

6

DOC # 20240028678

CCR Annexation Page 1 of 6
Gary Christensen Washington County Recorder
09/12/2024 03:30:20 PM Fee \$ 40.00
By FISHER & HUNTER LLC

After recording mail to:
Fisher & Hunter, LLC
444 East Tabernacle, Building B, Suite 201
St. George, UT 84770



NOTE TO RECORDER:
RECORD ONLY AGAINST THE PROPERTY
DESCRIBED IN EXHIBIT "A"

**DECLARATION OF ANNEXATION OF LAKESIDE AT
DESERT SANDS PHASE 3**

This Declaration of Annexation ("Annexation") is made effective this 29th day of August, 2024 by Ivory Southern, LLC ("District Declarant").

RECITALS

A. The Plat for Lakeside Phase 1 was recorded on November 24, 2021 as Doc. No. 20210075236 (the "Phase 1 Plat").

B. The Declaration of Covenants, Conditions, Restrictions, and Reservations of Easements for Desert Sands was recorded in the office of the County Recorder of Washington County, Utah on November 24, 2021 as Doc. No. 20210075237 (the "Original Master Declaration"). The First Amended and Completely Restated Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements for Desert Sands was recorded in the official records of the County Recorder of Washington County, Utah on the 13th day of January, 2022 as Document Number 20220002506 (the "Master Declaration").

C. The District Declaration of Covenants, Conditions, and Restrictions, and Reservations of Easements and Bylaws for Lakeside at Desert Sands was recorded in the office of the County Recorder of Washington County, Utah on December 2, 2021 as Doc. No. 20210076452 (the "Original District Declaration"). The First Amended and Completely Restated District Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements and Bylaws for Lakeside at Desert Sands was recorded in the official records of the County Recorder of Washington County, Utah on the 28th day of January, 2022 as Document Number 20220005604 (the "District Declaration").

D. The Declaration of Annexation of Lakeside at Desert Sands Phase 2 was recorded in the office of the County Recorder of Washington County, Utah on July 1, 2022, as Doc. No. 20220033770 (the "Phase 2 Annexation").

E. District Declarant desires and intends that Lakeside at Desert Sands Phase 3 ("Lakeside Phase 3"), which is more particularly described in Exhibit A attached hereto and incorporated herein (the "Lakeside Phase 3 Property"), be subject to the District Declaration and be part of the Covered Property which shall be held, sold and conveyed subject to the provisions of the District Declaration, which are for the purpose of protecting the attractiveness and character of the Covered Property and which shall run with the land including the Lakeside Phase 3 Property.

This Declaration shall be binding on all parties having any right, title or interest in the Lakeside Phase 3 Property, or any part thereof, and shall inure to the benefit of the aforementioned parties and their successors and assigns. The District Declaration shall run with the land set forth in Exhibit A.

NOW, THEREFORE, District Declarant hereby declares, covenants and agrees as follows:

ANNEXATION

This is a Declaration of Annexation prepared pursuant to Article II of the District Declaration, and with the consent of the undersigned.

Lakeside at Desert Sands Phase 3 consists of Lots 30-45, LAKESIDE AT DESERT SANDS PHASE 3, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah (the "Lakeside Phase 3 Lots").

District Declarant intends and hereby subjects all of the property described in Exhibit A, including the Lakeside Phase 3 Lots and the associated Common Area and Limited Common Area, if any, to the terms of the District Declaration, as amended from time to time, and further declares that the Lakeside Phase 3 Property shall be annexed to and become subject to the District Declaration, which, upon recordation of this Declaration of Annexation, shall constitute and effectuate the expansion of Lakeside at Desert Sands, making the real property described in Exhibit A subject to the District Declaration and the functions, powers, rights, duties and jurisdiction of the Association. The Lakeside Phase 3 Lots and the Common Area and Limited Common Area are located on the following described property in Washington County, State of Utah, including Lots, Common Area and Limited Common Area as set forth on the Plat filed for Lakeside Phase 3:

See Exhibit A attached hereto and incorporated herein for legal description

The District Declarant hereby consents to the annexation of the Lakeside Phase 3 Property into Lakeside at Desert Sands and further declares that the Lakeside Phase 3 Property shall hereafter be held, sold, conveyed, encumbered, leased, used, occupied and improved as part of the property subject to the District Declaration, as amended, and all protective covenants, conditions, restrictions and equitable servitudes set forth in the District Declaration, as amended from time to time, the terms of which are deemed incorporated herein by this reference, and to the jurisdiction of the Association and entitled to all rights and privileges afforded therein. The covenants, conditions and restrictions of the District Declaration are intended to, and shall in all cases run with the, title of the land described in Exhibit A, and be binding upon the successors, assigns, heirs, lien holders, and any other person holding any interest in the Lakeside Phase 3 Property, and shall inure to the benefit of all other lots that are subject to the District Declaration, as amended from time to time. The covenants, conditions and restrictions of the District Declaration, as amended, shall be binding upon the homeowners association and the District Declarant as well as their successors in interest, and may be enforced by them or by an owner of a Lot to the extent provided in the District Declaration.

District Declarant hereby declares that the Lakeside Phase 3 Property is added to and made a part of the land subject to the Master Declaration. The Lakeside Phase 3 Property is and shall be held, conveyed, hypothecated, encumbered, leased, occupied, built upon or otherwise used, improved or transferred in whole or in part, subject to the Master Declaration, as amended from time to time.

The District Declaration is amended to annex the Lakeside Phase 3 Property.

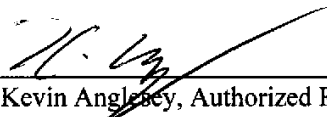
The Lakeside Phase 3 Property described on Exhibit A, which is attached hereto and incorporated herein, is hereby submitted to the District Declaration, as amended, and shall be subject to the covenants, conditions and restrictions of the District Declaration, as amended.

Except as amended by the foregoing provision, all other terms, covenants, conditions and restrictions set forth in the District Declaration, and any amendments thereto, shall remain in full force and effect. The real property subject to this Declaration of Annexation is set forth on Exhibit A, attached hereto.

**THIS SPACE INTENTIONALLY LEFT BLANK
SIGNATURES BEGIN ON NEXT PAGE**

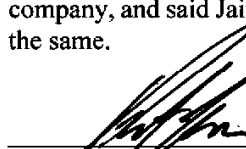
District Declarant has caused this Declaration of Annexation to be duly executed on the date set forth on page one of this Declaration.

DISTRICT DECLARANT:
IVORY SOUTHERN, LLC

By: 
Kevin Anglesey, Authorized Representative

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 6TH day of September, 2024 by Kevin Anglesey as Authorized Representative of Ivory Southern, LLC, a Utah limited liability company, and said Jair Almaraz duly acknowledged to me that said Ivory Southern, LLC executed the same.



NOTARY PUBLIC
My Commission Expires: 01-14-2026

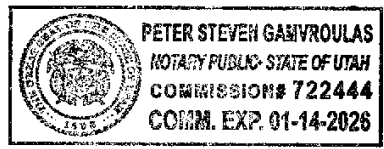


EXHIBIT "A"

**Legal Description of "LAKESIDE PHASE 3"
(Lakeside at Desert Sands Phase 3)**

LAKESIDE AT DESERT SANDS – PHASE 3 FINAL PLAT BOUNDARY

BEGINNING AT THE SOUTHEASTERLY BOUNDARY CORNER OF THE LAKESIDE AT DESERT SANDS – PHASE 2 SUBDIVISION, AS RECORDED AND ON FILE WITH THE WASHINGTON COUNTY RECORDER'S OFFICE, SAID POINT BEING NORTH 00°00'07" WEST ALONG THE QUARTER SECTION LINE, A DISTANCE OF 1564.168 FEET AND SOUTH 89°59'53" WEST 69.583 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 14, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN, (BASIS OF BEARING BEING NORTH 00°00'07" WEST ALONG THE QUARTER SECTION LINE BETWEEN THE SOUTH QUARTER CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 14), AND RUNNING THENCE SOUTH 00°03'38" EAST 863.398 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 20.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 90°11'45", A DISTANCE OF 31.484 FEET; THENCE NORTH 89°44'37" EAST 476.564 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 20.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 89°43'42", A DISTANCE OF 31.321 FEET; THENCE SOUTH 89°59'05" EAST 3.000 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE SAND HOLLOW ROAD DEDICATION, RECORDED AS DOC. NO. 20090004967 IN THE WASHINGTON COUNTY RECORDER'S OFFICE; THENCE SOUTH 00°00'55" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 92.001 FEET; THENCE NORTH 89°59'05" WEST 3.000 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, (RADIUS POINT BEARS NORTH 89°59'05" WEST); THENCE ALONG THE ARC OF A 20.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 90°16'18", A DISTANCE OF 31.511 FEET; THENCE SOUTH 89°44'37" WEST 476.442 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 20.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 89°48'15", A DISTANCE OF 31.348 FEET; THENCE SOUTH 00°03'38" EAST 80.274 FEET; THENCE SOUTH 89°56'22" WEST 60.000 FEET; THENCE SOUTH 89°44'37" WEST 182.152 FEET; THENCE NORTH 00°15'23" WEST 498.500 FEET; THENCE NORTH 89°44'37" EAST 10.000 FEET; THENCE NORTH 00°15'23" WEST 150.000 FEET; THENCE NORTH 89°44'37" EAST 10.367 FEET; THENCE NORTH 00°03'38" WEST 237.509 FEET; THENCE NORTH 03°03'07" WEST 45.000 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, (RADIUS POINT BEARS SOUTH 03°03'07" EAST); THENCE ALONG THE ARC OF A 2345.000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 00°05'36", A DISTANCE OF 3.821 FEET; THENCE NORTH 02°57'31" WEST 102.500 FEET TO THE SOUTHERLY BOUNDARY OF SAID LAKESIDE AT DESERT SANDS – PHASE 2 SUBDIVISION; THENCE ALONG SAID SUBDIVISION BOUNDARY THE FOLLOWING (2) TWO COURSES: (1) NORTH 87°57'49" EAST 78.794 FEET; AND (2) NORTH 89°56'22" EAST 148.968 FEET TO THE POINT OF BEGINNING.

CONTAINS 270,575 SQ. FT., (6.212 ACRES)

6.212 acres within Section 14, T42S, R14W, SLB&M

DRAINAGE AND PUBLIC UTILITY EASEMENTS DEDICATED WITH THIS PLAT

BEGINNING AT A POINT NORTH 00°00'07" WEST ALONG THE QUARTER SECTION LINE, A DISTANCE OF 691.007 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 14, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN, (BASIS OF BEARING BEING NORTH 00°00'07" WEST ALONG THE QUARTER SECTION LINE BETWEEN THE SOUTH QUARTER CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 14), AND RUNNING THENCE NORTH 89°44'37" EAST 427.906 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 10.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 89°43'42", A DISTANCE OF 15.661 FEET; THENCE SOUTH 89°59'05" EAST 10.000 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, (RADIUS POINT BEARS NORTH 89°59'05" WEST); THENCE ALONG THE ARC OF A 20.000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 89°43'42", A DISTANCE OF 31.321 FEET; THENCE SOUTH 89°44'37" WEST 476.564 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 20.000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°11'45", A DISTANCE OF 31.484 FEET; THENCE NORTH 00°03'38" WEST 863.398 FEET; THENCE NORTH 89°56'22" EAST 10.000 FEET; THENCE SOUTH 00°03'38" EAST 863.398 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 10.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 90°11'45", A DISTANCE OF 15.742 FEET; THENCE NORTH 89°44'37" EAST 48.658 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

BEGINNING AT A POINT NORTH 00°00'07" WEST ALONG THE QUARTER SECTION LINE, A DISTANCE OF 619.006 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 14, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN, (BASIS OF BEARING BEING NORTH 00°00'07" WEST ALONG THE QUARTER SECTION LINE BETWEEN THE SOUTH QUARTER CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 14), AND RUNNING THENCE SOUTH 89°44'37" WEST 48.653 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 10.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 89°48'15", A DISTANCE OF 15.674 FEET; THENCE SOUTH 00°03'38" EAST 80.274 FEET; THENCE SOUTH 89°56'22" WEST 10.000 FEET; THENCE NORTH 00°03'38" WEST 80.274 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 20.000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 89°48'15", A DISTANCE OF 31.348 FEET; THENCE NORTH 89°44'37" EAST 476.442 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 20.000 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°16'18", A DISTANCE OF 31.511 FEET; THENCE NORTH 89°59'05" WEST 10.000 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, (RADIUS POINT BEARS NORTH 89°59'05" WEST); THENCE ALONG THE ARC OF A 10.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 90°16'18", A DISTANCE OF 15.755 FEET; THENCE SOUTH 89°44'37" WEST 427.790 FEET TO THE POINT OF BEGINNING.

H-4136-D-SLL

Also Known as:

Lots 30-45 LAKESIDE AT DESERT SANDS PHASE 3, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

Tax Serial Number: H-LADS-3-30 through 45