

WHEN RECORDED, RETURN TO:

Phoenix of Copper Canyon, LLC
Attn: Legal
11650 S. State Street, Suite 300
Draper, Utah 84020
801.922.5002

**DECLARATION OF ANNEXATION TO
COPPER CANYON P.U.D.
PHASE 8**

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 8 was recorded June 6th, 2022, as Entry No. 574105 in the Recorder's Office for Tooele County ("**Phase 8 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 8 described with particularity on Exhibit A attached hereto and incorporated herein by this reference ("**Phase 8**") with authority to annex the property described herein.

G. Whereas, the undersigned desires to expand the Project by annexing the Phase 8 Additional Property into the Project and intends that Phase 8 shall be subject to the Phase 3 Declaration.

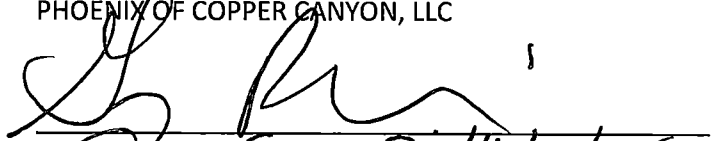
NOW THEREFORE, Declarant hereby declares as follows:

1. The Phase 8 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.

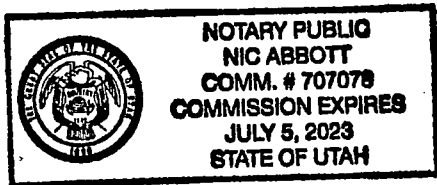
IN WITNESS WHEREOF, the Declarant has executed this instrument the 4th day of June, 2022.

DECLARANT
PHOENIX OF COPPER CANYON, LLC


Printed Name: Greg Rindlisbacher
Title: Manager

STATE OF UTAH)
County of Salt Lake) ss.
)

The foregoing instrument was acknowledged before me this 4th day of JUNE, 2022, by GREG RINDLISBACHER the manager of Phoenix of Copper Canyon, LLC, on behalf of such company.




Notary Public

EXHIBIT A

Legal Description

All Lots and Common Area, COPPER CANYON P.U.D. PHASE 8, 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.

Comprising of Lots 8001-8037.
Contains approximately 7.20 acres

Parcel Number: 22-025-0-8001 through 8037
also 22-025-0-808A & 86

Boundary Description

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

Beginning at the Northwesterly corner of Lot 501, COPPER CANYON P.U.D. PHASE 5, according to the Official Plat recorded October 26, 2017 as Entry No. 457181 in the Office of the Tooele County Recorder, located S89°42'47"W along the Section line 1,535.08 feet and South 1,128.98 feet from the North 1/4 Corner of Section 21, Township 3 South, Range 4 West, Salt Lake Base and Meridian; thence along said plat the following 5 (five) courses and distances: S27°42'21"E 114.06 feet; thence S62°17'39"W 46.18 feet; thence S27°42'21"E 60.00 feet; thence Easterly along the arc of a non-tangent curve to the right having a radius of 29.50 feet (radius bears: S27°42'21"E) a distance of 46.34 feet through a central angle of 90°00'00" Chord: S72°42'21"E 41.72 feet; thence S27°42'21"E 66.50 feet (67.36' per Copper Canyon P.U.D. Phase 5 plat); thence S65°36'35"W 260.44 feet; thence S62°26'49"W 620.00 feet; thence S57°42'47"W 190.39 feet; thence S57°48'03"W 60.00 feet; thence N32°11'57"W 68.38 feet; thence along the arc of a curve to the left with a radius of 29.50 feet a distance of 46.38 feet through a central angle of 90°04'39" Chord: N77°14'17"W 41.75 feet; thence N32°16'36"W 60.00 feet; thence N57°43'24"E 43.68 feet; thence N32°11'55"W 120.00 feet to the southerly boundary of COPPER CANYON P.U.D. PHASE 9, according to the Official Plat recorded August 25, 2020 as Entry No. 518850 in the Office of the Tooele County Recorder; thence along said plat N57°43'24"E 247.83 feet; thence along said plat and the southerly line of COPPER CANYON P.U.D. PHASE 6, according to the Official Plat recorded June 12, 2019 as Entry No. 488028 in the Office of the Tooele County Recorder; N62°26'49"E 579.95 feet to the Southwesterly corner 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; thence along said plat the following 3 (three) courses and distances: N62°05'22"E 20.00 feet; thence N81°51'01"E 65.64 feet; thence N62°26'49"E 183.92 feet (184.40' per Copper Canyon P.U.D. Phase 3 plat) to a point on the Westerly line of COPPER CANYON P.U.D. PHASE 2B as constructed and monumented, according to the Official Plat thereof recorded October 5, 2007 as Entry No. 294722 in the Office of the Tooele County Recorder; thence along said plat the following 2 (two) courses and distances: S27°33'11"E 0.59 feet; thence N62°26'23"E 61.27 feet to the point of beginning.

Parcel Number: 62-003-0-0031 Part of