

DOC # 20230038648

Restrictive Page 1 of 6
Gary Christensen Washington County Recorder
12/29/2023 11:36:58 AM Fee \$ 40.00
By CSB DEVELOPMENT HH, LLC



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
285 W. Tabernacle St. Ste. 301
St. George, UT 84770

**SUPPLEMENTAL DECLARATION OF ANNEXATION
FOR
HURRICANE HEIGHTS TOWNHOMES PHASE 4**

This Supplemental Declaration of Annexation for Hurricane Heights Townhomes is made this 1st day of December, 2023, by Hurricane Heights Townhomes, LLC.

RECITALS:

A. Hurricane Heights Townhomes, LLC is the Declarant, ("Declarant") with the right to annex Hurricane Heights Townhomes Phase 4 into the Project under 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 (the "Declaration").

B. The Declarant, adopts hereby the Map Conveying Property recorded in the Office of the Washington County Recorder on October 18, 2022, as Document Number 20220046960, and pursuant to its authority at Section 8.2 of Article 8 of the Bylaws attached as Exhibit to the Declaration annexes Lots 199 - 215 of Phase 4 of the Hurricane Heights Townhomes Phase 4 as set forth therein.

C. The Bylaws attached to the Declaration as Exhibit B provide that land may be annexed into and made a part of the Hurricane Heights Townhomes community, and Declarant desires to designate Hurricane Heights Townhomes Phase 4 as a development within the Hurricane Heights Townhomes community upon the terms and conditions of this Supplemental Declaration.

NOW, THEREFORE, the Declarant do hereby declare and provide as follows:

I. DEFINITIONS. As used in this Supplemental Declaration capitalized terms shall have the meaning assigned to them in the Declaration.

II. PROJECT DESIGNATION. The Hurricane Heights Townhomes Phase 4 development is hereby annexed into and made a part of the Hurricane Heights Townhomes community.

III. MASTER DOCUMENTS.

A. Effect of Declaration. Hurricane Heights Townhomes Phase 4 shall be subject to all the terms and provisions of the Declaration.


B. Governing Documents. Hurricane Heights Townhomes Phase 4 shall be subject to all terms and provisions of the Governing Documents as defined in the Community Association Act (Utah Code Section 57-8a-101, *et seq.*) as the same may from time to time be amended and supplemented.

IV. BINDING EFFECT. Hurricane Heights Townhomes, including all Lots, Common Area, Exclusive Common Area, and Limited Common Area therein, shall be held, conveyed, hypothecated, encumbered, used, occupied, and improved only in accordance with the provisions of the Declaration, the Governing Documents, and this Supplemental Declaration (as the same may time to time be amended and supplemented from), which easements, covenants, restrictions, and charges shall run with the land and shall be binding upon all persons having or acquiring any right, title, or interest in Hurricane Heights Townhomes Phase 4 or any part thereof and shall inure to the benefit of each Owner thereof.

V. PROPERTY DESCRIPTION. The legal description for Hurricane Heights Townhomes Phase 4 is attached hereto and incorporated herein as Exhibit A.

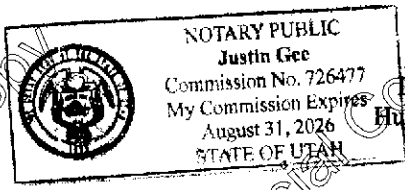
IN WITNESS WHEREOF, the undersigned Declarant has executed this Declaration the date and year first written above.

Declarant:
CSB Development HH, LLC


By: H. Russell Brown
Its: Member

STATE OF UTAH,)
)
County of Utah) :ss.

On this 20 day of December, 2023, personally appeared before me H. Russell Brown, who is personally known to me (or satisfactorily proved to me), and who being by me duly sworn did say that he/she is the _____ of CSB Development HH, LLC, a Utah limited liability company, and that he/she executed the foregoing Supplemental Declaration on behalf of said limited liability company being authorized and empowered to do so by the operating agreement of said company or resolution of its managers, and he/she acknowledged before me that such company executed the same for the uses and purposes stated therein.




Notary Public

CONSENT

Each of the undersigned, each having an actual, potential, or purported interest in the Hurricane Heights Townhomes Phase 4, hereby consents to the foregoing Supplemental Declaration of Annexation of Hurricane Heights Townhomes Phase 4 and the recording of said Supplemental Declaration against the real property comprising Hurricane Heights Townhomes Phase 4 and also hereby acknowledges that CSB Development HH, LLC shall be the Declarant under the Declaration for Hurricane Heights Townhomes Phase 4.

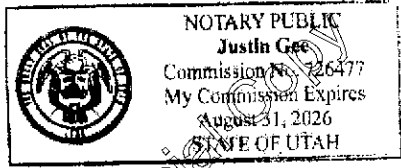
Hurricane Heights Townhomes, LLC

By: *HRB*
Its: *M. Brown*

STATE OF UTAH,)
)
County of Utah) :ss.

On this 20 day of December, 2023, personally appeared before me H Russell Brown, who is personally known to me (or satisfactorily proved to me), and who being by me duly sworn did say that he/she is the President of Hurricane Heights Townhomes, LLC, a Utah limited liability company, and that he/she executed the foregoing Consent to Assignment as part of the foregoing Supplemental Declaration on behalf of said limited liability company being authorized and empowered to do so by the operating agreement of said company or resolution of its managers, and he/she acknowledged before me that such company executed the same for the uses and purposes stated therein.

Justin Gee
Notary Public



JSPH Properties, LLC

Derek Hu
By: Derek Hu
Its: Manager

STATE OF UTAH,)
)
)ss.
County of Washington)

On this 26 day of December, 2023, personally appeared before me Brandi Leighter, who is personally known to me (or satisfactorily proved to me), and who being by me duly sworn did say that he/she is the Manager of JSPH Properties, LLC, a Utah limited liability company, and that he/she executed the foregoing Consent to Assignment as part of the foregoing Supplemental Declaration on behalf of said limited liability company being authorized and empowered to do so by the operating agreement of said company or resolution of its managers, and he/she acknowledged before me that such company executed the same for the uses and purposes stated therein.



Brandi Leighter
Notary Public

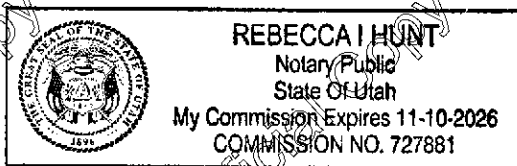
Talitha L.L.C.
Granddaddy, LLC

By: Howard Chay
Its: Member Manager

STATE OF UTAH,)
)ss.
County of Washington)

On this 20th day of December, 2023, personally appeared before me _____, who is personally known to me (or satisfactorily proved to me), and who being by me duly sworn did say that he/she is the Member Manager of Granddaddy, LLC, a Utah limited liability company, and that he/she executed the foregoing Consent to Assignment as part of the foregoing Supplemental Declaration on behalf of said limited liability company being authorized and empowered to do so by the operating agreement of said company or resolution of its managers, and he/she acknowledged before me that such company executed the same for the uses and purposes stated therein.

Rebecca I. Hunt
Notary Public



**Exhibit A
(Legal Description)**

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