

Amended Restrictive Covenants Page 1 of 5
Gary Christensen Washington County Recorder
02/23/2021 09:10:21 AM Fee \$68.00 By MILLER
HARRISON LLC

When Recorded Return To:
Desert Color St. George, LLC
730 North 1500 West
Orem, Utah 84058

**FIRST AMENDMENT TO THE
AMENDED AND RESTATED DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS, EASEMENTS, TERMS AND
RESERVATIONS FOR DESERT COLOR COMMUNITY**

This First Amendment to the Amended and Restated Declaration of Covenants, Conditions, Restrictions, Easements, Terms and Reservations for Desert Color Community (the “**First Amendment**”) is executed and adopted by Desert Color St. George, LLC (the “**Declarant**”).

RECITALS

A. The Amended and Restated Declaration of Covenants, Conditions, Restrictions, Easements, Terms and Reservations for Desert Color Community was recorded on July 29, 2020 as Entry No. 20200039512 in the office of the Washington County Recorder (hereinafter the “**Declaration**”).

B. This First Amendment affects the real property located in Washington County, State of Utah, described with particularity on Exhibit A, which exhibit is attached hereto and incorporated herein by reference.

C. The Declarant desires to amend the Declaration as set forth in this First Amendment to clarify Impact Fee definitions and the terms and circumstances where the Master Association may assess Impact Fees.

D. Unless otherwise set forth herein, the capitalized terms shall have their same meanings and definitions as stated in the Declaration.

E. Pursuant to Article XX, Section 20.1 of the Declaration, the Declarant has elected to amend the Declaration pursuant to its unilateral amendment right.

F. As of the date of the recording of this First Amendment, Declarant owns one or more Parcels in the Community and the Declarant Control Period remains in effect.

AMENDMENT

NOW, THEREFORE, in consideration of the foregoing Recitals, the Declarant hereby executes this First Amendment, which shall be effective as of its recording date with the Washington County Recorder’s office.

(1) **Amendment No. 1.** Article VI, Section 6.16 of the Declaration shall be deleted in its entirety and shall be replaced by the following:

6.16 Impact Fees

The Board shall have the right, but not the obligation, within its sole discretion, to impose a schedule of Impact Fees for the costs of infrastructure and improvements provided to a Lot, Parcel or Unit. The Master Association may set Impact Fees by Board Resolution, Rule, or other similar Master

EXHIBIT A
Legal Description

All of the **DESERT COLOR RESORT PHASE 1A SUBDIVISION**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20210002172.

Parcel Numbers: SG-DCR-1A-1-S11, SG-DCR-1A-C1 through SG-DCR-1A-C3

All of the **DESERT COLOR RESORT PHASE 2A SUBDIVISION**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20190054450.

Parcel Numbers: SG-DCR-2A-3 through SG-DCR-2A-32

All of the **DESERT COLOR RESORT PHASE 2B**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20190054681.

Parcel Numbers: SG-DCR-2B-33 through SG-DCR-2B-37
SG-DCR-2B-60 through SG-DCR-2B-87
SG-DCR-2B-104 through SG-DCR-2B-107

All of **DESERT COLOR RESORT PHASE 2C**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20190053673.

Parcel Numbers: SG-DCR-2C-43 through SG-DCR-2C-49

All of **DESERT COLOR RESORT PHASE 2E**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200057858.

Parcel Numbers: SG-DCR-2E-41 through SG-DCR-2E-42
SG-DCR-2E-50 through SG-DCR-2E-53

All of **DESERT COLOR RESORT PHASE 2F**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200057860.

Parcel Numbers: SG-DCR-2F-38 through SG-DCR-2F-40
SG-DCR-2F-54 through SG-DCR-2F-59

All of **DESERT COLOR RESORT PHASE 2G**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200057862.

Parcel Numbers: SG-DCR-2G-88 through SG-DCR-2G-103
SG-DCR-2G-108 through SG-DCR-2G-110

All of **DESERT COLOR RESORT PHASE 3**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20190054741.

Parcel Numbers: SG-DCR-3-124 through SG-DCR-3-135

All of **DESERT COLOR RESORT PHASE 4**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200039412.

Parcel Numbers: SG-DCR-4-136 through SG-DCR-4-143

All of **AUBURN HILLS PHASE 1**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20190023357.

Parcel Numbers: SG-AUB-1-1 through SG-AUB-1-122

All of **AUBURN HILLS PHASE 1 LOTS 51, 52, 53 & 54 AMENDED**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200029609.

Parcel Numbers: SG-AUBU-1-51 through SG-AUBU-1-54

All of **AUBURN HILLS PHASE 1 LOTS 88, 89, 90 & 91 AMENDED**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20210007329.

Parcel Numbers: SG-AUBU-1-88 through SG-AUBU-1-91

All of **AUBURN HILLS PHASE 2**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20190053706.

Parcel Numbers: SG-AUB-2-123 through SG-AUB-2-181

All of **AUBURN HILLS PHASE 3A**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200044649.

Parcel Numbers: SG-AUB-3A-1 through SG-AUB-3A-27

All of **AUBURN HILLS PHASE 4A**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200045799.

Parcel Numbers: SG-AUB-4A-1 through SG-AUB-4A-7
SG-AUB-4A-31 through SG-AUB-4A-53

All of **AUBURN HILLS PHASE 4B**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20210005647.

Parcel Numbers: SG-AUB-4B-8 through SG-AUB-4B-59

All of **AUBURN HILLS PHASE 5**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200065101.

Parcel Numbers: SG-AUB-5-1 through SG-AUB-5-12

All of **AUBURN HILLS PHASE 7A**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200062892.

Parcel Numbers: SG-AUB-7A-1 through SG-AUB-7A-16

All of **AUBURN HILLS PHASE 9**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200061148.

Parcel Numbers: SG-AUB-9-1 through SG-AUB-9-11

All of **AUBURN HILLS PHASE 10**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200064295.

Parcel Numbers: SG-AUB-10-12 through SG-AUB-10-20

All of **AUBURN HILLS PHASE 11**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200072080.

Parcel Numbers: SG-AUB-11-22 through SG-AUB-11-32

All of **AUBURN HILLS PHASE 12**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200062904.

Parcel Numbers: SG-AUB-12-1 through SG-AUB-12-12

All of **AUBURN HILLS PHASE 13**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200069795.

Parcel Numbers: SG-AUB-13-13 through SG-AUB-13-24

All of **AUBURN HILLS PHASE 14A**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200062894.

Parcel Numbers: SG-AUB-14A-1 through SG-AUB-14A-7

All of **AUBURN HILLS PHASE 20**, according to the official plat on file in the office of the Washington County Recorder as Entry No. 20200068944.

Parcel Numbers: SG-AUB-20-1 and SG-AUB-20-2