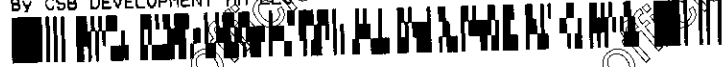


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DOC # 20230038647

Restrictive Page 1 of 4
Gary Christensen Washington County Recorder
12/29/2023 11:36:58 AM Fee \$ 40.00
By CSB DEVELOPMENT HH, LLC



Recorded at the Request of:
CSB Development HH, LLC
765 South Skylake Drive
Woodland Hills, UT 84653

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 OF ANNEXATION
FOR
HURRICANE HEIGHTS TOWNHOMES PHASES 2 AND 3**

This Supplemental Annexation Declaration for Hurricane Heights Townhomes Phases 2 and 3 is made this 25 day of December, 2023, by Hurricane Heights Townhomes, LLC.

RECITALS:

- A.** CSB Development HH, LLC is the Declarant ("Declarant") with the right to annex Hurricane Heights Townhomes Phases 2 and 3 into the Project under the *Declaration of Covenants, Conditions, and Restrictions for Hurricane Heights Townhomes*, recorded in the Office of the Washington County Recorder on July 6, 2020, as Document Number 20200034126 (the "Declaration").
- B.** The Declarant adopts hereby the Map Conveying Property recorded in the Office of the Washington County Recorder on January 7, 2021, as Document Number 20210001428, and pursuant to its authority at Section 8.2 of Article 8 in the Bylaws attached as Exhibit B to the Declaration annexes Lots 131 - 156 of Phase 2 of the Hurricane Heights Townhomes Phase 2 as set forth therein.
- C.** The Declarant adopts hereby the Map Conveying Property recorded in the Office of the Washington County Recorder on February 2, 2021, as Document Number 20210007473, and pursuant to its authority at Section 8.2 of Article 8 in the Bylaws attached as Exhibit B to the Declaration annexes Lots 159 - 183 of Phase 3 of the Hurricane Heights Townhomes Phase 3 as set forth therein.
- D.** The Bylaws attached to the Declaration as Exhibit B provide that land may be annexed into and made a part of the Hurricane Heights Townhomes community, and Declarant desires to designate Hurricane Heights Townhomes Phases 2 and 3 as a development within the Hurricane Heights Townhomes community upon the terms and conditions of this Supplemental Declaration.

NOW, THEREFORE, the Declarant hereby declares and provides as follows:

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

II. PROJECT DESIGNATION. The Hurricane Heights Townhomes Phases 2 and 3 development is hereby annexed into and made a part of the Hurricane Heights Townhomes community.

III. MASTER DOCUMENTS.

A. Effect of Declaration. Hurricane Heights Townhomes Phases 2 and 3 shall be subject to all the terms and provisions of the Declaration.

B. Governing Documents. Hurricane Heights Townhomes Phases 2 and 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 may from time to time be amended and supplemented.

IV. BINDING EFFECT. Hurricane Heights Townhomes, including all Lots, 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 time to time be amended and supplemented from), 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 Hurricane Heights Townhomes Phases 2 and 3 or any part thereof and shall inure to the benefit of each Owner thereof.

V. PROPERTY DESCRIPTION. The legal description for Hurricane Heights Townhomes Phases 2 and 3 is attached hereto and incorporated herein as Exhibit A.

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

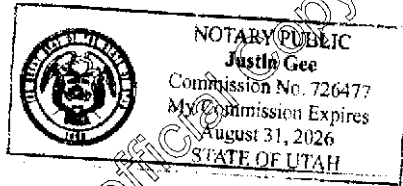
Declarant:
CSB Development HH, LLC

By: [Signature]
Its: Member

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

On this 20 day of December, 2023, personally appeared before me H Russell Brown, 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 Member of CSB Development HH, LLC, a Utah limited liability company, 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.

[Signature]
Notary Public



**Exhibit A
(Legal Description)**

All of Lots 131 – 156, together with all Common Area, HURRICANE HEIGHTS TOWNHOMES 2 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County Recorder, State of Utah.

Parcel Numbers: H-HHT-2-131 THROUGH H-HHT-2-156

All of Lots 157 – 183, together with all Common Area, HURRICANE HEIGHTS TOWNHOMES 3 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County Recorder, State of Utah.

Parcel Numbers: H-HHT-3-157 THROUGH H-HHT-3-183