

WHEN RECORDED, RETURN TO:

McDonald Fielding, PLLC
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Parcel Nos.

Declaration of Annexation (Bear Lake Escape PUD)

THIS DECLARATION OF ANNEXATION (hereafter “Declaration”) is made by River Valley Development, LLC, a Utah limited liability company (hereafter “Declarant”).

RECITALS

A. The Declarant is the owner of certain land located in Rich County, State of Utah, particularly described in the attached **Exhibit A** and known generally as Bear Lake Escape Phase 2 (the “Bear Lake Escape Phase 2 Property”); and

B. Declarant intends to develop the Bear Lake Escape Phase 2 Property subject to the Amended Declaration of Covenants, Conditions and Restrictions for Bear Lake Escape PUD HOA originally recorded in the office of the Rich County Recorder on July 3, 2019, as Entry No. 95239, Book C12, Page 1750 (the “CC&Rs”), originally referencing the land known as the Bear Lake Escape Phase 1 (the “Bear Lake Escape Phase 1 Property”), and referred to in the CC&Rs as the Bear Lake Escape, PUD (the “Project” as defined in the CC&Rs).

ANNEXATION

NOW, THEREFORE, the Declarant declares as follows: The Bear Lake Escape Phase 2 Property is hereby annexed into and made a part of the “Project” and “Subject Land” as defined in the CC&Rs. The “Bear Lake Escape Phase 2” plat is hereby added to the definition of “Plat” and “Map” under the CC&Rs. The Bear Lake Escape Phase 2 Property is hereby made subject to all covenants, conditions, restrictions, easements, burdens, servitudes, and other obligations as specified in the CC&Rs. The intent of this Declaration is for the Bear Lake Escape Phase 2 Property to be made an integral part of the Project, equivalent in all respects to the Bear Lake Escape Condo 1 Property originally referenced in the CC&Rs, so that the Bear Lake Escape Condo 1 Property and Bear Lake Escape Phase 2 Property together constitute a single, cohesive development and defined collectively in the CC&Rs as the “Project” or “Property.” Each conveyance or installment contract for the sale of a Unit and every other instrument affecting title to a Unit may describe that Unit by the number shown on the Plat with appropriate reference to the Plat and to the Declaration, as each shall appear on the records of the Rich County Recorder, State of Utah, and in substantially the following form:

Bear Lake Escape Phase 2, recorded on _____ as Entry No. _____, together with a non-exclusive right and easement of use and enjoyment to the Common Areas and any Limited Common Areas appurtenant to the Unit. This conveyance is subject to the provisions of the Amended Declaration of Covenants, Conditions and Restrictions for Bear Lake Escape PUD HOA recorded on July 3, 2019, as Entry No. 95239, Book C12, Page 1750, of the official records of the Rich County Recorder, as may be amended.


IN WITNESS WHEREOF, River Valley Development, LLC, has executed this Declaration of Annexation this 1 day of December, 2020.

River Valley Development, LLC,
A Utah limited liability company

By: Jay Stocking
Its: Manager

STATE OF Utah)
)ss:
County of Box Elder)

The foregoing instrument was acknowledged before me on this 1 day of December, 2020 by Jay Stocking in his/her capacity as Manager of River Valley Development, LLC.

 J BURDETTE STOCKING
Notary Public
State of Utah
My Commission Expires 11/10/2022
Commission Number 703121

BStocking
Notary Public

EXHIBIT A

(LEGAL DESCRIPTION)

Part of the Northwest Quarter of Section 21, Township 14 North, Range 5 East of the Salt Lake Baseline and Meridian described as follows:

Commencing at the rebar monument found at the Northwest Corner of Section 21, Township 14 North, Range 5 East of the Salt Lake Baseline and Meridian and running thence S 89°16'20" E 20.49 feet (N89°44'15"E, By record) along the north line of said section; thence leaving said section line S 00°43'41" W 24.45 feet (S00°15'45"E, By Record) to the intersection of the south right-of-way line of 200 North Street and the East right-of-way line of 300 West Street in Garden City Utah; thence S 02°19'27" E 367.39 feet (S03°18'52"E, By Record) along said east right-of-way to a JSH rebar; thence S89°05'02"E 216.36 feet to the POINT OF BEGINNING at the Northeast Corner of Bear Lake Escape, PUD, Phase 1 and running

thence S 89°05'02" E 214.04 feet;

thence S 00°39'21" W 177.80 feet;

thence N 89°05'02" W 54.42 feet;

thence S 00°48'52" W 193.67 feet;

thence N 88°34'54" W 197.38 feet;

thence along the boundary of Bear Lake Escape, PUD, Phase 1 the next three courses:

1) thence N 01°48'49" E 182.57 feet;

2) thence N 74°18'02" E 32.28 feet;

3) thence N 01°49'08" E 177.98 feet to the point of beginning, containing 1.74 acres, more or less.

Bear Lake Escape PUD Ph 2, Lt 17-32