



When Recorded mail to:

Nathan K. Fisher  
444 East Tabernacle Suite B-201  
St. George Utah 84770

**SECOND SUPPLEMENTAL AND ANNEXATION AMENDMENT TO DECLARATION  
OF COVENANTS, CONDITIONS, AND RESTRICTIONS AND RESERVATION OF  
EASEMENTS FOR GRAND HEIGHTS**

This Second Supplemental and Annexation Amendment to Declaration Of Covenants, Conditions, And Restrictions And Reservation Of Easements For Grand Heights, Phase 1 (the "Second Amendment") is made this 12<sup>th</sup> day of April, 2022, by GHE Development, LLC ("Declarant"), a Utah limited liability company.

**RECITALS**

- A. Whereas, the Final Plat for Grand Heights Phase 1 was recorded in the office of the County Recorder of Washington County, Utah on November 20, 2018 as Doc No. 20180046309 (the "Plat").
- B. Whereas, the Declaration of Covenants, Conditions and Restrictions of Grand Heights Estates, Phase 1 was recorded in the office of the County Recorder of Washington County, Utah on November 20, 2018 as Doc No. 20180046310 (the "Declaration").
- C. Whereas, the First Amendment to Declaration of Covenants, Conditions, and Restrictions for Grand Heights was recorded in the office of the County Recorder of Washington County, Utah on August 7, 2019 as Doc No. 20190031371 (the "First Amendment").
- B. Whereas, Article 4 of the Declaration provides for the annexation of additional property to the subdivision.
- C. Whereas the undersigned are the fee simple owners of record of that certain real property located in Washington County, Utah and described with particularity on Exhibit "A" attached hereto and incorporated herein by this reference generally known as Grand Heights Phase 3 (the "Phase 3 Property")
- D. Whereas, the undersigned now intend that the Phase 3 Property shall become subject to the Declaration.

NOW, THEREFORE, for the foregoing purposes, the Declarant hereby amends said Declaration as follows.

**ANNEXATION**

This is a Declaration of Annexation prepared pursuant to Article 4, and with the consent of the undersigned.

The Phase 3 Property consists of Lots 38-49 Grand Heights Phase 3, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah (the "Phase 3 Lots").

The undersigned intend and hereby subject all of the property described in Exhibit A, including the Phase 3 Lots to the terms of the Declaration, as amended from time to time, and further declares that the Phase 3 Property shall be annexed to and become subject to the Declaration, which, upon recordation of this Second Amendment, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A subject to the Declaration. The Phase 3 Lots are located on the following described property in Washington County, State of Utah, as set forth on the Plat filed for Phase 3:

See Exhibit A attached hereto and incorporated herein for legal description  
(hereinafter referred to as the "Phase 3 Property")

The undersigned hereby consent to the annexation of the Phase 3 Property into Grand Heights and the Declaration and further declares that the Phase 3 Property shall hereafter be held, sold, conveyed, encumbered, leased, used, occupied and improved as part of the property subject to the Declaration, as amended, and all protective covenants, conditions, restrictions and equitable servitudes set forth in the Declaration, as amended from time to time, the terms of which are deemed incorporated herein by this reference. The covenants, conditions and restrictions of the Declaration are intended to, and shall in all cases run with the title of the land, and be binding upon the successors, assigns, heirs, lien holders, and any other person holding any interest in the Phase 3 Property, and shall inure to the benefit of all other lots that are subject to the Declaration, as amended from time to time. The covenants, conditions and restrictions of the Declaration, as amended, shall be binding upon the undersigned as well as their successors in interest, and may be enforced by them or by an owner of a Lot to the extent provided in the Declaration.

The undersigned hereby declare that the Phase 3 Property is added to and made a part of the land subject to the Declaration. The Phase 3 Property is and shall be held, conveyed, hypothecated, encumbered, leased, occupied, built upon or otherwise used, improved or transferred in whole or in part, subject to the Declaration, as amended from time to time.

The Declaration is amended to annex the Phase 3 Property as follows:

**LEGAL DESCRIPTION OF THE  
GRAND HEIGHTS PHASE 3**

**GRAND HEIGHTS PHASE 3 LEGAL DESCRIPTION**

Commencing at the southeast corner of Lot 23, Grand Heights Phase 2 Subdivision, recorded in the Office of the Washington County Recorder as Document No. 20200014106, at a point which lies North 88°54'34" West along the section line 422.27 feet and due South 273.05 feet, from the Northeast Corner of Section 20, Township 42 South, Range 15 West, Salt Lake Base and Meridian, and running thence South 88°54'34" East 360.00 feet; thence South 01°05'26" West 165.00 feet; thence North 88°54'34" West 37.12 feet; thence South 01°05'26" West 110.00 feet; thence North 88°54'34" West 58.52 feet; thence South 29°27'21" West 160.98 feet; thence South 42°42'46" West 262.55 feet to the most easterly corner of Lot 11 and the East line of Grand Heights Subdivision, recorded in the Office of the Washington County Recorder as Document No. 20180046309, thence running along said East line the

following nine (9) courses and distances: 1) North 53°20'02" West 121.06 feet, 2) North 50°47'19" East 77.51 feet, 3) North 39°12'41" West 45.00 feet, 4) North 52°10'39" West 118.70 feet, 5) North 12°03'48" East 103.94 feet, 6) North 09°02'54" West 120.82 feet, 7) North 02°23'48" West 50.00 feet, 8) westerly along a 626.00 foot radius non-tangent curve to the left, (long chord bears South 83°44'25" West a distance of 84.35 feet), center point lies South 02°23'48" East through a central angle of 07°43'34", a distance of 84.41 feet, and 9) North 11°30'19" West 130.08 feet to the south line said Grand Heights Phase 2, thence South 88°54'34" East 266.65 feet to the point of beginning.

Containing 229,230 square feet or 5.26 acres.

The foregoing property which is also described on Exhibit A, which is attached hereto and incorporated herein, is hereby submitted to the Declaration, as amended, and shall be subject to the covenants, conditions and restrictions of the Declaration, as amended.

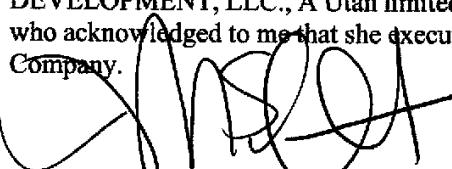
Except as amended by the foregoing provision, all other terms, covenants, conditions and restrictions set forth in the Declaration, and any amendments thereto, shall remain in full force and effect. The real property subject to this Second Amendment is set forth on Exhibit A, attached hereto.

**THIS SPACE INTENTIONALLY LEFT BLANK  
SIGNATURES BEGIN ON NEXT PAGE**

**GHE DEVELOPMENT, LLC**  
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Myrna Stout, Manager**ACKNOWLEDGMENT**

STATE OF UTAH )  
 )  
COUNTY OF WASHINGTON )

On the 12 day of April, 2022, personally appeared before me Myrna Stout, Manager of GHE DEVELOPMENT, LLC., A Utah limited liability company, the signer of the foregoing document, who acknowledged to me that she executed the same pursuant to authority of the Members of said Company.

  
\_\_\_\_\_  
Notary Public, Residing in Washington County, UT

MELISSA SCOTT

Notary Public  
State Of UtahMy Commission Expires 03-28-2026  
COMMISSION NO. 722709

**EXHIBIT A**  
**LEGAL DESCRIPTION OF THE**  
**GRAND HEIGHTS PHASE 3**

**GRAND HEIGHTS PHASE 3 LEGAL DESCRIPTION**

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Containing 229,230 square feet or 5.26 acres.

Also known as:

Lots 38-49 Grand Heights Phase 3, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

Tax ID: SG-GRA-3-38 through 49