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Recorded at the Request of:  
Harrisburg Estates Owner's Association

Record Against the Property  
Described in Exhibit A

After Recording Mail to:  
JENKINS BAGLEY SPERRY, PLLC  
Attn: Bruce C. Jenkins  
285 W. Tabernacle St., Ste. 301  
St. George, UT 84770

**DOC # 20240039456**

CCR Vacation Page 1 of 3  
Gary Christensen Washington County Recorder  
12/12/2024 04:38:33 PM Fee \$ 472.00  
By JENKINS & BAGLEY



**NOTICE OF CANCELATION AND RESCISSION OF  
HARRISBURG ESTATES OWNERS ASSOCIATION  
AMENDED AND RESTATED  
COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&R'S)  
7<sup>th</sup> AMENDMENT**

**Recorded January 11, 2024, as Document No. 20240001160**

This Notice of Cancellation and Rescission of Harrisburg Estates Owners Association Amended and Restated Covenants, Conditions, and Restrictions (CC&Rs) 7<sup>th</sup> Amendment ("Notice") is made by the Harrisburg Estates Owner's Association.

**RECITALS:**

A. The Harrisburg Estates Owners Association Amended and Restated Covenants, Conditions, and Restrictions (CC&R's) 7<sup>th</sup> Amendment, was recorded with the Washington County Recorder on January 11, 2024, as Document No. 20240001160 (the "1/11/24 7<sup>th</sup> Amendment").

B. The 1/11/24 7<sup>th</sup> Amendment was to amend and replace the Harrisburg Estates Homeowners Association Covenants, Conditions & Restrictions 6<sup>th</sup> Amendment, recorded with the Washington County Recorder on October 27, 2009 (the "6<sup>th</sup> Amendment").

C. The 6<sup>th</sup> Amendment provides that "[t]hese CC&Rs may be amended at any time by an instrument signed by Owners representing not less than fifty one (51%) percent of the lots."

D. While the 1/11/24 7<sup>th</sup> Amendment was voted on and approved by the lot owners, such approval was not evidenced by a signed instrument and the procedural requirements for amendment were not properly followed.

E. This Notice is intended to cancel and rescind the 1/11/24 7<sup>th</sup> Amendment and provide notice to current and future owners of affected properties that such 1/11/24 7<sup>th</sup> Amendment is not binding against the properties.

F. This Notice does not affect the Harrisburg Estates 6<sup>th</sup> Amendment, Bylaws, or Plats on file with the Washington County Recorder and such documents shall remain in full force and effect.

G. This Notice affects the real property located in Washington County, State of Utah, described in particularity in **Exhibit A**, which exhibit is attached hereto and incorporated by reference.

NOW THEREFORE, in consideration of the foregoing Recitals, and for the benefit of the Harrisburg Estates Owner's Association, NOTICE IS HEREBY GIVEN that the 1/11/24 7<sup>th</sup> Amendment, is hereby canceled and rescinded.

IN WITNESS WHEREOF, the undersigned President of the Harrisburg Estates Owner's Association has executed this Notice on this 12<sup>th</sup> day of December, 2024.

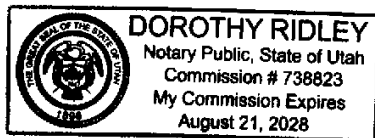
HARRISBURG ESTATES OWNER'S ASSOCIATION,  
a Utah nonprofit corporation



By: Charles L. McDowell  
Its: President

STATE OF UTAH, )  
 ) ss.  
COUNTY OF WASHINGTON )

On the 12<sup>th</sup> day of December, 2024, personally appeared before me Charles L. McDowell whose identify is personally known to me (or proven on the basis of satisfactory evidence), who being by be duly sworn did say that he/she is the President of the Harrisburg Estates Owner's Association, a Utah nonprofit corporation, the authorized individual empowered to sign this instrument and that said instrument was signed on behalf of said Association and said person acknowledged to me that said Association authorized execution of the same.



  
Notary Public

Exhibit A  
(Legal Description)

This Notice of Cancellation and Rescission of Harrisburg Estates Owners Association Amended and Restated Covenants, Conditions, and Restrictions (CC&R's) 7<sup>th</sup> Amendment, Recorded January 11, 2024, as Document No. 20240001160, affects the following real property, all located in Washington County, State of Utah:

All of Lots 1 through 78, together with all Common Area, Harrisburg Lakeside Est 1 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-HLE-1-1 through H-HLE-1-78

All of Lots 1 through 38, Lot 39-A-1, Lot 40-A, Lots 41 through 73, Lots 74-A through 75-A, and Lots 76 through 131, together with all Common Area, Harrisburg Lakeside Est 2 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-HLE-2-1 through H-HLE-2-38

PARCEL: H-HLE-2-39-A-1

PARCEL: H-HLE-2-40-A

PARCEL: H-HLE-2-41 through H-HLE-2-73

PARCEL: H-HLE-2-74-A through H-HLE-2-75-A

PARCEL: H-HLE-2-76 through H-HLE-2-131

All of Lots 1 through 17, together with all Common Area, Harrisburg Lakeside Est 4 (H), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: H-HLE-4-1 through H-HLE-4-17