

When Recorded mail to:
Nathan K. Fisher
444 East Tabernacle Suite B-201
St. George Utah 84770

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

Change all references to third.

This Third 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 20th day of October, 2022, by GHE Development, LLC ("Declarant"), a Utah limited liability company and the undersigned Lot Owners.

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").
- D. Whereas, the Second 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 April 21, 2022 as Doc No. 20220022464 (the "Second 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 2 (the "Phase 2 Property")
- D. Whereas, the undersigned now intend that the Phase 2 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 2 Property consists of Lots 16-31 Grand Heights Phase 2, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah (the "Phase 2 Lots").

The undersigned intend and hereby subject all of the property described in Exhibit A, including the Phase 2 Lots to the terms of the Declaration, as amended from time to time, and further declares that the Phase 2 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 2 Lots are located on the following described property in Washington County, State of Utah, as set forth on the Plat filed for Phase 2:

See Exhibit A attached hereto and incorporated herein for legal description (hereinafter referred to as the "Phase 2 Property")

The undersigned hereby consent to the annexation of the Phase 2 Property into Grand Heights and the Declaration and further declares that the Phase 2 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 2 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 2 Property is added to and made a part of the land subject to the Declaration. The Phase 2 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 2 Property as follows:

**LEGAL DESCRIPTION OF THE
GRAND HEIGHTS PHASE 2**

GRAND HEIGHTS PHASE 2 LEGAL DESCRIPTION

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 20, TOWNSHIP 42 SOUTH, RANGE 15 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S88°54'34"E ALONG THE SECTION LINE, 1347.30 FEET TO THE POINT OF BEGINNING.
THENCE S88°54'34"E ALONG SAID LINE, 967.30 FEET;

THENCE S01°05'26"W, 155.50 FEET; THENCE N88°54'34"W, 37.08 FEET;
THENCE S01°05'26"W, 117.50 FEET; THENCE N88°54'34"W, 350.00 FEET;
THENCE S70°14'38"W, 99.08 FEET; THENCE S53°58'48"W, 45.00 FEET;
THENCE SOUTHEASTERLY ALONG THE ARC OF A 205.00 FOOT RADIUS NON-
TANGENT CURVE TO THE LEFT 20.99 FEET (CHORD BEARS: S38°57'12"E, 20.98
FEET); THENCE S56°26'19"W, 124.03 FEET; THENCE N35°44'40"W, 121.74 FEET;
THENCE N88°54'34"W, 110.00 FEET; THENCE N66°14'22"W, 119.21 FEET;
THENCE N01°05'26"E, 123.11 FEET; THENCE N88°54'34"W, 70.05 FEET;
THENCE N01°01'36"E, 155.50 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 28,620 SQUARE FEET OR 6.465 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.

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SIGNATURES BEGIN ON NEXT PAGE**

GHE DEVELOPMENT, LLC

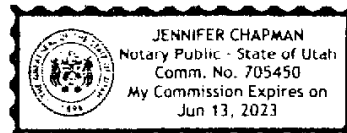
By: Myrna Stout
Its: Manager

ACKNOWLEDGMENT

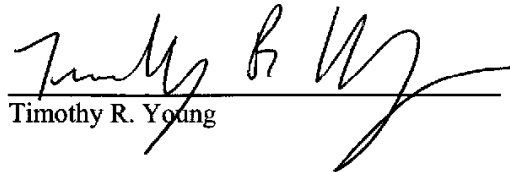
STATE OF UTAH)
)SS.
COUNTY OF WASHINGTON)

On the 27 day of October, 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.

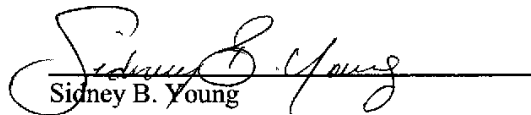
Jennifer Chapman
Notary Public, Residing in Washington County, UT



Lot 16



Timothy R. Young

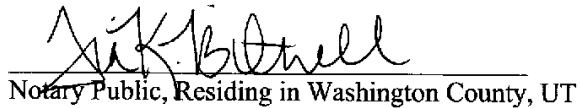


Sidney B. Young

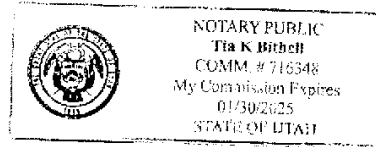
ACKNOWLEDGMENT

STATE OF UTAH)
)SS.
COUNTY OF WASHINGTON)

On the 26 day of January, 2022, personally appeared before me Timothy R. Young and Sidney B. Young the signer of the foregoing document, who acknowledged to me that they executed the same.



Notary Public, Residing in Washington County, UT



Lot 17

Ch Am

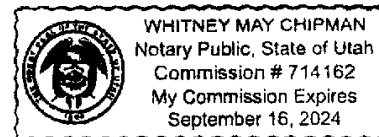
W Chase Ames

ACKNOWLEDGMENT

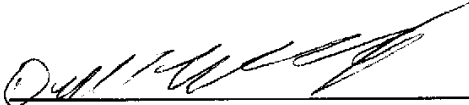
STATE OF UTAH)
)SS.
COUNTY OF WASHINGTON)

On the 28 day of January, 2022, personally appeared before me
Whitney May Chipman the signer of the foregoing document, who acknowledged to me
that they executed the same.

Whitney May Chipman
Notary Public, Residing in Washington County, UT



Lot 18

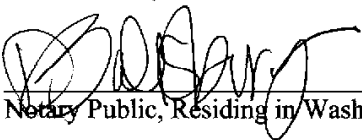


David Van Valkenburg

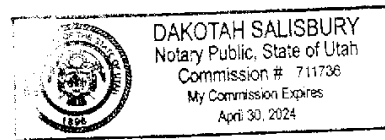
ACKNOWLEDGMENT

STATE OF UTAH)
)SS.
COUNTY OF WASHINGTON)

On the 17 day of May, 20 22, personally appeared before me
David Van Valkenburg the signer of the foregoing document, who acknowledged to me
that they executed the same.



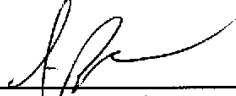
Notary Public, Residing in Washington County, UT



Lot 19



Joshua Kent Parker



Amber-Leigh Parker

ACKNOWLEDGMENT

STATE OF UTAH)

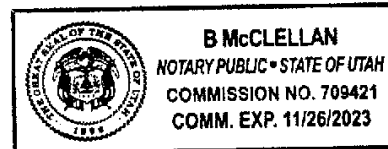
)SS.

COUNTY OF WASHINGTON)

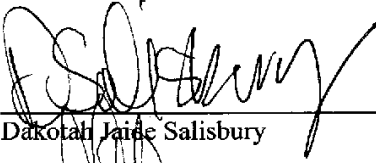
On the 10th day of JANUARY, 2022, personally appeared before me
Joshua & Amber Parker the signer of the foregoing document, who acknowledged to me
that they executed the same.



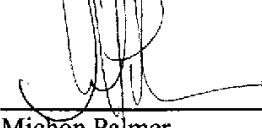
Notary Public, Residing in Washington County, UT



Lot 20



Dakota Jade Salisbury

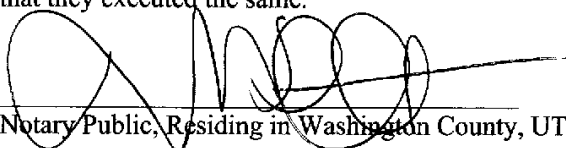


Michon Palmer

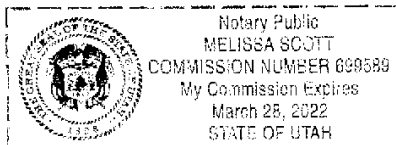
ACKNOWLEDGMENT

STATE OF UTAH)
)SS.
COUNTY OF WASHINGTON)

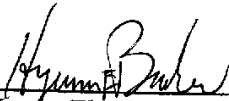
On the 7 day of January, 2022, personally appeared before me
~~Dakota Jade Salisbury~~ ~~Michon Palmer~~ the signer of the foregoing document, who acknowledged to me
that they executed the same.



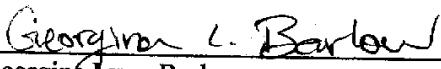
Notary Public, Residing in Washington County, UT



Lot 21



Hyrum Elmer Barlow

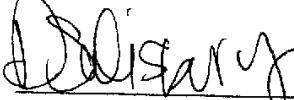


Georgina Lynn Barlow

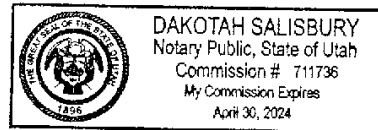
ACKNOWLEDGMENT

STATE OF UTAH)
)SS.
COUNTY OF WASHINGTON)

On the 21 day of January, 2022, personally appeared before me
Hyrum / Georgina Barlow the signer of the foregoing document, who acknowledged to me
that they executed the same.



Notary Public, Residing in Washington County, UT



Lot 22

ATLAS HOMES LLC

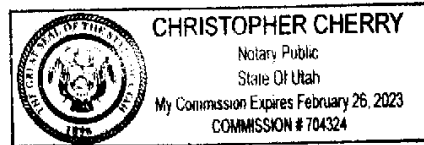
By: M. Atlas Homes
Its: 1-4-22

ACKNOWLEDGMENT

STATE OF UTAH)
)SS.
COUNTY OF WASHINGTON)

On the 4th day of January 2022, personally appeared before me
Marcus Zitting the signer of the foregoing document, who acknowledged to me
that they executed the same.

[Signature]
Notary Public, Residing in Washington County, UT



Lot 24

Daryl L. Reece
Daryl L. Reece

ACKNOWLEDGMENT

STATE OF UTAH)
)
COUNTY OF WASHINGTON)



On the 31 day of January, 2022, personally appeared before me
Daryl Reece the signer of the foregoing document, who acknowledged to me
that they executed the same.

M. Merrill
Notary Public, Residing in Washington County, UT

Lot 26

Nancy B Andrus
Nancy B. Andrus

ACKNOWLEDGMENT

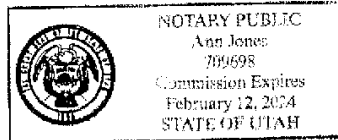
STATE OF UTAH)

)SS.

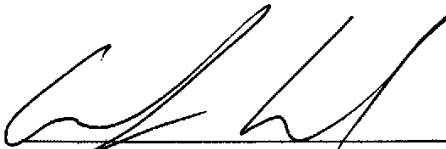
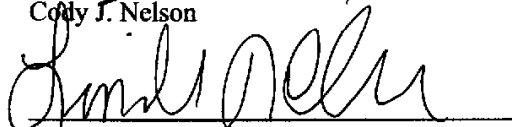
COUNTY OF WASHINGTON)

On the 31 day of March, 2022, personally appeared before me
Nancy Andrus the signer of the foregoing document, who acknowledged to me
that they executed the same.

Ann Jones
Notary Public, Residing in Washington County, UT



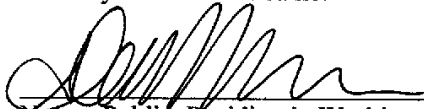
Lot 27

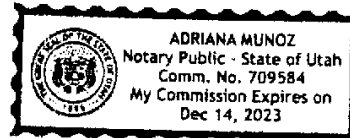

Cody J. Nelson

Lindsay A. Nelson

ACKNOWLEDGMENT

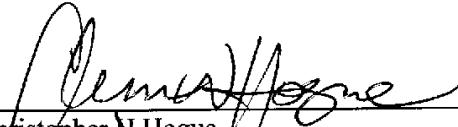
STATE OF UTAH)
)SS.
COUNTY OF WASHINGTON)

On the 9 day of February, 2022, personally appeared before me
Cody J. Nelson and Lindsay A. Nelson the signer of the foregoing document, who acknowledged to me
that they executed the same.


Notary Public, Residing in Washington County, UT



Lot 28




Christopher W. Hogue
w CHH

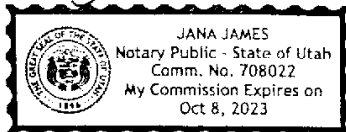
ACKNOWLEDGMENT

STATE OF UTAH)
)SS.
COUNTY OF WASHINGTON)

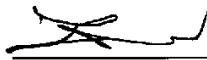
On the 11 day of April, 2022, personally appeared before me
Christopher W. Hogue the signer of the foregoing document, who acknowledged to me
that he executed the same.



Notary Public, Residing in Washington County, UT



Lot 29



Taron T. Palmer

ACKNOWLEDGMENT

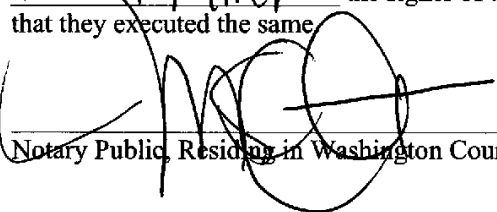
STATE OF UTAH

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)SS.

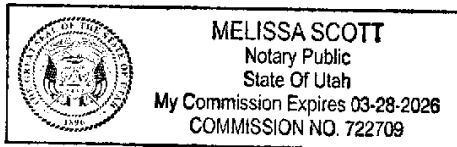
COUNTY OF WASHINGTON

)

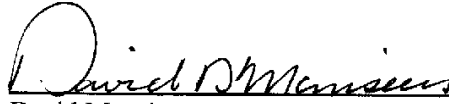
On the 1 day of April, 2022, personally appeared before me
Taron T. Palmer the signer of the foregoing document, who acknowledged to me
that they executed the same

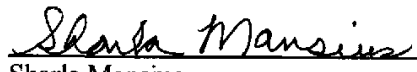


Notary Public, Residing in Washington County, UT



Lot 30


David Mansius


Sharla Mansius

ACKNOWLEDGMENT

STATE OF UTAH

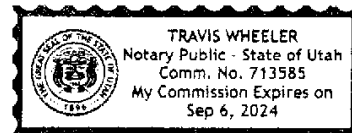
)
)SS.

COUNTY OF WASHINGTON

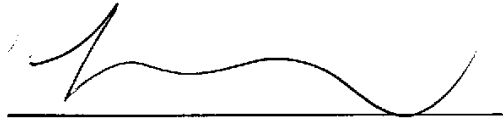
)

On the 27 day of JAN, 2022, personally appeared before me
DAVID Mansius + Sharla Mansius the signer of the foregoing document, who acknowledged to me
that they executed the same.

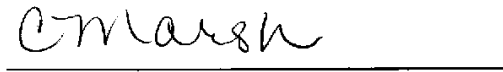

Notary Public, Residing in Washington County, UT



Lot 31



Frank Marsh

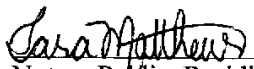


Carol Marsh

ACKNOWLEDGMENT

STATE OF UTAH)
)SS.
COUNTY OF WASHINGTON)

On the 21 day of August, 2022 personally appeared before me
Tara Matthews the signers of the foregoing document, who acknowledged to me
that they executed the same.



Notary Public, Residing in Washington County, UT

