

Amended Restrictive Covenants Page 1 of 3
Gary Christensen Washington County Recorder
03/22/2022 10:08:31 AM Fee \$40.00 By DENTONS
DURHAM JONES PINEGAR - ST. GEORGE

WHEN RECORDED RETURN TO:

Rick L. Guerisoli
Dentons Durham Jones Pinegar P.C.
192 East 200 North, Third Floor
St. George, Utah 84770

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF
HERITAGE POINTE SUBDIVISION**

A residential townhome development located in Santa Clara, Utah.

This First Amendment pertains to that certain Declaration of Covenants, Conditions and Restrictions of Heritage Pointe Subdivision recorded September 21, 2021 as Document No. 20210061979 in the office of the Washington County Recorder (the "Declaration"), and concerns the real property more particularly described on Exhibit A, which is attached hereto and incorporated herein by reference. By this instrument, and in accordance with the rights granted it under Section 14.2 of the Declaration, The Lofts at Santa Clara, L.L.C., as Developer, hereby amends the Declaration as follows:

Section 8.1 of the Declaration shall be amended in its entirety to read as follows:

8.1. Association's Responsibility. Except as otherwise set forth herein, the Association is responsible for maintenance of the Common Area, including Limited Common Area, as well as the exterior walls and the roofs of the Units. The cost of such maintenance is a Common Expense. This maintenance includes but is not limited to upkeep of all landscaping, upkeep and maintenance of all roadways, street lights, sidewalks, and parking areas, upkeep and maintenance of all buildings and facilities that constitute part of the Common Area and any applicable Limited Common Area, and maintenance and upkeep of all exterior walls and roofs of the Units.

Except as amended herein, all other provisions of the Declaration shall remain the same.

[Signature page follows]

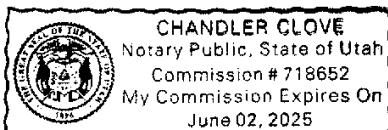
IN WITNESS WHEREOF, the undersigned has hereunto executed this First Amendment to Declaration of Covenants, Conditions and Restrictions of Heritage Pointe Subdivision on the 11 day of March, 2022.

DEVELOPER:**The Lofts at Santa Clara, L.L.C.**

By: Austin Anderson
Name: Austin Anderson
Title: Manager

STATE OF UTAH)
: ss
COUNTY OF WASHINGTON)

On the 11 day of March, 2022, personally appeared before me Austin Anderson, who being by me duly sworn, says that he is a Manager of The Lofts at Santa Clara, L.L.C., a Utah limited liability company, the company that executed the above and foregoing instrument and that said instrument was signed in behalf of said company by authority of its operating agreement (or by authority of a resolution of its managers) and acknowledged to me that said company executed the same.



Chandler Clove
Notary Public

EXHIBIT "A"**(Legal Description)****Parcel 1 (Tax ID: SC-6-2-15-323):**

Beginning at a point on the section line, said point being North 89°17'54" East 549.46 feet along the section line from the South Quarter Corner of Section 15, Township 42 South, Range 16 West, Salt Lake Base & Meridian, and running; thence North 89°17'54" West 445.70 feet along said section line to the easterly line of Lava Flow Drive; thence North 22°46'51" East 402.12 feet along said easterly line of Lava Flow Drive; thence South 69°17'48" East 273.45 feet; thence South 20°42'12" West 27.00 feet; thence South 69°17'48" East 41.50 feet; thence South 22°53'19" West 42.69 feet; thence North 89°17'54" West 30.64 feet; thence South 00°42'06" West 93.50 feet; thence South 89°17'54" East 54.59 feet; thence South 00°42'06" West 106.50 feet to the Point of Beginning.

Containing 115,196 square feet or 2.64 acres.

Parcel 2 (Tax ID: SC-6-2-15-324):

Beginning at a point on the section line, said point being North 89°17'54" East 549.46 feet along the section line from the South Quarter Corner of Section 15, Township 42 South, Range 16 West, Salt Lake Base & Meridian, and running; thence North 00°42'06" East 106.50 feet; thence North 89°17'54" West 54.59 feet; thence North 00°42'06" East 93.50 feet; thence South 89°17'54" East 30.64 feet; thence North 22°53'19" East 42.69 feet; thence North 69°17'48" West 41.50 feet; thence North 20°42'12" East 37.00 feet; thence Northeast 32.99 feet along an arc of a 21.00 foot radius curve to the left (center bears North 20°42'12" East, long chord bears North 65°42'12" East 29.70 feet with a central angle of 90°00'00"); thence North 20°42'12" East 54.00 feet; thence Northwest 23.56 feet along an arc of a 15.00 foot radius curve to the left (center bears North 69°17'48" West, long chord bears North 24°17'48" West 21.21 feet with a central angle of 90°00'00") to the southerly line of Santa Clara Drive; thence South 69°17'48" East 398.54 feet along said southerly line of Santa Clara Drive; thence South 234.71 feet to said section line; thence North 89°17'54" West 379.64 feet to the Point of Beginning.

Containing 121,962 square feet or 2.80 acres.