

WHEN RECORDED, RETURN TO:

RICHARDS LAW, PC
4141 So. Highland Drive, Ste. 225
Salt Lake City, UT 84124
(801) 274-6800

**DECLARATION OF ANNEXATION
TO
COPPER CANYON P.U.D.
PHASE 6**

THIS DECLARATION OF ANNEXATION TO COPPER CANYON P.U.D. is filed on the date evidenced below by Phoenix of Copper Canyon, LLC, as the Declarant (“Declarant”) of the subdivision pursuant to the Declaration (as defined below).

RECITALS

- A. Whereas, a Declaration of Covenants, Conditions and Restrictions for Copper Canyon P.U.D. Subdivision was recorded on August 17, 2007, as Entry No. 291588 in the Recorder’s Office for Tooele, County (as may be amended from time to time, the “Declaration”).
- B. Whereas, a Declaration of Covenants, Conditions and Restrictions for Copper Canyon P.U.D. Subdivision, Phase 3, Tooele, Utah was recorded July 14, 2015, as Entry No. 415639 in the Recorder’s Office for Tooele, County (as may be amended from time to time, “Phase 3 Declaration”).
- C. Whereas, a Plat for Copper Canyon P.U.D. Phase 6 was recorded June 12, 2019, as Entry No. 488028 in the Recorder’s Office for Tooele County (“Phase 6 Plat”);
- D. Whereas, under Recitals (E) of the Declaration and Phase 3 Declaration, Declarant reserved an option to expand the Project (as defined in the Declaration) and annex additional property into the Project at any time.
- E. Whereas, Declarant Phoenix of Copper Canyon, LLC was granted Declarant rights under a separate Agreement of that certain real property known as Copper Canyon P.U.D. Subdivision;
- F. Whereas, Declarant is the fee simple owner of record of that certain real property known as Copper Canyon P.U.D. Phase 6 described with particularity on Exhibit A attached hereto and incorporated herein by this reference (“Phase 6”) with authority to annex the property described herein.
- G. Whereas, the undersigned desires to expand the Project by annexing the Phase 6 Additional Property into the Project and intends that Phase 6 shall be subject to the Phase 3 Declaration.

NOW THEREFORE, Declarant hereby declares as follows:

1. The Phase 6 Additional Property, as described in **Exhibit A**, is hereby submitted to the provisions of the Phase 3 Declaration and, pursuant thereto, is hereby annexed into the Property, as "Property" is defined in the Phase 3 Declaration, and is to be held, transferred, sold, conveyed, and occupied as a part of the Project.

2. Except as amended by the provisions of this Declaration of Annexation, the Declaration and Phase 3 Declaration shall remain unchanged, and together with this Declaration of Annexation shall constitute the covenants, conditions and restrictions for the Property.

IN WITNESS WHEREOF, the Declarant has executed this instrument the 17 day of SEPTEMBER, 2019.

DECLARANT

PHOENIX OF COPPER CANYON, L.L.C.

By: [Signature]
Its: Manager

STATE OF UTAH)
)ss:
County of SALT LAKE)

Subscribed and sworn before me on this 17 day of SEPTEMBER, 2019 by NIC ABBOTT.

[Signature]
Notary Public

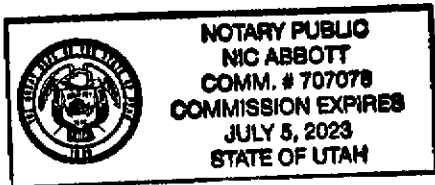


EXHIBIT ALegal Description

All Lots and Common Area, COPPER CANYON PUD PHASE 6, A PLANNED UNIT DEVELOPMENT OF TOOELE CITY, according to the official plat thereof recorded with the office of the Tooele County Recorder, state of Utah.

Parcel Numbers: 20-070-0-6001 through 20-070-0-6033
 02-003-0-0029
 02-003-0-0021
 20-070-0-000A
 20-070-0-000B
 20-070-0-00R1
 20-070-0-00R2
 02-002-0-0037
 02-002-0-0059

Boundary Description

A portion of the NW1/4 of Section 21 and the NE1/4 of Section 20, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the Northerly line of that Real Property described in Deed Book 950 Page 380 of the Official Records of Tooele County, said point is also on the Westerly line of COPPER CANYON P.U.D. PHASE 3, according to the Official Plat recorded February 18, 2015 as Entry No. 409156 in the Office of the Tooele County Recorder, located S89°42'47"W along the Section line 2,314.26 feet and South 353.28 feet from the North ¼ Corner of Section 21, Township 3 South, Range 4 West, Salt Lake Base and Meridian; thence along said plat the following 7 (seven) courses and distances: S24°54'28"E 84.00 feet; thence S23°51'20"E 99.59 feet; thence S25°29'07"E 60.00 feet; thence Northeasterly along the arc of a non-tangent curve to the right having a radius of 298.00 feet (radius bears: S25°29'07"E) a distance of 27.91 feet through a central angle of 05°21'58" Chord: N67°11'52"E 27.90 feet; thence S27°33'11"E 655.69 feet; thence S00°35'13"E 20.00 feet; thence S27°46'54"E 103.33 feet; thence S62°26'49"W 314.81 feet; thence N27°33'11"W 210.00 feet; thence N62°26'49"E 53.47 feet; thence N27°33'11"W 413.09 feet; thence S43°54'35"W 176.42 feet; thence S50°28'01"W 97.92 feet, thence N46°10'51"W 138.85 feet; thence N43°54'35"E 27.00 feet; thence N46°05'25"W 184.97 feet to the Northwesterly line of said Real Property described in Deed Book 950 Page 380 of the Official Records of Tooele County, said point is also on the Southerly Right-of-Way of the Los Angeles and Salt Lake Railroad; thence along said deed the following 2 (two) courses and distances: N43°54'35"E also along said Right-of-Way 415.35 feet; thence along the arc of a curve to the right having a radius of 553.00 feet a distance of 204.59 feet through a central angle of 21°11'50" Chord: N54°29'41"E 203.42 feet to the point of beginning.

Contains: 8.78 acres +/-