

Recorded at the request of:
Cliffdweller Ranch Landowners Association
Board of Trustees

After recording, mail to:
352 E. Riverside Drive, Suite C-4
St. George, UT 84790

00679222 BK 1363 Pg 0086
RUSSELL SHIRTS * WASHINGTON CO RECORDER
2000 MAR 16 13:44 PM FEE \$52.00 BY BJ
FOR: JENKINS BRUCE C

**NOTICE OF INVALID RECORDATION OF
AMENDED SUPPLEMENTAL DECLARATION,
CLIFFDWELLER RANCH, PHASE II**

This Notice is made and executed this 14th day of March, 2000, by the Board of Trustees of Cliffdweller Ranch Landowners Association, a Utah nonprofit corporation.

RECITALS

- A. Cliffdweller Development, L.C., as Declarant, developed Phase 1 of Cliffdweller Ranch located in Washington County, Utah.
- B. Thereafter, by written agreement dated June 6, 1996, Mel Frandsen was assigned certain development rights of Declarant in Phase II only of Cliffdweller Ranch. Among other things, the written assignment of declarant rights required approval of any Supplemental Declaration prior to recording by Melvin Frandsen.
- C. Under the terms of such written agreement, Melvin Frandsen caused a Supplemental Declaration, Cliffdweller Ranch, Phase II, to be recorded on August 8, 1997, on the records of the Washington County Recorder as Entry No. 573583, in Book 1123, at Pages 350-358. Such Supplemental Declaration remains in full force and effect and is a valid document.
- D. Outside such assignment agreement and without consent Mel Frandsen, as Successor Declarant, caused an Amended Supplemental Declaration, Cliffdweller Ranch, Phase II to be recorded on February 13, 1998, on the records of the Washington County Recorder as Entry No. 591611, in Book 1178, at Pages 308-314. Such document is improper and not considered by the Cliffdweller Ranch Landowners Association to a valid document.
- E. This Notice effects the following described real property:
All of Lots 31 through 71 according to the official plat map for Cliffdweller Ranch, Phase II (consisting of two pages) recorded on the records of the Washington County Recorder as Entry No. 545083, in Book 1039, at Page 115.

0679222 Bk 1363 Pg 6087

NOW, THEREFORE, be it known to all people that the Amended Supplemental Declaration, Cliffdweller Ranch, Phase II, recorded on February 13, 1998, on the records of the Washington County Recorder as Entry No. 591611, in Book 1178, at Pages 308-314, is invalid and not considered by the Cliffdweller Ranch Landowners Association to have any force or effect. The restrictive covenants binding the land as equitable servitudes in Cliffdweller Ranch, Phase II, consist of that certain Declaration of Covenants, Conditions and Restrictions of Cliffdweller Ranch, Phase 1, recorded on June 2, 1983, on the records of the Washington County Recorder as Entry No. 435012, in Book 732, at Pages 720-758, and that certain Supplemental Declaration of Cliffdweller Ranch, Phase II, recorded August 8, 1997, on the records of the Washington County Recorder as Entry No. 573583, in book 1123, at Pages 350-358, as the same may be properly amended or supplemented.

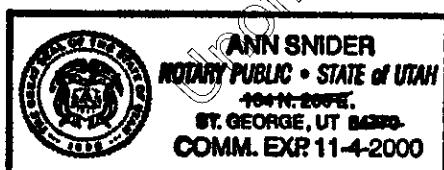
Executed the day and year first above written.

CLIFFDWELLER RANCH LANDOWNERS ASSOCIATION,
A Utah nonprofit corporation

By:
Its: President

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

On this 14th day of March, 2000, personally appeared before me Doug Watts, who being by me duly sworn did say that he/she is the President of Cliffdweller Ranch Landowners Association, a Utah nonprofit corporation, and that he/she executed the foregoing Notice on behalf said corporation by authority of a resolution of its Board of Directors, and he/she did acknowledge to me that the corporation executed the same for the uses and purposes stated therein.



84790
Ann Snider
Notary Public

352 E Rineside Dr C-4
Notice of Invalid Recordation
Cliffdweller Ranch Landowners Association
Page 2 of 2