

DOC # 20230038646

Amended Restrictive Covenants  
Gary Christensen Washington County Recorder  
12/29/2023 11:36:58 AM Fee \$ 40.00  
By CSB DEVELOPMENT, HH, LLC

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Recorded at the request of:  
CSB Development HH, LLC  
765 South Skylake Drive  
Woodland Hills, UT 84653



**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

**FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS,  
AND RESTRICTIONS FOR HURRICANE HEIGHTS TOWNHOMES**

As more particularly stated herein, this First Amendment to the Declaration of Covenants, Conditions, and Restrictions for Hurricane Heights Townhomes (hereinafter "Amendment"), amends the following:

- (i) The *Declaration of Covenants, Conditions, and Restrictions for Hurricane Heights Townhomes*, recorded in the Office of the Washington County Recorder on July 6, 2020, as Document Number 20200034126; and
- (ii) any and all supplements or amendments to the Declaration prior to the date of this Amendment, whether or not such were recorded in the records of the Washington County Recorder (the foregoing are collectively referred to herein as the "Declaration").

This Amendment is undertaken pursuant to Article 12, Section 1.3 of the Declaration which provides that the Declaration may be amended unilaterally by the Declarant as long as the Declarant owns any Lot. This Amendment shall take effect upon the date it is recorded in the records of the Washington County Recorder (the "Amendment Date"). All of the Property known as "Hurricane Heights Townhomes – Phase 1", "Hurricane Heights Townhomes – Phase 2", "Hurricane Heights Townhomes – Phase 3", and "Hurricane Heights Townhomes – Phase 4" (each described in Exhibit A attached hereto and made a part hereof) shall be held, sold, and conveyed subject to the Declaration as amended by this Amendment.

**Article 1, Sections 1.1, 1.2, 1.4, 1.14, and 1.19**

The following amends, wholly replaces, and substitutes for Sections 1.1, 1.2, 1.4, 1.14, and 1.19 of Article 1 in the Declaration, and all other terms of the Declaration and other governing documents that do not contradict the terms of this Amendment shall remain in full force and effect. In the event of a conflict between this Amendment and the Declaration, the Articles of Incorporation, the Bylaws, or the Rules and Regulations ("Governing Documents"), this Amendment shall control.

**SECTIONS 1.1, 1.2, 1.4, 1.14, AND 1.19 OF ARTICLE 1 OF THE DECLARATION ARE**

AMENDED AS FOLLOWS (AMENDMENTS ARE IN STRIKEOUTS (DELETED) AND ITALICS (ADDED)):

#### 1.1 Articles

Articles means the Articles of Incorporation for ~~Hurricane Heights Townhomes 1 HOA~~ *Hurricane Heights Townhomes 1 Homeowners Association*, as amended from time to time.

#### 1.2 Association

Association means ~~Hurricane Heights Townhomes HOA~~ *Hurricane Heights Townhomes 1 Homeowners Association*. It is intended that the Association be a Utah non-profit corporation. Failure of the Association to maintain its corporate status will not result in dissolution of the Association. The Association may renew its corporate status, reinstate its corporate status, or incorporate without Owner approval. Any actions taken during any period of un-incorporation shall be binding.

#### 1.4 Common Areas

Common Areas mean as shown on the ~~a~~ *a* Map; the lateral roads located between town house rows on ~~Parcel B a Map~~; and any other areas show on the *a* Map as Common Area or open space. The Common Areas may consist of landscaping, irrigation equipment, pavilion, playground equipment, paving, and other improvements. The Association owns all Common Areas.

#### 1.14 Map

Map means the plat maps for ~~CSB Development HH, LLC~~ *HURRICANE HEIGHTS TOWNHOMES PHASES 1, 2, 3, and 4* on file with the Washington County Recorder and any amendments or supplements thereto or any plat maps recorded for additional phases.

#### 1.19 Project

Project means ~~CSB Development HH, LLC~~ *HURRICANE HEIGHTS TOWNHOMES PHASES 1, 2, 3, and 4* as shown on the Map and any expansions thereof. The project includes the land, buildings, improvements and structures, easements, rights, appurtenances, and articles of personal property intended for use in connection therewith. Exhibit A contains the legal description for the Project.

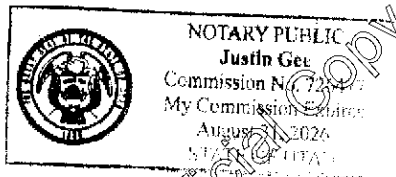
IN WITNESS WHEREOF, the undersigned has executed this Amendment on this 20<sup>th</sup> day of December, 2023.

**CSB Development HH, LLC, a Utah limited liability company**

[Signature]  
By: H.R. Brown  
Its: Member

STATE OF UTAH )  
County of Utah : ss.

On the 20 day of December, 2023, personally appeared before me H Russell Brown who being by me duly sworn, did say that he/she is the President of the CSB Development HH, LLC, a Utah limited liability company, the authorized individual empowered to sign this Amendment and that the Amendment was signed on behalf of said Association and said person acknowledged to me that said Association authorized the execution of the same.



[Signature]  
Notary Public

**Exhibit A  
(Legal Description)**

All of Lots 101 – 130, together with all Common Area, HURRICANE HEIGHTS TOWNHOMES 1 AMD (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County Recorder, State of Utah.

Parcel Numbers: H-HHT-1-101 THROUGH H-HHT-1-130

All of Lots 131 – 156, together with all Common Area, HURRICANE HEIGHTS TOWNHOMES 2 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County Recorder, State of Utah.

Parcel Numbers: H-HHT-2-131 THROUGH H-HHT-2-156

All of Lots 157 – 183, together with all Common Area, HURRICANE HEIGHTS TOWNHOMES 3 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County Recorder, State of Utah.

Parcel Numbers: H-HHT-3-157 THROUGH H-HHT-3-183

All of Lots 184 – 215, together with all Common Area, HURRICANE HEIGHTS TOWNHOMES 4 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County Recorder, State of Utah.

Parcel Numbers: H-HHT-4-184 THROUGH H-HHT-4-215

All Common Area, HURRICANE HEIGHTS TOWNHOMES 4 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County Recorder, State of Utah.

Parcel Number H-HHT-4 COMMON