



When Recorded mail to:
Nathan K. Fisher
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St. George Utah 84770

**THIRD SUPPLEMENTAL AND ANNEXATION AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS, AND RESTRICTIONS AND RESERVATION OF
EASEMENTS FOR HIDDEN VALLEY AT ST. GEORGE AND VILLA HIGHLANDS
AT HIDDEN VALLEY**

This Third Supplemental and Annexation Amendment to Declaration Of Covenants, Conditions, And Restrictions And Reservation Of Easements For Hidden Valley at St. George and Villa Highlands at Hidden Valley (the "Third Supplemental") is made this 1st day of April, 2024, by Ivory Southern, LLC, ("Declarant"), a Utah limited liability company.

RECITALS

- A. Whereas, the Second Amended and Restated Master Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Hidden Valley at St. George, a planned mixed use residential development, was recorded in the office of the County Recorder of Washington County, Utah on June 25, 2007 as Doc # 20070032840 of the official records (the "Declaration").
- B. Whereas, the related Final Plat has also been recorded in the office of the County Recorder of Washington County, Utah.
- B. Whereas, under Article II, Section 2.11 and Article XV, Section 15.4 of the Declaration, Declarant reserved the unilateral right to expand the Project to annex additional land, expand the application of and amend the Declaration.
- C. Whereas, on August 5, 2014, a Supplemental Declaration was recorded for Villa Highlands at Hidden Valley Phase 1, as Document # 20140023767 in the official records of the office of the recorder of Washington County, Utah, annexing Phase 1 into the Declaration and the project.
- D. Whereas, the related Final Plat for Villa Highlands at Hidden Valley Phase 1 has been recorded in the office of the County Recorder of Washington County, Utah.
- E. Whereas, on February 21, 2018, a Second Supplemental and Annexation Amendment to Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements for Hidden Valley at St. George and Villa Highlands at Hidden Valley was recorded for Villa Highlands at Hidden Valley Phase 2, as Document # 20180007495 in the official records of the office of the recorder of Washington County, Utah, annexing Phase 2 into the Declaration and the project.
- F. Whereas, on February 23, 2018, a Second Supplemental and Annexation Amendment to Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements for Hidden Valley at St. George and Villa Highlands at Hidden Valley was recorded for Villa Highlands at Hidden Valley Phase 2, as Document # 20180007968 in the official records

of the office of the recorder of Washington County, Utah, annexing Phase 2 into the Declaration and the project.

G. Whereas, Declarant is the fee simple owner of record of that certain real property known as Lot 49, Villa Highlands at Hidden Valley Phase 4, according to the official plat thereof, as filed in the office of the Washington County Recorder, State of Utah, Parcel No. SG-VILL-4-49, located in Washington County, Utah and described with particularity on Exhibit "A" attached hereto and incorporated herein by this reference ("Lot 49")

H. Whereas, Declarant now intends that Lot 49 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 II, and with the consent of the undersigned.

Declarant intends and hereby subjects all of the property described in Exhibit A, including the associated Common Area and Limited Common Area to the terms of the Declaration, as amended from time to time, and further declares that Lot 49 shall be annexed to and become subject to the Declaration, which, upon recordation of this Third Supplemental, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A subject to the Declaration and the functions, powers, rights, duties and jurisdiction of the Association and the ARC. Lot 49 and the Common Area and Limited Common Area are located on the following described property in Washington County, State of Utah, including Lots, Common Area and Limited Common Area as set forth on the Plat filed for Phase 4:

See Exhibit A attached hereto and incorporated herein for legal description
(hereinafter referred to as "Lot 49")

The Declarant hereby consents to the annexation of Lot 49 into Hidden Valley at St. George and Villa Highlands at Hidden Valley and further declares that Lot 49 shall hereafter be held, sold, conveyed, encumbered, leased, used, occupied and improved as part of the property subject to the Declaration and 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, and to the jurisdiction of the Association and entitled to all rights and privileges afforded therein. 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 Lot 49, 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 homeowners association and the Declarant 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.

Declarant hereby declares that Lot 49 is added to and made a part of the land subject to the Declaration. Lot 49 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 Lot 49 as follows:

LEGAL DESCRIPTION OF LOT 49

Lot 49, Villa Highlands at Hidden Valley Phase 4, according to the official plat thereof, as filed in the office of the Washington County Recorder, State of Utah.

Parcel No. SG-VILL-4-49

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 Third Supplemental and Annexation Amendment is set forth on Exhibit A, attached hereto.

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SIGNATURES BEGIN ON NEXT PAGE**

IVORY SOUTHERN, LLC,

By: 
Jair Y. ~~Almaraz~~, Authorized
Representative

STATE OF UTAH)
Washington : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 1st day of April, 2024, by Jair Y. Almaraz, as Authorized Representative of Ivory Southern, LLC, a Utah limited liability company, and said Jair Y. Almaraz duly acknowledged to me that said Ivory Southern, LLC executed the same.


NOTARY PUBLIC

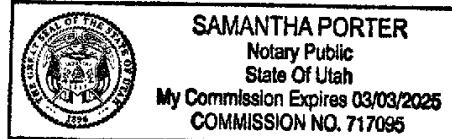


EXHIBIT A
LEGAL DESCRIPTION OF LOT 49

Lot 49, Villa Highlands at Hidden Valley Phase 4, according to the official plat thereof, as filed in the office of the Washington County Recorder, State of Utah.

Parcel No. SG-VILL-4-49