINGTON COUNTY RECORDER'S OFFICE; THENCE ALONG SAID WEST LINE THE FOLLOWING THREE (3) COURSES: 1) SOUTH 03°49'24" WEST 159.73 FEET, 2) SOUTHWESTERLY ALONG A 20.00 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS SOUTH 48°49'24" WEST 28.28 FEET, CENTER POINT LIES NORTH 86°10'36" WEST) THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET AND 3) NORTH 86°10'36" WEST 59.08 FEET TO THE POINT OF BEGINNING.

CONTAINING 14,128 SQUARE FEET OR 0.32 ACRES

Auburn Hills Phase 18D Condominiums Legal Description
4101, 4102, 4201, 4202, 4203, 4204, 4301, 4302, 4303, 4304

Beginning at a point that is on the West Right of Way Line of Carnelian Parkway, said point lies North 88°50'55" West 855.22 feet along the Section Line and North 201.90 feet, from the South Quarter Corner of Section 25, Township 43 South, Range 16 West, Salt Lake Base and Meridian; Running thence North 86°10'36" West 121.54 feet to the Easterly Line of Auburn Hills Phase 18A Condominiums, as on file in the Office of the Washington County Recorder as Entry No. 20210078824; thence North 03°49'24" East along said easterly line 134.25 feet; thence South 86°10'37" East along said easterly Line 108.92 feet to the West Right of Way Line of said Carnelian Parkway; thence South 03°49'24" West along said West Right of Way Line 4.23 feet; thence southerly along said West Right of Way Line and a 676.00 foot radius curve to the left, (long chord bears South 01°43'16" East 130.63 feet, center point lies South 86°10'36" East) through a central angle of 11°05'20", a distance of 130.83 feet to the point of beginning.

Containing 15,167 square feet or 0.35 acres.

Auburn Hills Phase 18E Condominiums Legal Description
5101, 5102, 5201, 5202, 5203, 5204, 5301, 5302, 5303, 5304

Beginning at a point that is on the South Section Line of Section 25, said point is also on the Southwesterly Line of Auburn Hills Phase 18A Condominiums, as on file in the Office of the Washington County Recorder as Entry No. 20210078824, said point lies North 88°50'55" West 927.02 feet along the Section Line from the South Quarter Corner of Section 25, Township 43 South, Range 16 West, Salt Lake Base and Meridian; Running thence South 24°21'17" East along said Line 39.21 feet; thence South 67°14'26" West 44.99 feet; thence southerly along a 20.00 foot radius curve to the left, (long chord bears South 22°13'59" West 28.29 feet, center point lies South 22°45'34" East) through a central angle of 90°00'53", a distance of 31.42 feet; thence South 22°46'27" East 59.67 feet to the Northerly line of Fire Sky Drive; thence South

67°13'33" West along said Northerly Line 25.00 feet; thence North 22°46'27" West 126.64 feet; thence northerly along a 50.00 foot radius curve to the right, (long chord bears North 09°28'32" West 23.00 feet, center point lies North 67°13'33" East) through a central angle of 26°35'51", a distance of 23.21 feet; thence North 03°49'24" East 6.34 feet to the South Section Line of Said Section 25; thence North 03°49'24" East 1.05 feet; thence North 86°10'36" West 79.08 feet to the Easterly Line of Garnett Drive; thence North 03°49'24" East along said East Line 147.89 feet to said Southwesterly Line of said Auburn Hills Phase 18A Condominiums; thence along said Southwesterly Line the following four (4) courses: 1) South 86°10'36" East 59.08 feet, 2) southeasterly along a 20.00 foot radius curve to the right, (long chord bears South 47°41'13" East 24.90 feet, center point lies South 03°49'24" West) through a central angle of 76°58'47", a distance of 26.87 feet, 3) South 86°10'36" East 19.52 feet and 4) South 24°21'17" East 146.71 feet to the point of beginning.

Containing 25,976 square feet or 0.60 acres.

EXHIBIT B
(Legal Description of the Subject Property)

Auburn Hills Phase 18E Condominiums Legal Description
5101, 5102, 5201, 5202, 5203, 5204, 5301, 5302, 5303, 5304

Beginning at a point that is on the South Section Line of Section 25, said point is also on the Southwesterly Line of Auburn Hills Phase 18A Condominiums, as on file in the Office of the Washington County Recorder as Entry No. 20210078824, said point lies North 88°50'55" West 927.02 feet along the Section Line from the South Quarter Corner of Section 25, Township 43 South, Range 16 West, Salt Lake Base and Meridian; Running thence South 24°21'17" East along said Line 39.21 feet; thence South 67°14'26" West 44.99 feet; thence southerly along a 20.00 foot radius curve to the left, (long chord bears South 22°13'59" West 28.29 feet, center point lies South 22°45'34" East) through a central angle of 90°00'53", a distance of 31.42 feet; thence South 22°46'27" East 59.67 feet to the Northerly line of Fire Sky Drive; thence South 67°13'33" West along said Northerly Line 25.00 feet; thence North 22°46'27" West 126.64 feet; thence northerly along a 50.00 foot radius curve to the right, (long chord bears North 09°28'32" West 23.00 feet, center point lies North 67°13'33" East) through a central angle of 26°35'51", a distance of 23.21 feet; thence North 03°49'24" East 6.34 feet to the South Section Line of Said Section 25; thence North 03°49'24" East 1.05 feet; thence North 86°10'36" West 79.08 feet to the Easterly Line of Garnett Drive; thence North 03°49'24" East along said East Line 147.89 feet to said Southwesterly Line of said Auburn Hills Phase 18A Condominiums; thence along said Southwesterly Line the following four (4) courses: 1) South 86°10'36" East 59.08 feet, 2) southeasterly along a 20.00 foot radius curve to the right, (long chord bears South 47°41'13" East 24.90 feet, center point lies South 03°49'24" West) through a central angle of 76°58'47", a distance of 26.87 feet, 3) South 86°10'36" East 19.52 feet and 4) South 24°21'17" East 146.71 feet to the point of beginning.

Containing 25,976 square feet or 0.60 acres.