

When Recorded mail to:  
Nathan K. Fisher  
444 East Tabernacle B-201  
St. George Utah 84770

DOC # 20190031371

Amended Restrictive Covenants  
Russell Shirts Washington County Recorder  
08/07/2019 11:11:41 AM Fee \$ 40.00  
By FISHER NATHAN

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## **FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR GRAND HEIGHTS**

This First Amendment to the Declaration Of Covenants, Conditions, And Restrictions For Grand Heights (the "First Amendment") is made effective the 26<sup>th</sup> day of July, 2019, by GHE Development, LLC (hereinafter referred to as the "Declarant").

### **RECITALS**

- A. On November, 20, 2018, Declarant caused to be filed for record in the office of the County Recorder of Washington County, Utah, the Declaration Of Covenants, Conditions, And Restrictions For Grand Heights Estates (the "Declaration"), which was recorded as Doc # 20180046310, of the Official Records of Washington County.
- B. Declarant has determined that to provide for the preservation and enhancement of the property value that said Declaration be amended as hereinafter set forth.
- C. Pursuant to Section 7.1 of Article 7 of the Declaration, Declarant may unilaterally amend the Declaration at any time during the Development Phase.

NOW, THEREFORE, for the foregoing purposes, the Declarant hereby amends said Declaration as follows:

**ARTICLE 2 – ARCHITECTURAL CONTROL AND BUILDING RESTRICTIONS**  
shall be amended as follows: Subsection b) of Section 12) of Article 2 shall be removed in its entirety and replaced with the following:

- b) Home Exterior Surface shall be a combination of brick, high quality partial synthetic stucco, rock and hardy board. A minimum of 3 of these materials shall be used in combination on the front elevation of the home. No exotic colors will be allowed. Any ACC-approved out-buildings shall be of like material. Aluminum siding, Masonite, concrete, or vinyl siding are not permitted. Any other exterior material may only be used upon the express written approval of the ACC.

The Declaration shall also be amended to reflect that all references in the Declaration to Grand Heights Estates, Phase 1 shall mean and refer to Grand Heights, Phase 1.

The real property that is subject to this First Amendment is set forth in Exhibit A attached hereto.

Except as amended by the foregoing provision, all other terms, covenants, conditions and restrictions set forth in the Declaration shall remain in full force and effect. The real property subject to this First Amendment is set forth on Exhibit A, attached hereto, and all property annexed into the subdivision.

EXECUTED the 7<sup>th</sup> day of ~~July~~ <sup>August</sup>, 2019.

GHE Development, LLC

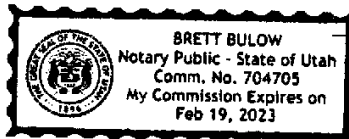
By: Myrna Stout, manager  
Myrna Stout, Manager

STATE OF UTAH )

: ss.

COUNTY OF WASHINGTON )

On this 7 day of ~~July~~ <sup>August</sup>, 2019, personally appeared before me Myrna Stout, who being personally known to me (or satisfactorily proved to me), and who being by me duly sworn did say that she is the manager of GHE Development, LLC, a Utah limited liability company, and that she executed the foregoing on behalf of the company and she did duly acknowledge to me that such company executed the same for the uses and purposes stated therein.



[Signature]  
NOTARY PUBLIC

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 20, TOWNSHIP 42 SOUTH, RANGE 15 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S88°54'34"E ALONG THE SECTION LINE, 1201.51 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S88°54'34"E ALONG SAID LINE, 66.01 FEET TO A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 467.00 FEET AND A CENTRAL ANGLE OF 05°59'43"; THENCE SOUTHERLY ALONG SAID CURVE 48.87 FEET (CHORD BEARS: S02°42'04"E 48.84 FEET); THENCE S05°41'55"E 41.92 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT 29.05 FEET (CHORD BEARS: S47°18'15"E 26.56 FEET); THENCE S88°54'34"E 51.86 FEET TO A POINT LOCATED ON THE 1/16TH SECTION LINE; THENCE S01°01'36"W ALONG SAID LINE 50.00 FEET; THENCE S88°54'34"E 70.05 FEET; THENCE S01°05'26"W 120.61 FEET; THENCE S66°14'22"E 119.21 FEET; THENCE S88°54'34"E 110.00 FEET; THENCE S35°44'40"E 121.74 FEET; THENCE N56°26'19"E 124.03 FEET; THENCE N28°28'36"E 48.67 FEET; THENCE N70°14'38"E 99.08 FEET; THENCE S88°54'34"E 83.35 FEET; THENCE S11°30'19"E 130.08 FEET TO A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 626.00 FEET AND A CENTRAL ANGLE OF 07°43'34"; THENCE EASTERLY ALONG SAID ARC 84.41 FEET (CHORD BEARS: N83°44'25"E 84.35 FEET); THENCE S02°23'48"E 50.00 FEET; THENCE S09°02'54"E 120.82 FEET; THENCE S12°03'48"W 103.94 FEET; THENCE S52°10'39"E 118.70 FEET; THENCE S39°12'41"E 45.00 FEET; THENCE S50°47'19"W 77.51 FEET; THENCE S53°20'02"E 229.09 FEET; THENCE S50°07'13"E 45.00 FEET TO A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 595.00 FEET AND A CENTRAL ANGLE OF 02°56'19"; THENCE SOUTHWESTERLY ALONG SAID ARC 30.52 FEET (CHORD BEARS: S38°24'38"W 30.51 FEET); THENCE SOUTHWESTERLY ALONG THE ARC OF A 95.00 FOOT RADIUS COMPOUND CURVE TO THE LEFT 19.60 FEET (CHORD BEARS: S31°01'47"W 19.57 FEET); THENCE S53°46'21"E 164.47 FEET; THENCE N14°57'41"E 48.65 FEET; THENCE N50°31'16"E 75.44 FEET; THENCE S65°35'33"E 58.31 FEET; THENCE N78°21'27"E 52.06 FEET TO A POINT LOCATED ON THE EAST LINE OF SAID SECTION 20; THENCE S01°09'10"W ALONG THE SECTION LINE 282.44 FEET TO A POINT LOCATED ON THE NORTH LINE OF MIDDLETON DRIVE, AN EXTENSION OF MIDDLETON DRIVE, PER ROAD DEDICATION DOC. NO. 20060059313, SAID POINT ALSO BEING LOCATED ON A NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG SAID NORTH LINE OF MIDDLETON DRIVE THE FOLLOWING (5) COURSES; THENCE SOUTHWESTERLY ALONG THE ARC OF A 1331.68 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT 100.88 FEET (CHORD BEARS: S63°45'28"W 100.85 FEET); THENCE S65°55'41"W 57.39 FEET; THENCE WESTERLY ALONG THE ARC OF A 317.00 FOOT RADIUS CURVE TO THE RIGHT 336.69 FEET (CHORD BEARS: N83°38'41"W 321.08 FEET); THENCE WESTERLY ALONG THE ARC OF A 258.00 FOOT RADIUS REVERSE CURVE TO THE LEFT 217.22 FEET (CHORD BEARS: N77°20'13"W 210.86 FEET); THENCE NORTHWESTERLY ALONG THE ARC OF A 40.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT 53.33 FEET (CHORD BEARS: N63°15'39"W 49.47 FEET) TO A POINT

LOCATED ON THE EAST LINE OF COTTONWOOD SPRINGS ROAD, PER ROAD DEDICATION DOC. NO. 00743534. SAID POINT ALSO BEING A POINT OF REVERSE CURVE TO THE LEFT; THENCE ALONG SAID EAST LINE OF COTTONWOOD SPRINGS ROAD THE FOLLOWING (4) COURSES; THENCE NORTHWESTERLY ALONG THE ARC OF A 1033.00 FOOT RADIUS REVERSE CURVE TO THE LEFT 95.50 FEET (CHORD BEARS: N27°42'51"W 95.46 FEET); THENCE N30°21'45"W 350.14 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 766.00 FOOT RADIUS CURVE TO THE LEFT 102.70 FEET (CHORD BEARS: N34°12'13"W 102.62 FEET); THENCE N38°02'40"W 111.61 FEET; THENCE NORTHERLY ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT 31.42 FEET (CHORD BEARS: N06°57'46"E 28.29 FEET); THENCE S51°58'15"W 38.61 FEET; THENCE N38°03'16"W 55.00 FEET; THENCE S51°56'44"W 67.38 FEET; THENCE NORTHERLY ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT 31.41 FEET (CHORD BEARS: N06°57'02"E 28.28 FEET) TO A POINT LOCATED ON THE WEST LINE OF SAID COTTONWOOD SPRINGS ROAD; THENCE ALONG SAID WEST LINE OF COTTONWOOD SPRINGS ROAD THE FOLLOWING (4) COURSES; THENCE N38°02'40"W 270.32 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 533.00 FOOT RADIUS CURVE TO THE RIGHT 300.90 FEET (CHORD BEARS: N21°52'18"W 296.92 FEET); THENCE N05°41'55"W 164.94 FEET; THENCE NORTHERLY ALONG THE ARC OF A 533.00 FOOT RADIUS CURVE TO THE RIGHT 56.69 FEET (CHORD BEARS: N02°39'07"W 56.66 FEET) TO THE POINT OF BEGINNING.

CONTAINING 17.55 ACRES.

SG-5-2-20-1100, SG-5-2-20-1102, SG-5-2-20-14120, SG-5-2-20-14112, SG-5-2-20-1105

A portion of which is also known as:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, Grand Heights Phase 1, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

Tax ID: SG-GRA-1-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15