

19

DOC # 20230016129

Amended Restrictive Covenants Page 1 of 7
Gary Christensen Washington County Recorder
06/01/2023 04:35:56 PM Fee \$ 58.00
By JENKINS & BAGLEY



Recorded at the request of:
Sky Mountain Homeowners Association, Inc.

**Record against the Property
described in Exhibit A**

After Recording mail to:
JENKINS BAGLEY SPERRY, PLLC
Attn: Bruce C. Jenkins
285 W. Tabernacle, Ste 301
St. George, UT 84770

**AFFIDAVIT OF CORRECTION
(SECOND AMENDED AND RESTATED MASTER DECLARATION)**

I, Bruce W. Scott, the undersigned, having been duly sworn, hereby aver as follows:

1. Document No. 20230010570, recorded on April 17, 2023, in the records of the Washington County Recorder, State of Utah, is the Second Amended and Restated Master Declaration of Covenants, Conditions, and Restrictions for the Sky Mountain Project, a Planned Community (“Second Amended and Restated Master Declaration”), that I signed on or about April 4, 2023.

2. The Second Amended and Restated Master Declaration contains a clerical error in that Sky Mountain Golf Estates was included in the legal description. The following portion of the legal description should not have been included:

Sky Mountain Golf Estates:

All of Lots 1 through 55, together with all Common Area, Sky Mountain Golf Est 1 Amd (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-1-1-RD2 through H-SMGE-1-55-RD2

All of Lots 93 through 99, Lot 100-A, Lots 101 through 111, Lots 114 through 121, and Lot 143, together with all Common Area, Sky Mountain Golf Est Map 3 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGEM-3-93-RD2 through H-SMGEM-3-99-RD2

PARCEL: H-SMGEM-3-100-A-RD2

PARCEL: H-SMGEM-3-101-RD2 through H-SMGEM-3-111-RD2

PARCEL: H-SMGEM-3-114-RD2 through H-SMGEM-3-121-RD2

PARCEL: H-SMGEM-3-143-RD2

All of Lot 122 and Lots 144 through 154, together with all Common Area, Sky Mountain Golf Est 4 (H), according to the Official Plat thereof, on file in the

Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-4-122-RD2

PARCEL: H-SMGE-4-144-RD2 through H-SMGE-4-154-RD2

All of Lots 155 through 163 and Lots 165 through 166, together with all Common Area, Sky Mountain Golf Est 5 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-5-155-RD2 through H-SMGE-5-163-RD2

PARCEL: H-SMGE-5-165-RD2 through H-SMGE-5-166-RD2

All of Lots 167 through 174, Lot 176, and Lots 189 through 198, together with all Common Area, Sky Mountain Golf Est 6 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-6-167-RD2 through H-SMGE-6-174-RD2

PARCEL: H-SMGE-6-176-RD2

PARCEL: H-SMGE-6-189-RD2 through H-SMGE-6-198-RD2

All of Lots 176 through 180, Lots 181-A through 182-A, and Lots 183 through 184, together with all Common Area, Sky Mountain Golf Est 7 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-7-176-RD2 through H-SMGE-7-180-RD2

PARCEL: H-SMGE-7-181-A-RD2 through H-SMGE-7-182-A-RD2

PARCEL: H-SMGE-7-183-RD2 through H-SMGE-7-184-RD2

All of Lots 185 through 188 and Lots 199 through 200, together with all Common Area, Sky Mountain Golf Est 8 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-8-185-RD2 through H-SMGE-8-188-RD2

PARCEL: H-SMGE-8-199-RD2 through H-SMGE-8-200-RD2

All of Lots 201 through 221, together with all Common Area, Sky Mountain Golf Est 9 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-9-201-RD2 through H-SMGE-9-221-RD2

All of Lots 222 through 228, together with all Common Area, Sky Mountain Golf Est 10 Amd (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-10-222-RD2 through H-SMGE-10-228-RD2

3. The error in the legal description attached to the Second Amended and Restated Master Declaration was made out of inadvertence and is of a clerical nature.

4. The typographical and clerical errors described herein can be corrected through this Affidavit of Correction, pursuant to Utah Code § 57-3-106(9).

NOW THEREFORE, be it hereby known that the legal description contained in the Second Amended and Restated Master Declaration is hereby corrected and does not include Sky Mountain Golf Estates.

This Affidavit of Correction refers to the Second Amended and Restated Master Declaration and relates to the property described in Exhibit A.

[SIGNATURES ON FOLLOWING PAGE]

Exhibit A
(Legal Description)

This Affidavit of Correction (Second Amended and Restated Master Declaration), affects the following real property, all located in Washington County, State of Utah:

Clubhouse Series at Sky Mountain:

All of Phase 1A Amd, together with all Common Area, Clubhouse Series at Sky Mountain 1A Amd (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-CSSM-1A-1-A-RD2
PARCEL: H-CSSM-1A-2-RD2 through H-CSSM-1A-6-RD2
PARCEL: H-CSSM-1A-7-A-RD2 through H-CSSM-1A-8-A-RD2
PARCEL: H-CSSM-1A-9-RD2 through H-CSSM-1A-13-RD2
PARCEL: H-CSSM-1A-14-A-RD2 through H-CSSM-1A-15-A-RD2
PARCEL: H-CSSM-1A-16-RD2 through H-CSSM-1A-19-RD2
PARCEL: H-CSSM-1A-20-A-RD2 through H-CSSM-1A-21-A-RD2
PARCEL: H-CSSM-1A-22-RD2 through H-CSSM-1A-31-RD2
PARCEL: H-CSSM-1A-A-1-RD2

All of Phase 2, together with all Common Area, Clubhouse Series at Sky Mountain 2 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-CSSM-2-32-RD2 through H-CSSM-2-38-RD2

Courtyard Townhomes at Sky Mountain:

All of Phase 1B Amd, together with all Common Area, Courtyard TH at Sky Mountain 1B Amd (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-CTSM-1B-1A-RD2 through H-CTSM-1B-30A-RD2

Sky Mountain Golf Estates:

All of Phase 1 Amd, together with all Common Area, Sky Mountain Golf Est 1 Amd (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-1-1-RD2 through H-SMGE-1-55-RD2

All of Phase 3, together with all Common Area, Sky Mountain Golf Est Map 3 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County,

State of Utah.

PARCEL: H-SMGEM-3-93-RD2 through H-SMGEM-3-99-RD2
PARCEL: H-SMGEM-3-100-A-RD2
PARCEL: H-SMGEM-3-101-RD2 through H-SMGEM-3-111-RD2
PARCEL: H-SMGEM-3-114-RD2 through H-SMGEM-3-121-RD2
PARCEL: H-SMGEM-3-143-RD2

All of Phase 4, together with all Common Area, Sky Mountain Golf Est 4 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-4-122-RD2
PARCEL: H-SMGE-4-144-RD2 through H-SMGE-4-154-RD2

All of Phase 5, together with all Common Area, Sky Mountain Golf Est 5 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-5-155-RD2 through H-SMGE-5-163-RD2
PARCEL: H-SMGE-5-165-RD2 through H-SMGE-5-166-RD2

All of Phase 6, together with all Common Area, Sky Mountain Golf Est 6 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-6-167-RD2 through H-SMGE-6-174-RD2
PARCEL: H-SMGE-6-176-RD2
PARCEL: H-SMGE-6-189-RD2 through H-SMGE-6-198-RD2

All of Phase 7, together with all Common Area, Sky Mountain Golf Est 7 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-7-176-RD2 through H-SMGE-7-180-RD2
PARCEL: H-SMGE-7-181-A-RD2 through H-SMGE-7-182-A-RD2
PARCEL: H-SMGE-7-183-RD2 through H-SMGE-7-184-RD2

All of Phase 8, together with all Common Area, Sky Mountain Golf Est 8 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-8-185-RD2 through H-SMGE-8-188-RD2
PARCEL: H-SMGE-8-199-RD2 through H-SMGE-8-200-RD2

All of Phase 9, together with all Common Area, Sky Mountain Golf Est 9 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-9-201-RD2 through H-SMGE-9-221-RD2

All of Phase 10 Amd, together with all Common Area, Sky Mountain Golf Est 10 Amd (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-SMGE-10-222-RD2 through H-SMGE-10-228-RD2