



WHEN RECORDED, RETURN TO:
Tiffany's Homes LLC
1019 E. Hunter Lane
Eagle Mountain, Utah 84005

ENT 108348:2017 PG 1 of 4
JEFFERY SMITH
UTAH COUNTY RECORDER
2017 Oct 31 2:54 pm FEE 78.00 BY SW
RECORDED FOR UNITED WEST TITLE INSURANCE

DECLARATION OF ANNEXATION AGREEMENT TO COLONIAL PARK, PHASE III

THIS DECLARATION OF ANNEXATION AGREEMENT TO COLONIAL PARK, PHASE III is made on the date evidenced below by Tiffany's Homes LLC, a Utah limited liability company (the "District Declarant") and joined by Monte Vista Ranch, L.C., a Utah limited liability company (the "Master Declarant") pursuant to the Declaration (as defined below).

RECITALS

A. Whereas, a Conditions, Covenants, Restrictions and Easements for Colonial Park, Phase II Subdivision, Residential District (a phase of the Colonial Park Area) was recorded in the office of the County Recorder of Utah County, Utah on March 20, 2008, as Entry No. 32864:2008 in the records of the County Recorder (as may be amended from time to time, the "Declaration").

B. Whereas, under Article VI, Section 6.1 of the Declaration, the previous District Declarant reserved an option to expand the District Property (as defined in the Declaration) and annex additional property into the District Property at any time by recording an Annexation Agreement.

C. Whereas, the District Declarant is the fee simple owner of record of that certain real property located in Utah County, Utah and described with particularity on Exhibit A attached hereto and incorporated herein by this reference ("Colonial Park Phase III").

D. Whereas, the Master Declarant, desires to consent to this Annexation Agreement as required under the terms of the Master Declaration.

E. Whereas, the undersigned desire to expand the District Property by annexing Colonial Park Phase III into the District Property by recording this Annexation Agreement and now intends that Colonial Park Phase III shall be subject to the Declaration in all respects.

NOW THEREFORE, the above and foregoing recitals are incorporated herein and made a part of this Annexation Agreement and the District Declarant hereby declares as follows:

1. The real property described in **Exhibit A** which property is situated in Utah County, Utah, is hereby submitted to the provisions of the Declaration and, pursuant thereto, is hereby annexed into the District Property, as "District Property" is defined in the Declaration, and

is to be held, transferred, sold, conveyed, and occupied as a part of the District Property.

2. The following paragraphs of the Declaration shall be amended as follows:

a. In Article V, Section 5.5, Property Line Setbacks, the term "Non-Park Lots" shall also include Lots 301, 302, 303, and 304. The term "Park Lots" shall also include the following Lots: 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 355, 356, 357, 358, 359, 360, 361, 362, and 363.

b. The minimum lot designs and configurations for all of the Lots in Colonial Park Phase III shall be described on the Colonial Park Phase III Subdivision Plat recorded in the Office of the Utah County Recorder, State of Utah, and any subsequent recorded amendments to the Colonial Park Phase III Subdivision Plat.

3. Except as amended by the provisions of this Declaration of Annexation, the Declaration shall remain unchanged and, together with this Declaration of Annexation, shall constitute the Declaration of Covenants, Conditions and Restrictions for the Community as further expanded by the annexation of the property described herein.

IN WITNESS WHEREOF, the District Declarant has executed this instrument the 9th day of October, 2017.

DISTRICT DECLARANT

Tiffany A. Walden
By: Tiffany A. Walden, Manager

STATE OF UTAH)
)ss:
COUNTY of UTAH)

The foregoing instrument was acknowledged before me on this 9th day of October, 2017 by Tiffany A. Walden, the Manager of Tiffany's Homes LLC who is personally known to me or produced the following identification personally known.



Angie Christine Ferre
Notary Public

IN WITNESS WHEREOF, the Master Declarant has executed this instrument the 9th day of October, 2017.

MASTER DECLARANT

T Walden

By: Tiffany A. Walden, Manager of MVR Management LLC,
the Manager of Monte Vista Ranch LC

STATE OF UTAH)
)ss:
County of UTAH)

The foregoing instrument was acknowledged before me on this 9th day of October, 2017 by Tiffany A. Walden, the Manager of MVR Management LLC, the Manager of Monte Vista Ranch, LC who is personally known to me or produced the following identification personally known.



Angie Christine Ferre
Notary Public

EXHIBIT A

Legal Description for Colonial Park Phase III Subdivision

BEGINNING 926.93 FEET NORTH 89°31'09" WEST (ALONG THE SECTION LINE) AND 1485.21 FEET NORTH OF THE SOUTHEAST CORNER OF SECTION 12, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 08° 55' 51" EAST 33.99 FEET; THENCE ALONG A CURVE TO THE RIGHT 15.02 FEET HAVING A RADIUS OF 10.00 FT (CHORD BEARING AND DISTANCE BEING NORTH 38° 02' 11" WEST 13.65 FEET); THENCE NORTH 04° 59' 46" EAST 290.10 FEET; THENCE ALONG A CURVE TO THE RIGHT 15.04 FEET HAVING A RADIUS OF 10.00 FEET (CHORD BEARING AND DISTANCE BEING NORTH 48° 03' 46" EAST 13.66 FEET); THENCE NORTH 06° 30' 32" EAST 50.22 FEET; THENCE ALONG A CURVE TO THE RIGHT 16.37 FEET HAVING A RADIUS OF 10.00 FEET (CHORD BEARING AND DISTANCE BEING NORTH 41° 52' 15" WEST 14.60 FEET); THENCE NORTH 4° 59' 46" EAST 282.55 FEET; THENCE ALONG A CURVE TO THE RIGHT 16.72 FEET HAVING A RADIUS OF 10.00 FEET (CHORD BEARING AND DISTANCE BEING NORTH 52° 53' 33" EAST 14.84 FEET); THENCE ALONG A CURVE TO THE RIGHT 12.38 FEET HAVING A RADIUS OF 3187.00 FEET (CHORD BEARING AND DISTANCE BEING SOUTH 79° 19' 20" EAST 12.38 FEET); THENCE NORTH 10° 33' 59" EAST 152.00 FEET; THENCE ALONG A CURVE TO THE LEFT 358.08 FEET HAVING A RADIUS OF 3035.02 FEET (CHORD BEARING AND DISTANCE BEING SOUTH 82° 48' 50" EAST 357.87 FEET); THENCE SOUTH 05° 00' 00" WEST 859.76 FEET; THENCE NORTH 81° 04' 09" WEST 389.57 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 331,013 SQUARE FEET OR 7.599 ACRES, MORE OR LESS.