

DOC # 20220043233

Restrictive Page 1 of 3  
 Gary Christensen Washington County Recorder  
 09/16/2022 10:48:02 AM Fee \$ 40.00  
 By CW DESERT VILLAGE PARTNERSHIP LP

Recorded at the Request of  
 CW Desert Village Partnership, L.P.

Record Against the Property  
 Described in Exhibit A

After Recording Mail to:  
 Jenkins Bagley Sperry, PLLC  
 285 W. Tabernacle St. Ste. 301  
 St. George, UT 84770

**SUPPLEMENTAL DECLARATION  
 FOR  
 DESERT VILLAGE TOWNHOMES PHASE 3**

This Supplemental Declaration for Desert Village Townhomes Phase 3 is made this 15 day of August, 2022, by CW Desert Village Partnership, L.P.

**RECITALS:**

A. CW Desert Village Partnership, L.P. is the Founder, by assignment, ("Founder") of the rights under that Charter of Declarations, Covenants, Restrictions, and Reservation of Easements for Desert Village Townhomes Owners Association recorded in the Washington County Records as Entry No. 20210020906 (the "Declaration") to annex Desert Village Townhomes Phase 3 into the Project.

B. Relatively contemporaneously with the recording of the Supplemental Declaration in the records of the Washington County Recorder, Founder will be recording a Plat Map for Desert Village Townhomes Phase 3.

C. Article XVI of the Declaration provides that land may be annexed into and made a part of the Desert Village Townhomes community and Founder desires to designate Desert Village Townhomes Phase 3 as a development within the Desert Village Townhomes community upon the terms and conditions of this Supplemental Declaration.

NOW THEREFORE, the Founder does hereby declare and provide as follows:

**I. DEFINITIONS.** As used in this Supplemental Declaration capitalized terms shall have the meaning assigned to them in the Declaration.

**II. PROJECT DESIGNATION.** Desert Village Townhomes Phase 3 development is hereby annexed into and made a part of the Desert Village Townhomes community.

**III. MASTER DOCUMENTS.**

**A. Effect of Declaration.** Desert Village Townhomes Phase 3 shall be subject to all of the terms and provisions of the Declaration.

**B. Governing Documents.** Desert Village Townhomes Phase 3 shall be subject to all terms and provisions of the Governing Documents as defined in the Community Association Act (Utah Code Section 57-8a-101, *et. seq.*), as the same are amended and supplemented from time to time.

**IV. BINDING EFFECT.** Desert Village Townhomes Phase 3, including all Units, Common Area, and Limited Common Area therein, shall be held, conveyed, hypothecated, encumbered, used, occupied, and improved only in accordance with the provisions of the Declaration, the Governing Documents, and this Supplemental Declaration (as the same may be amended and supplemented from time to time), which easements, covenants, restrictions, and charges shall run with the land and shall be binding upon all persons having or acquiring any right, title, or interest in Desert Village Townhomes Phase 3 or any part thereof and shall inure to the benefit of each Owner thereof.

**V. PROPERTY DESCRIPTION.** The legal description for Desert Village Townhomes Phase 3 is attached hereto and incorporated herein as Exhibit A.

IN WITNESS WHEREOF, the undersigned Founder has executed this Declaration the date and year first written above.

Founder:  
CW Desert Village Partnership, L.P.

By: *Colin Wright*  
Its: Authorized Person

STATE OF UTAH, )  
 )  
 :ss.  
County of DAVIS )

On this 15 day of August, 2022, personally appeared before me COLIN WRIGHT, who is personally known to me (or satisfactorily proved to me), and who being by me duly sworn did say that he/she is the Authorized Person of CW Desert Village Partnership, L.P., a Delaware limited partnership, and that he/she executed the foregoing Supplemental Declaration on behalf of said limited liability company being authorized and empowered to do so by the operating agreement of said company or resolution of its managers, and he/she acknowledged before me that such company executed the same for the uses and purposes stated therein.



*Tony Hill*  
Notary Public

Exhibit A  
(Legal Description)

Beginning at a point being South 00°37'37" West 1,480.23 feet along the section line and East 30.00 feet from the Northwest Corner of Section 9, Township 42 South, Range 16 West, Salt Lake Base & Meridian, said point also being on the Easterly line of Rachel Drive, and running; thence North 00°37'37" East 258.67 feet along said Rachel Drive to the Southwesterly corner of Desert Village Townhomes Phase 1, thence along the Southerly line of said Desert Village Townhomes Phase 1 the following (4) courses; thence Northeast 31.42 feet along an arc of a 20.00 foot radius curve to the right (center bears South 89°22'24" East, long chord bears North 45°37'38" East 28.28 feet with a central angle of 90°00'04"); thence South 89°22'23" East 50.39 feet; thence Southeast 31.52 feet along an arc of a 20.00 foot radius curve to the right (center bears South 00°37'37" West, long chord bears South 44°13'30" East 28.36 feet with a central angle of 90°17'47"); thence South 89°40'10" East 35.00 feet to a point on the Westerly line of Desert Village Phase 2; thence South 00°55'23" West 59.13 feet along the Westerly line of said Desert Village Phase 2 to the Southwest corner of said Desert Village Phase 2; thence along the Southerly line of said Desert Village Phase 2 the following (9) courses; thence South 89°22'23" East 241.32 feet; thence South 86°04'50" East 123.83 feet; thence South 47°37'40" East 208.22 feet; thence South 59°44'23" East 335.79 feet; thence Northeast 72.24 feet along an arc of a 139.00 foot radius curve to the left (center bears North 13°11'22" West, long chord bears North 61°55'20" East 71.43 feet with a central angle of 29°46'36"); thence South 42°57'58" East 35.00 feet; thence Northeast 32.06 feet along an arc of a 174.00 foot radius curve to the left (center bears North 42°57'58" West, long chord bears North 41°45'18" East 32.02 feet with a central angle of 10°33'28"); thence East 31.09 feet along an arc of a 25.00 foot radius curve to the right (center bears South 53°31'26" East, long chord bears North 72°06'07" East 29.12 feet with a central angle of 71°15'07"); thence South 72°16'20" East 91.96 feet; thence South 18°21'25" West 217.98 feet; thence South 62°09'49" West 11.18 feet; thence North 60°13'01" West 34.43 feet; thence West 85.79 feet along an arc of a 232.59 foot radius curve to the left (center bears South 29°46'59" West, long chord bears North 70°47'01" West 85.30 feet with a central angle of 21°08'01"); thence West 85.10 feet along an arc of a 799.73 foot radius curve to the right (center bears North 08°38'58" East, long chord bears North 78°18'08" West 85.06 feet with a central angle of 06°05'48"); thence West 25.94 feet along an arc of a 500.00 foot radius curve to the left (center bears South 21°25'28" West, long chord bears North 70°03'43" West 25.93 feet with a central angle of 02°58'20"); thence North 71°32'53" West 115.75 feet; thence North 69°49'31" West 207.78 feet; thence West 54.64 feet along an arc of a 157.50 foot radius curve to the left (center bears South 20°10'29" West, long chord bears North 79°45'49" West 54.37 feet with a central angle of 19°52'36"); thence North 89°42'06" West 34.83 feet; thence West 43.21 feet along an arc of a 500.00 foot radius curve to the left (center bears South 05°40'42" West, long chord bears North 86°47'50" West 43.19 feet with a central angle of 04°57'05"); thence North 89°15'54" West 51.25 feet; thence West 71.25 feet along an arc of a 842.50 foot radius curve to the right (center bears North 04°46'58" East, long chord bears North 82°47'40" West 71.23 feet with a central angle of 04°50'44"); thence North 80°22'18" West 22.13 feet; thence West 76.79 feet along an arc of a 192.50 foot radius curve to the right (center bears North 09°37'42" East, long chord bears North 68°56'38" West 76.28 feet with a central angle of 22°51'19"); thence North 11.15 feet along an arc of a 25.00 foot radius curve to the right (center bears North 68°58'46" East, long chord bears North 08°14'22" West 11.06 feet with a central angle of 25°33'43"); thence Northwest 66.10 feet along an arc of a 50.00 foot radius curve to the left (center bears North 85°27'31" West, long chord bears North 33°19'48" West 61.39 feet with a central angle of 75°44'33"); thence West 157.11 feet along an arc of a 500.00 foot radius curve to the left (center bears South 18°47'56" West, long chord bears North 80°12'11" West 156.47 feet with a central angle of 18°00'13"); thence North 89°12'18" West 28.14 feet to the Point of Beginning.

Containing 276,821 square feet or 6.35 acres.