

Amended Restrictive Covenants Page 1 of 7
Gary Christensen Washington County Recorder
12/22/2021 02:41:15 PM Fee \$40.00 By MERIDIAN
TITLE COMPANY

WHEN RECORDED RETURN TO:

Black Ridge Cove, LLC
475 South Donlee Drive
St. George, Utah 84770

**FIRST AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS
FOR
BLACK RIDGE COVE**

This FIRST AMENDMENT OF THE DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR BLACK RIDGE COVE (the “First Amendment”) is executed on the date set forth below, by Black Ridge KD-DAI, LLC, a Utah limited liability company (the “Attached Townhome Owner”) and Black Ridge Cove, LLC, a Utah limited liability company (the “Declarant”) pursuant to the provisions of the Declaration described in Recital A below.

RECITALS

A. The Declaration of Covenants, Conditions, Easements and Restrictions for Black Ridge Cove was recorded in the Washington County Recorder’s Office on June 18, 2021 as Entry No. 20210042426, (the “Declaration”) against real property located in Washington County, Utah, a portion of which is particularly described on Exhibit A attached hereto and incorporated by this reference (the “Attached Townhome Lots/Parcels”). Capitalized terms not specifically defined in this First Amendment shall have the meanings set forth in the Declaration.

B. Pursuant to Section 12.3 of the Declaration, during the period of Declarant control, as described in Section 2.17 of the Declaration, the Declaration may be amended by the Declarant for any purpose, provided such amendment shall not materially adversely affect the substantive rights of any Owner with the written consent of the affected Owner.

C. Declarant and the Attached Townhome Owner desire to exercise their rights to amend the Declaration for the purpose of de-annexing and removing the Attached Townhome Lots/Parcels from the Property and releasing the Attached Townhome Lots/Parcels from the encumbrance of the Declaration, by recording this First Amendment in the Washington County Recorder’s Office.

D. Pursuant the amendment requirements of Section 12.3 of the Declaration, this First Amendment is approved and executed by the Declarant, as well as the Attached Townhome Owner, which are the sole Owners of the property affected by this First Amendment.

DECLARATION

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

1. Removal of the Attached Townhome Lots/Parcels from Property. The Declarant and the Attached Townhome Owner hereby declare and agree that the Attached Townhome Lots/Parcels shall no longer be subject to the covenants, conditions, restrictions, easements, and assessments contained in the Declaration or any amendments thereto. The

Declaration is hereby terminated, rescinded and revoked with respect to all of the Attached Townhome Lots/Parcels, and shall hereafter be of no further force or effect with respect to any portion of the Attached Townhome Lots/Parcels. Following the recording of this First Amendment, the property that is subject to and encumbered by the Declaration, and which is defined in the Declaration as the "Property" shall be the property described in Exhibit B, which is attached hereto and incorporated herein by this reference.

2. Modification of Section 2.3. Due to the modifications to the boundaries of the Property as detailed in the Declaration, and this, the First Amendment thereto (de-annexing the Attached Townhome Lots/Parcels), the first sentence of Section 2.3 of the Declaration is hereby amended in its entirety to read as follows: "The Property shall consist of up to sixty-two (62) Detached Townhomes, as depicted on the Plat, subject to the Declarant's right to expand the Property pursuant to the provisions of Section 2.5 below." Recital B of the Declaration is similarly amended to reflect the maximum number of Detached Townhomes as set forth in this paragraph.

3. Incorporation of Recitals and Exhibits. The Recitals set forth at the beginning of this First Amendment and the Exhibits attached hereto are incorporated herein by this reference.

[Signature pages to follow]

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed this
21 day of December, 2021.

BLACK RIDGE COVE, LLC,
a Utah limited liability company

By: Isaac B. Barlow
Name: Isaac B. Barlow
Its: Manager

STATE OF UTAH)
) ss.
COUNTY OF Washington)

On the 21 day of December, 2021, personally appeared before me Isaac B. Barlow who by
me being duly sworn, did say that she/he is the Manager of BLACK RIDGE COVE, LLC,
and that the foregoing instrument is signed on behalf of said company and executed with all
necessary authority.



Notary Public
My commission expires: 4/2/23
Residing at: St. George, UT

IN WITNESS WHEREOF, the Attached Townhome Owner has caused this Amendment to be executed this 21st day of December 2021.

BLACK RIDGE KD-DAI, LLC

a ~~Utah~~ limited liability company

By:

Name: Bryan Flamm

Its: Manager

STATE OF UTAH

)
) ss.

COUNTY OF Salt

On the 21st day of December 2021, personally appeared before me

Bryan Flamm who by me being duly sworn, did say that she/he is the
Manager of BLACK RIDGE KD-DAI, LLC, and that the foregoing
instrument is signed on behalf of said company and executed with all necessary authority.

He W
Notary Public

My commission expires: 11-16-2023

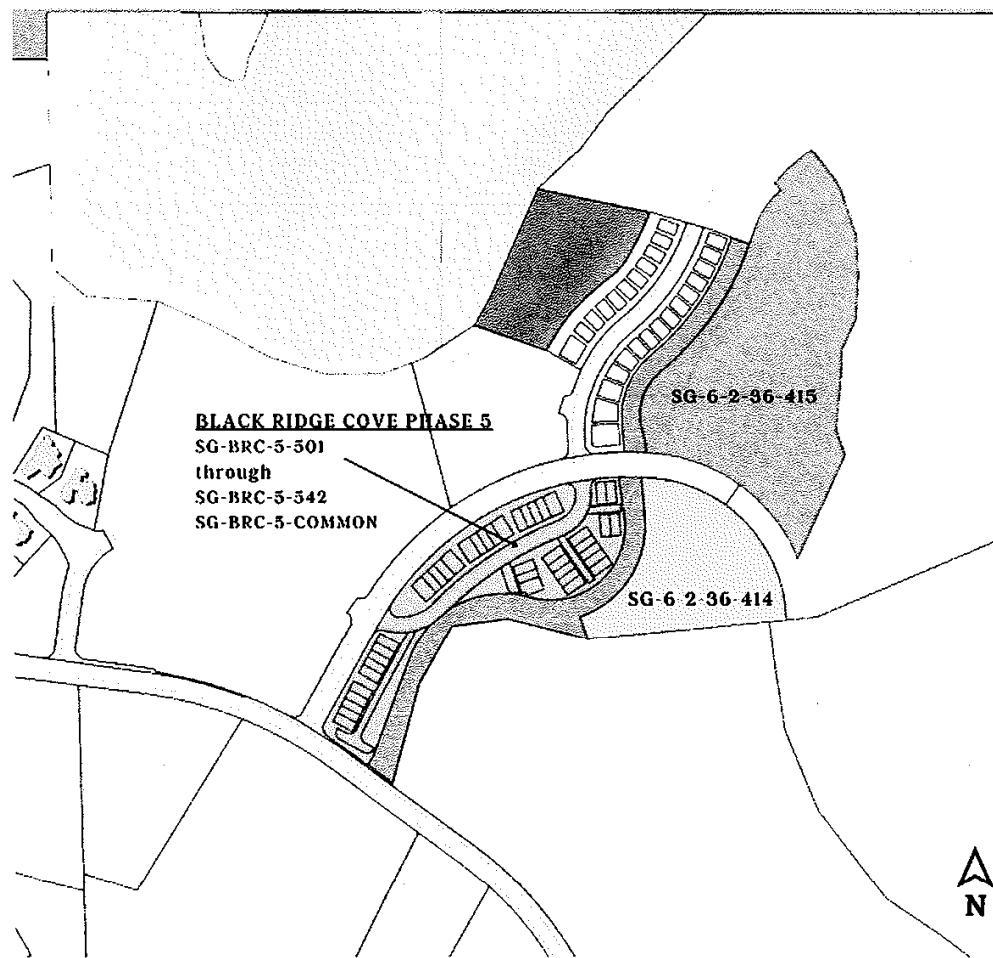
Residing at: Salt Lake



EXHIBIT A**Legal Description of Black Ridge Cove Attached Townhome Lots/Parcels**

All of Black Ridge Cove Attached Townhome Lots/Parcels, including:

BLACK RIDGE COVE PHASE 5, according to the official plat filed in the office of the Washington County Recorder on April 29, 2021, as Entry Number 20210041881, including Lots 501 through 542, **Parcel Numbers: SG-BRC-5-501 through SG-BRC-5-542**, and
SG-BRC-5-COMMON,
and
PARCELS SG-6-2-36-414 & SG-6-2-36-415



PARCEL A

A parcel of land more particularly described as:

Beginning at the North 1/4 corner of Section 36, Township 42 South, Range 16 West, Salt Lake Base and Meridian, and running thence South 00°40'01" West 1491.30 feet along the Section line, Also being on the Tech Ridge LLC property recorded September 26, 2018, as Document No. 20180039174, in the Washington County Recorder, in said County, State of Utah; thence along said Tech Ridge LLC property for the following six (6) Courses: South 68°31'58" West 601.88 feet; thence South 85°47'18" West 658.74 feet; thence North 74°40'43" West 238.88 feet; thence South 83°51'03" West 160.83 feet; thence South 31°09'47" West 187.47 feet; thence South 16°35'07" West 304.12 feet to the Right-of-Way line of Indian Hills Drive; thence along said Indian Hills drive for the following two (2) Courses: North 52°37'34" West 171.99 feet to a point on the arc of a non-tangent curve to the left having a radius of 1238.04 feet; thence Northwesterly 182.02 feet along the arc of said curve through a central angle of 8°25'26", the radial direction bears South 37°22'25" West, to a point on the arc of a non-tangent curve to the left having a radius of 25.00 feet; thence Northeasterly 38.58 feet, along the arc of said curve through a central angle of 88°25'24", the radial direction bears North 28°56'59" East; thence North 30°31'35" East 290.09 feet to a point on the arc of a tangent curve to the left having a radius of 25.00 feet; thence Northwesterly 41.60 feet, along the arc of said curve through a central angle of 95°20'00"; thence North 37°39'56" East 51.28 feet to a point on the arc of a non-tangent curve to the left having a radius of 25.00 feet; thence Northeasterly 35.40 feet along the arc of said curve through a central angle of 81°07'47", the radial direction bears North 25°10'46" East to a point on the arc of a reverse curve to the right having a radius of 885.00 feet; thence Northeasterly 346.28 feet, along the arc of said curve through a central angle of 22°25'08", the radial direction bears South 55°57'01" East; thence North 13°33'10" West 431.17 feet to the said Tech Ridge LLC, property; thence along said Tech Ridge LLC, property for the following Seven (7) Courses: North 71°06'16" East 36.45 feet; thence North 58°01'42" East 173.82 feet; thence North 30°52'28" East 89.21 feet; thence North 25°30'04" East 338.86 feet; thence North 48°14'56" East 164.96 feet; thence North 38°14'53" East 130.39 feet; thence North 46°40'04" East 404.74 feet to the North Section line of said Section 36; thence along said Section line South 88°42'05" East 849.76 feet to the point of beginning.

Containing: 59.79 Acres

EXHIBIT B

Revised Legal Description of the Property (property subject to the Declaration)

All of **BLACK RIDGE COVE PHASE 1**, according to the official plat filed in the office of the Washington County Recorder on April 29, 2021 as Entry Number 20210041881, including Lots 101 through 126, **Parcel Numbers: SG-BRC-1-101 through SG-BRC-1-126, and**
SG-BRC-1-COMMON
and
PARCEL SG-6-2-36-412

