

4 335 E. ST. GEORGE BLVD, STE. 301
ST. GEORGE UT 84770

DOC # 20200013974

Amended Restrictive Covenants
Russell Shirts Washington County Recorder
03/19/2020 04:38:28 PM Fee \$ 40.00
By JENNINGS STEVEN

Page 1 of 4

FIRST AMENDMENT TO

NEIGHBORHOOD DECLARATION FOR

THE FAIRWAYS AT LEDGES EAST

THIS FIRST AMENDMENT TO NEIGHBORHOOD DECLARATION FOR THE FAIRWAYS AT LEDGES EAST (the "Amendment") is made and executed this 10TH day of MARCH, 2020, by, Ledges Management and Planning, LLC, a Utah limited liability company, as Declarant. This Amendment amended and modifies the following:

- a. The Neighborhood Declaration for Fairways at Ledges East that was recorded March 3, 2016, as DOC # 20160007297, records of Washington County, Utah (the "Neighborhood Declaration"); and
- b. Any and all supplements or amendments to the Neighborhood Declaration prior to the date of this Amendment, whether or not such were recorded with the Washington County Recorder;

Declarant makes this Amendment pursuant to its unilateral amendment rights under Section 15.2 of the Neighborhood Declaration with regard to that real property located in Washington County, Utah, more particularly described in Exhibit A that is attached hereto and made a part hereof (the "Property"). This Amendment is adopted and approved with the written consent of the Master Association.

In the event of a conflict between this Amendment and the Neighborhood Declaration, the Articles of Incorporation, Bylaws, or the Rules and Regulations of The Fairways at Ledges East Owners Association, this Amendment controls.

This Amendment is effective on the date it is recorded with the Washington County Recorder's Office.

AMENDMENTS

There is hereby added to Article 4 of the Neighborhood Declaration a new Section, which is numbered as Section 4.7A, and which provides as follows:

4.7A. Resort Assessments. Unit Owners renting their Units as Short-term Rentals shall pay a Resort Assessment to the Neighborhood Association each time the Unit is rented as a Short-term Rental. The Neighborhood Board will establish the amount of the Resort Assessment from time to time by rule. The purpose of the Resort Assessment is to defray the estimated additional costs to the Association resulting from the nature of Short-term Rental use within the Neighborhood, including the additional burden and costs to maintain the Common Areas and amenities that result from such use. Resort Assessments may be levied and collected by the Neighborhood Association against an Owner in the same way as any other assessment set forth in this Article. The Neighborhood Board may require that Resort Assessments be paid directly to the property management company (Section 10.2) or collected directly from any renter of a Short-term Rental by the property management company and thereafter forwarded to the Neighborhood Association. If a Unit Owner fails to pay Resort

Assessments, that Owner's right to rent their Unit as a Short-term Rental may be indefinitely suspended.

Section 10.2 of the Neighborhood Declaration is amended as follows:

10.2. Use of Units as Short-term Rentals. Owners may rent their Units as Short-term Rentals. Owners opting to rent their Units as Short-term rentals are required to use the services of a property management company that is (1) licensed in accordance with state law and local ordinances, and (2) approved by the Neighborhood Association and the Master Association to manage Short-term Rentals within the Neighborhood. The Neighborhood Board shall establish the procedures, rules, and regulations for any Short-term Rentals, including check-in, access to Units and common amenities and facilities, etc. Any such procedures, rules, and regulations must be approved by the Master Association. The Owner shall at all times the Unit is rented, assure compliance with the Master Declaration, the Governing Documents, and any rules and regulations for the Property. Notwithstanding any language in this Neighborhood Declaration to the contrary, Short-term Rentals are a permissible commercial activity under this Neighborhood Declaration.

All other terms of the Neighborhood Declaration and other Governing Documents that do not conflict with the terms of this Amendment remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, as the Declarant herein, has hereunto set its hand this 10th day of MARCH, 2020.

DECLARANT

Ledges Management and Planning, LLC
a Utah limited liability company

By Gilbert M. Jennings

Gilbert M. Jennings, Manager

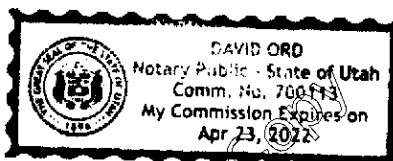
STATE OF UTAH)

) ss.

COUNTY OF WASHINGTON)

The foregoing instrument was acknowledged before me this 10th day of March, 2020, by Gilbert M. Jennings, as Manager of Ledges Management and Planning, LLC, a Utah limited liability company.

David Ord
NOTARY PUBLIC



CONSENT OF MASTER ASSOCIATION

The Master Association hereby approves the First Amendment to Neighborhood Declaration for The Fairways at Ledges East in accordance with Section 2.2 of the Master Declaration, and consents to its recording.

DATED: MARCH, 2020.

Ledges East Master Owners Association
a Utah non-profit corporation

By Gilbert M Jennings

Its: PRESIDENT

STATE OF UTAH)

) ss.

COUNTY OF WASHINGTON)

The foregoing instrument was acknowledged before me this 10th day of March, 2020, by Gilbert M Jennings, as the President of Ledges East Master Owners Association.

David Ord
NOTARY PUBLIC

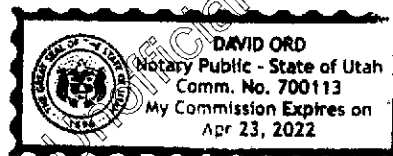


EXHIBIT 'A'**The Ledges of St. George – Phase 7**

A PARCEL OF LAND LYING IN THE SOUTH HALF OF SECTION 23, AND THE NORTH HALF OF SECTION 26, TOWNSHIP 41 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENTING THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE S. 88°49'15" E A DISTANCE OF 1983.47 FEET ALONG THE SECTION LINE; THENCE NORTH 230.48 FEET TO THE REAL POINT OF BEGINNING:

THENCE ALONG THE SOUTHERLY BOUNDARY OF LEDGES PARKWAY, A 72 FOOT WIDE EXISTING PUBLIC STREET THE FOLLOWING THREE (3) COURSES; THENCE SOUTHEASTERLY A DISTANCE OF 384.68 FEET ALONG THE ARC OF A 2528.00-FOOT RADIUS CURVE TO THE LEFT CURVE HAVING A CENTRAL ANGLE OF 8°43'07" AND A CHORD THAT BEARS S. 85°09'24" E. A DISTANCE OF 384.31 FEET; THENCE S. 89°30'58" E. A DISTANCE OF 235.90 FEET TO A POINT OF CURVATURE OF A 478.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY A DISTANCE OF 298.27 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 35°45'07" AND A CHORD THAT BEARS N. 72°36'29" E. A DISTANCE OF 293.45 FEET; THENCE N. 35°16'05" W. A DISTANCE OF 71.00 FEET TO A POINT OF CURVATURE OF A 407.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY A DISTANCE OF 8.95 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 1°15'37" AND A CHORD THAT BEARS N. 54°06'06" E. A DISTANCE OF 8.95 FEET TO A POINT OF CURVATURE OF A 543.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY A DISTANCE OF 129.00 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 13°36'41" AND A CHORD THAT BEARS N. 60°16'38" E. A DISTANCE OF 128.69 FEET; THENCE N. 67°04'59" E. A DISTANCE OF 174.33 FEET TO A POINT OF CURVATURE OF A 454.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHEASTERLY A DISTANCE OF 436.79 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 55°07'27" AND A CHORD THAT BEARS S. 85°21'18" E. A DISTANCE OF 420.14 FEET; THENCE S. 57°47'34" E. A DISTANCE OF 65.61 FEET TO A POINT OF CURVATURE OF A 384.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHEASTERLY A DISTANCE OF 204.77 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 30°33'11" AND A CHORD THAT BEARS S. 73°04'10" E. A DISTANCE OF 202.35 FEET; THENCE S. 88°20'45" E. A DISTANCE OF 33.85 FEET; THENCE S. 01°39'15" W. A DISTANCE OF 70.00 FEET; THENCE N. 88°20'45" W. A DISTANCE OF 33.85 FEET TO A POINT OF CURVATURE OF A 454.00-FOOT RADIUS REVERSE CURVE TO THE RIGHT; THENCE NORTHEASTERLY A DISTANCE OF 142.95 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 18°02'28" AND A CHORD THAT BEARS N. 79°19'31" W. A DISTANCE OF 142.36 FEET; THENCE S. 07°30'19" E. A DISTANCE OF 134.40 FEET; THENCE S. 82°29'41" W. A DISTANCE OF 305.00 FEET; THENCE S. 80°23'52" W. A DISTANCE OF 130.41 FEET; THENCE S. 73°15'08" W. A DISTANCE OF 144.28 FEET; THENCE S. 54°01'42" W. A DISTANCE OF 136.59 FEET; THENCE S. 61°58'22" W. A DISTANCE OF 86.50 FEET; THENCE S. 70°25'56" W. A DISTANCE OF 78.35 FEET; THENCE S. 75°06'47" W. A DISTANCE OF 81.72 FEET; THENCE S. 81°57'16" W. A DISTANCE OF 91.17 FEET; THENCE S. 88°25'47" W. A DISTANCE OF 74.41 FEET; THENCE N. 89°18'40" W. A DISTANCE OF 142.00 FEET; THENCE N. 89°00'54" W. A DISTANCE OF 71.00 FEET; THENCE N. 85°34'39" W. A DISTANCE OF 65.14 FEET; THENCE S. 88°07'04" W. A DISTANCE OF 88.24 FEET; THENCE N. 83°30'09" W. A DISTANCE OF 84.50 FEET; THENCE N. 78°14'18" W. A DISTANCE OF 86.71 FEET; THENCE N. 18°08'10" E. A DISTANCE OF 121.63 FEET TO A POINT OF CURVATURE OF A 175.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHWESTERLY A DISTANCE OF 198.41 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 64°57'43" AND A CHORD THAT BEARS N. 30°01'41" W. A DISTANCE OF 187.96 FEET; THENCE N. 02°27'10" E. A DISTANCE OF 11.46 FEET TO A POINT OF CURVATURE OF A 20.00-FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY A DISTANCE OF 29.06 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 83°15'01" AND A CHORD THAT BEARS N. 39°10'20" W. A DISTANCE OF 26.57 FEET TO THE REAL POINT OF BEGINNING. CONTAINING 12.83 ACRES.