

CCR Annexation Page 1 of 3
Gary Christensen Washington County Recorder
04/01/2022 01:51:07 PM Fee \$40.00 By RUESCH &
REEVE, PLLC

After recording, mail to:
The Haven at Heritage Acres, LLC
PO Box 669
Washington UT 84780

**DECLARATION OF ANNEXATION
OF
THE HAVEN AT HERITAGE ACRES PHASE 2
IN THE CITY OF IVINS, WASHINGTON COUNTY, UTAH**

This Declaration of Annexation is made this 1st day of April, 2022 by The Haven at Heritage Acres, LLC, a Utah limited liability company ("Declarant").

RECITALS

A. Declarant is the Developer of the real property located in the City of Ivins, Washington County, Utah, and known as The Haven at Heritage Acres Phase 2, the subdivision plat which was previously recorded on August 21, 2020 as Entry No. 20200044395 in the Office of the Washington County Recorder (the "Plat").

B. Declarant and Ivins City previously caused to be recorded in the Office of the County recorder for Washington County on October 5, 2018 at Entry No. 20180040657, that certain Development Agreement for The Haven at Heritage Acres Subdivision Project (the "Development Agreement").

C. The Lots to which the Development relate are more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Lots").

D. Declarant previously caused to be recorded in the Office of the County recorder for Washington County on February 15, 2019 at Entry No. 20190005707, that certain Declaration of Covenants, Conditions and Restrictions for The Haven at Heritage Acres Residential Subdivision (the "CC&R's").

E. Pursuant to the terms of the CC&R's, Additional Property which is adjacent or contiguous to, or otherwise within the vicinity of the Property identified in the CC&R's, whether or not so described therein or on the Plat may be subjected to the terms of the CC&R's.

F. Declarant desires by its joinder on this Declaration of Annexation that the Lots shall be subjected to the CC&R's.

G. All capitalized terms herein shall have the same meaning as those set forth in the CC&R's or Development Agreement unless otherwise stated herein.

DECLARATION

Declarant hereby declares that all of the Lots within the Plat shall be held, sold, conveyed, encumbered, leased, used, occupied and approved subject to the protective covenants, conditions, restrictions and equitable servitude set forth in the CC&R's, all of which are created for the mutual benefit of the Owners. It is the intention of the Declarant in imposing these covenants, conditions, and restrictions to protect and enhance the property values of the Lots by eliminating inconsistent uses of improvements, all for the mutual protection and benefit of the Owners. The covenants, conditions and restriction set forth on the CC&R's are intended to, and shall in all cases run with the title of the land, and be binding upon the successors, assignees, heirs, lien holders, and any other person holding any interest in the Lots, and shall inure to the benefit of all other Lots to which the CC&Rs apply.

COVENANTS, CONDITIONS AND RESTRICTIONS

1. Incorporation of CC&R's. Declarant hereby incorporates the covenants, conditions and restrictions set forth in the CC&R's as if repeated and fully set forth herein.

a. Identification of Additional Property. The Lots are hereby identified as a portion of the "Additional Property". It is the intent of Declarant to, and Declarant does hereby subject the Lots to all of the rights, obligations, covenants, conditions and restrictions set forth on the CC&R's as if the Lots were originally subject to the CC&R's at the time of the recording of the Plat.

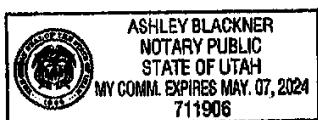
IN WITNESS WHEREOF, the undersigned, as the Declarant herein, has herewith set his hand this 1st day of April, 2022.

DECLARANT


 The Haven at Heritage Acres, LLC
 By: Seth Foster, Manager

STATE OF UTAH)
 :ss
 COUNTY OF WASHINGTON)

On this 1st day of April, 2022, personally appeared before me Seth Foster, who being duly sworn, says that he is the Manager the limited liability company that executed the above and foregoing instrument and that said instrument was signed in behalf of said limited liability company by authority of its articles of organization, operating agreement, or by authority of a resolution of its members, and said Seth Foster acknowledged to me that said limited liability company executed the same.



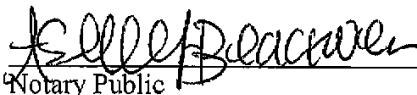

 Notary Public

EXHIBIT "A"
Legal Description of the Lots

All of Lots 28 through 62, inclusive, of The Haven at Heritage Acres Phase 2, according to the official plat thereof on file and of record in the Office of the Recorder of Washington County, State of Utah.

Tax Parcel Nos. I-HHA-2-28 through -62