



WHEN RECORDED, MAIL TO:

Merrill Properties, LLC
c/o Brad Merrill
3800 N. Paradise Village Dr., Unit 53
Santa Clara, UT 84765

AMENDMENT NO. 6 TO
DECLARATION OF COVENANTS, CONDITIONS,
EASEMENTS AND PROTECTIVE COVENANTS
FOR
PARADISE VILLAGE AT ZION

THIS AMENDMENT NO. 6 TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND PROTECTIVE COVENANTS FOR PARADISE VILLAGE AT ZION (the "**Amendment**") is executed this 3 day of February, 2020, by Merrill Properties, LLC, a Utah limited liability company (the "**Declarant**").

RECITALS

A. Declarant caused to be recorded a Declaration of Covenants, Conditions, Easements and Protective Covenants for Paradise Village at Zion dated as of June 27, 2014, and recorded on July 2, 2014, in the official records of Washington County, Utah as document number 20140020242, as modified and/or supplemented by that certain Amendment No. 1 to Declaration of Covenants, Conditions, Easements and Protective Covenants for Paradise Village at Zion dated as of March 23, 2016, and recorded on April 26, 2016, in the official records of Washington County, Utah as document number 20160014432, by that certain Amendment No. 2 to Declaration of Covenants, Conditions, Easements and Protective Covenants for Paradise Village at Zion dated as of June 20, 2016 and recorded on June 24, 2016, in the official records of Washington County, Utah as document number 20160022622, by that certain Amendment No. 3 to Declaration of Covenants, Conditions, Easements and Protective Covenants for Paradise Village at Zion dated as of April 3, 2017 and recorded on April 6, 2017, in the official records of Washington County, Utah as document number 20170014119, by that certain Amendment No. 4 to Declaration of Covenants, Conditions, Easements and Protective Covenants for Paradise Village at Zion dated as of August 24, 2017 and recorded on November 9, 2017, in the official records of Washington County, Utah as document number 20170045516 and by that certain Supplement and Amendment No. 5 to Declaration of Covenants, Conditions, Easements and Protective Covenants for Paradise Village at Zion dated as of January 23, 2018 and recorded on February 8, 2018 in the official records of Washington County, Utah as document number 20180005819 (collectively, the "**Declaration**") concerning the real property located in Washington County, State of Utah, as

more particularly described in Exhibit "A," attached hereto and incorporated herein (the "**Property**").

B. During the Period of Administrative Control, Declarant, acting without the consent or approval of the Association or any other Owner, shall have the right to amend the Declaration pursuant to Section 15.2 of the Declaration and to bring within the scheme of the Declaration additional land within the area defined as Additional Land within the Declaration.

C. The Period of Administrative Control is still in effect as of the date hereof and Declarant desires to amend the Declaration by modifying provisions within the Declaration and subjecting additional land to the Declaration.

NOW, THEREFORE, Declarant amends the Declaration as follows:

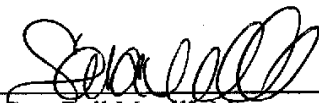
1. Amendment to Bylaws. The Bylaws of the Paradise Village Owners Association, Inc. have been modified and or supplemented by that certain Amendment No. 1 of Bylaws of the Paradise Village Owners Association, Inc., a copy of which is attached hereto and incorporated herein as Exhibit "B-6."

2. Miscellaneous. The recitals are hereby incorporated into this Amendment. Any defined terms used herein that are not defined herein shall have the meaning ascribed to them in the Declaration. Except as provided herein, the terms and conditions of the Declaration shall remain the same and in full force and effect and are incorporated herein as amended hereby. Declarant hereby reaffirms the Declaration, as previously amended and amended by this Amendment.

IN WITNESS WHEREOF, Declarant has executed this Amendment as of the date first above written.

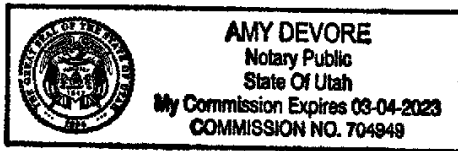
MERRILL PROPERTIES, LLC,
a Utah limited liability company

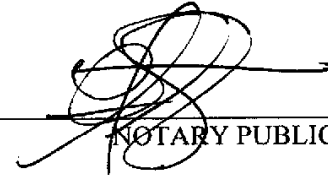
By: 
Brad E. Merrill, Manager

By: 
Sara Ball Merrill, Manager

STATE OF UTAH)
) ss.
County of Washington)

On the 3 day of FEBRUARY, 2020, personally appeared before me Brad E. Merrill, known to me, or proved to me on the basis of satisfactory evidence, to be the person who executed the within instrument on behalf of Merrill Properties, LLC, a Utah limited liability company, and who acknowledged to me that said entity executed it.

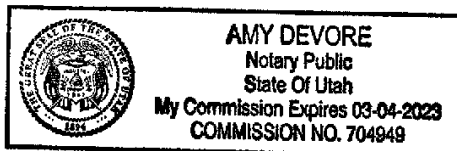


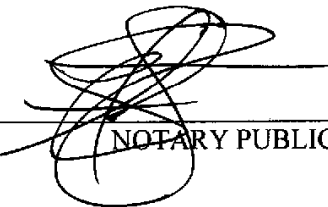


NOTARY PUBLIC

STATE OF UTAH)
) ss.
County of Washington)

On the 4 day of FEBRUARY, 2020, personally appeared before me Sara Ball Merrill, known to me, or proved to me on the basis of satisfactory evidence, to be the person who executed the within instrument on behalf of Merrill Properties, LLC, a Utah limited liability company, and who acknowledged to me that said entity executed it.





NOTARY PUBLIC

EXHIBIT "A"

(Legal Description of Property)

Beginning at a point on the southerly line of North Town Road, said point being North 89°26'54" East 1,324.41 feet along the section line and South 00°42'28" West 31.33 feet from the North Quarter Corner of Section 8, Township 42 South, Range 16 West, Salt Lake Base & Meridian, and running;

thence northeasterly the following (3) courses along said North Town Road;
thence northeasterly 135.65 feet along an arc of a 390.00 foot radius curve to the left (center bears North 12°39'31" West, long chord bears North 67°22'38" East 134.97 feet with a central angle of 19°55'42");
thence North 57°24'47" East 292.91 feet;
thence easterly 39.27 feet along an arc of a 25.00 foot radius curve to the right (center bears South 32°35'13" East, long chord bears South 77°35'25" East 35.35 feet with a central angle of 89°59'36") to the westerly line of Rachel Drive;
thence southeasterly the following (5) courses along said easterly line of Rachel Drive;
thence South 32°35'37" East 205.00 feet;
thence southeasterly 337.53 feet along an arc of a 390.00 foot radius curve to the left (center bears North 57°24'23" East, long chord bears South 57°23'14" East 327.09 feet with a central angle of 49°35'14");
thence South 82°10'51" East 268.54 feet;
thence southeasterly 376.07 feet along an arc of a 260.00 foot radius curve to the right (center bears South 07°49'09" West, long chord bears South 40°44'39" East 344.13 feet with a central angle of 82°52'25");
thence South 00°41'33" West 181.51 feet to the south line of Lot 6, Block 29, St. George and Santa Clara Bench Irrigation Company Survey;
thence South 89°37'38" West 1,263.42 feet along the southerly line of Lots 6 and 5 to the southwest corner of Lot 5, Block 29, St. George and Santa Clara Bench Irrigation Company Survey;
thence North 89°17'32" West 24.75 feet;
thence North 00°42'28" East 633.65 feet to the Point of Beginning.

Containing 741,910 square feet or 17.03 acres.

AND THE FOLLOWING:

Beginning at a point on the southerly line of North Town Road, said point being North 89°26'54" East 911.74 feet along the section line and South 40.00 feet from the North Quarter Corner of Section 8, Township 42 South, Range 16 West, Salt Lake Base & Meridian, and running;

thence easterly along the following (2) courses along said southerly line of North Town Road;

thence North 89°26'54" East 330.56 feet;
 thence easterly 82.41 feet along an arc of a 390.00 foot radius curve to the left (center bears North 00°33'06" West, long chord bears North 83°23'42" East 82.26 feet with a central angle of 12°06'24") to the northwest corner of Paradise Village at Zion Phase 2;
 thence South 00°42'28" West 691.39 feet along and beyond said west line of Paradise Village at Zion Phase 2;
 thence South 89°37'34" West 24.75 feet;
 thence North 64°40'33" West 89.47 feet;
 thence North 26°48'29" West 6.13 feet to the southerly line of Lot 6 Block 30, of the ST. GEORGE AND SANTA CLARA BENCH IRRIGATION COMPANY SURVEY;
 thence South 89°37'34" West 553.69 feet to and along the southerly line of Lot 6 Block 30, of the ST. GEORGE AND SANTA CLARA BENCH IRRIGATION COMPANY SURVEY to the southwest corner of said Lot 6, said point also being the easterly line of Tuscany at Cliffrose Phase 2;
 thence North 00°44'49" East 182.38 feet along the westerly line of said Lot 6 and said line being the easterly line of said Tuscany at Cliffrose Phase 2 to the southerly line of Hamblin Parkway;
 thence Northerly 188.25 feet along an arc of a 706.00 foot radius curve to the left (center bears North 67°33'30" West, long chord bears North 14°48'11" East 187.69 feet with a central angle of 15°16'38") along the southwesterly line of Hamblin Parkway to the southwest corner of Snow Canyon KH Subdivision;
 thence easterly and northerly the following (3) courses along said Snow Canyon KH Subdivision;
 thence South 51°46'51" East 42.78 feet;
 thence North 89°26'48" East 170.51 feet;
 thence North 00°44'45" East 299.75 feet to the Point of Beginning.

Containing 347.327 square feet on 7.97 acres.

Also described as follows:

PARCEL 1: SC-6-2-8-11031

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF NORTH TOWN ROAD, SAID POINT BEING NORTH 89°26'54" EAST 1,324.41 FEET ALONG THE SECTION LINE AND SOUTH 00°42'28" WEST 31.33 FEET FROM THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING; THENCE NORTHEASTERLY THE FOLLOWING (3) COURSES ALONG SAID NORTH TOWN ROAD; THENCE NORTHEASTERLY 135.65 FEET ALONG AN ARC OF A 390.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 12°39'31" WEST, LONG CHORD BEARS NORTH 67°22'38" EAST 134.97 FEET WITH A CENTRAL ANGLE OF 19°55'42"); THENCE NORTH 57°24'47" EAST 292.91 FEET; THENCE EASTERLY 39.27 FEET ALONG AN ARC OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 32°35'13" EAST, LONG CHORD BEARS SOUTH 77°35'25" EAST 35.35 FEET WITH A CENTRAL ANGLE OF 89°59'36") TO THE WESTERLY LINE OF RACHEL DRIVE; THENCE SOUTHEASTERLY THE FOLLOWING (5) COURSES ALONG SAID EASTERLY LINE OF RACHEL DRIVE;

THENCE SOUTH 32°35'37" EAST 205.00 FEET; THENCE SOUTHEASTERLY 337.53 FEET ALONG AN ARC OF A 390.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 57°24'23" EAST, LONG CHORD BEARS SOUTH 57°23'14" EAST 327.09 FEET WITH A CENTRAL ANGLE OF 49°35'14"); THENCE SOUTH 82°10'51" EAST 268.54 FEET; THENCE SOUTHEASTERLY 376.07 FEET ALONG AN ARC OF A 260.00 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 07°49'09" WEST, LONG CHORD BEARS SOUTH 40°44'39" EAST 344.13 FEET WITH A CENTRAL ANGLE OF 82°52'25"); THENCE SOUTH 00°41'33" WEST 181.51 FEET TO THE SOUTH LINE OF LOT 6, BLOCK 29, ST. GEORGE AND SANTA CLARA BENCH IRRIGATION COMPANY SURVEY; THENCE SOUTH 89°37'38" WEST 1,263.42 FEET ALONG THE SOUTHERLY LINE OF LOTS 6 AND 5 TO THE SOUTHWEST CORNER OF LOT 5 BLOCK 29, ST. GEORGE AND SANTA CLARA BENCH IRRIGATION COMPANY SURVEY; THENCE NORTH 89°17'32" WEST 24.75 FEET; THENCE NORTH 00°42'28" EAST 633.65 FEET TO THE POINT OF BEGINNING.

LESS LAND IN PARADISE VILLAGE AT ZION PHASE 1 AMENDED
LESS LAND IN PARADISE VILLAGE AT ZION PHASE 2 AMENDED
LESS LAND IN PARADISE VILLAGE AT ZION PHASE 3 AMENDED
LESS LAND IN PARADISE VILLAGE AT ZION PHASE 4
LESS LAND IN PARADISE VILLAGE AT ZION PHASE 5

SITUATE IN WASHINGTON COUNTY, STATE OF UTAH.

PARCEL 2: (SC-PVZ-1-1,2,3,4,5,6,7,37,38,39,40,41,42,43)
ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 37, 38, 39, 40, 41, 42 AND 43, PARADISE VILLAGE AT ZION PHASE 1, AMENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE RECORDER OF WASHINGTON COUNTY, STATE OF UTAH.

PARCEL 3 (SC-PVZ-2-51, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 67, 69, 70)
ALL OF LOTS 51, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 67, 69, 70, PARADISE VILLAGE AT ZION PHASE 2, AMENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE RECORDER OF WASHINGTON COUNTY, STATE OF UTAH, AS AMENDED BY THE PARADISE VILLAGE AT ZION, PHASE 2, 2ND AMENDED PLAT, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE RECORDER OF WASHINGTON COUNTY, STATE OF UTAH.

PARCEL 4: (SC-PVZ-3-22,23,24,25,26,27,28,29,30,31,32,33,34,35,36,44,45,46,47,48,49,50)
ALL OF LOTS 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 44, 45, 46, 47, 48, 49 AND 50, PARADISE VILLAGE AT ZION PHASE 3, AMENDED ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE RECORDER OF WASHINGTON COUNTY, STATE OF UTAH.

PARCEL 5: (SC-PVZ-4-8,9,10,11,12,13,14,15,16,17,18,19,20,21)
ALL OF LOTS 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, PARADISE VILLAGE AT ZION PHASE 4, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE RECORDER OF WASHINGTON COUNTY, STATE OF UTAH.

PARCEL 6: (SC-PVZ-5-71,72,73,74,75,76,77,78,79,80,81,82,83,84,85,86,87,89)
ALL OF LOTS 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 89 PARADISE
VILLAGE AT ZION PHASE 5, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON
FILE IN THE OFFICE OF THE RECORDER OF WASHINGTON COUNTY STATE OF
UTAH.

PARCEL 7: (SC-PVZ-6-90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106,
107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121) ALL OF LOTS 90,
91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111,
112, 113, 114, 115, 116, 117, 118, 119, 120, 121 PARADISE VILLAGE AT ZION PHASE 6,
AMENDED ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE
OF THE RECORDER OF WASHINGTON COUNTY STATE OF UTAH.

LESS AND EXCEPT ANY PORTION OF THE FOREGOING THAT IS LOCATED WITHIN
THE FOLLOWING DESCRIBED PROPERTY:



Exhibit "A"

Beginning at a point being North 00°44'49" East 74.40 feet from the southwest corner of Paradise Village at Zion Phase 6 Amended as found on file at the Washington County, Utah Recorder's Office, and running;

thence North 54°04'59" West 46.90 feet to the southeasterly line of Hamblin Parkway;
thence Northeasterly 146.15 feet along an arc of a 706.00 feet radius curve to the left (center bears North 60°16'58" West, long chord bears North 23°47'13" East 145.89 feet with a central angle of 11°51'39") along the southeasterly line of said Hamblin Parkway;
thence South 67°43'34" East 51.92 feet;
thence South 22°16'26" West 5.34 feet to the northerly line of Lot 107, said Paradise Village at Zion Phase 6 Amended;
thence following along said Lot 107 the following (3) courses;
thence South 67°39'15" East 44.26 feet;
thence South 22°20'45" West 50.00 feet;
thence North 67°39'15" West 45.03 feet;
thence South 22°20'45" West 17.32 feet;
thence South 70°08'36" West 11.88 feet;
thence South 47°00'09" West 5.06 feet;
thence South 27°33'43" West 27.47 feet;
thence South 30°42'53" West 24.87 feet to the westerly line of said Paradise Village at Zion Phase 6 Amended;
thence South 00°44'49" West 21.20 feet along said westerly line to the Point of Beginning.

Containing 8,923 square feet or 0.21 acres.



January 8, 2018

EXHIBIT "B-6"

(Amendment No. 1 to Bylaws)

Amendment No. 1 to
Bylaws of
Paradise Village at Zion Owners Association, Inc.

THIS Amendment No. 1 to Bylaws of Paradise Village at Zion Owners Association, Inc. (the "**Amendment**") is executed this 23rd day of January, 2020, by Merrill Properties, LLC, a Utah limited liability company (the "**Declarant**").

R E C I T A L S

- A. Pursuant to Section 8.06 of the Bylaws of Paradise Village at Zion Owners Association, Inc. dated as of July 2, 2014 (the "**Bylaws**"), so long as the Class "B" membership exists, the Declarant, as the Class "B" Member, may unilaterally amend these Bylaws for any purpose.
- B. The Class "B" membership is still in effect as of the date hereof and Declarant desires to amend the Bylaws pursuant to the terms and conditions set forth herein.

NOW, THEREFORE, Declarant amends the Bylaws as follows:

- 1. Amendment to Section 3.05 of the Bylaws. Section 3.05 of the Bylaws is hereby amended by adding the following sentence as the second sentence of Section 3.05:

Written notice to members of any meeting may be provided by publication on the Association's website, or email, text message, or the technological evolution of the same.

- 2. Amendment to Section 3.09 of the Bylaws. The following sentence shall be added at the end of Section 3.09:

Notwithstanding anything contained herein, proxies may only be Members (and may not be granted to property management companies) and no Member may be the proxy of more than three (3) other Members.

- 3. Amendment to Section 3.11 of the Bylaws. The following shall be added as the second sentence of Section 3.11:

Members may participate in meetings via telephone or video conferencing, such as through Skype, Google Hangout, or Facetime, or technological evolutions of the same.

- 4. Amendment to Section 4.04 of the Bylaws. Section 4.04 of the Bylaws is deleted in its entirety and replaced by the following:


(b) At the first annual meeting of the membership after termination of the Period of Administrative Control pursuant to Section 2 of this article, one (1) director shall be elected by the Class "A" Members. The Class "B" Member shall be entitled to decide which director seat will be up for election. The directors so elected shall serve for a term of three (3) years. One remaining director shall serve for a term of one (1) year and the other director shall serve for a term of two (2) years after the first annual meeting. At the expiration of the initial term of office of each member of the Board of Directors and at each annual meeting thereafter, a successor shall be elected to serve for a term of three (3) years.

5. Miscellaneous. The recitals are hereby incorporated into this Amendment. Except as provided herein, the terms and conditions of the Declaration shall remain the same and in full force and effect and are incorporated herein as amended hereby.

IN WITNESS WHEREOF, Declarant has executed this Amendment as of the date first above written.

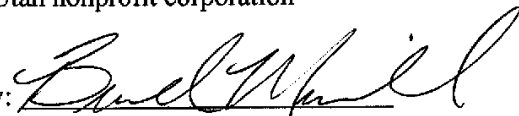
MERRILL PROPERTIES, LLC,
a Utah limited liability company

By: 
Brad E. Merrill, Manager

By: 
Sara Ball Merrill, Manager

Acknowledged and Agreed to by:

PARADISE VILLAGE AT ZION
OWNERS ASSOCIATION, INC.,
a Utah nonprofit corporation

By: 
Brad E. Merrill, President