

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

**FOURTH 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 Fourth 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 "Fourth Supplemental") is made this 19th day of November, 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, the related Final Plat for Villa Highlands at Hidden Valley Phase 2 has been recorded in the office of the County Recorder of Washington County, Utah.
- H. Whereas, Declarant is the fee simple owner 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 (the "Villa Highlands Hidden Valley Phase 5 Property")
- I. Whereas, Declarant now intends that the Villa Highlands Hidden Valley Phase 5 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 II, and with the consent of the undersigned.

Villa Highlands at Hidden Valley Phase 5 Property consists of Lots 501-530, VILLA HIGHLANDS AT HIDDEN VALLEY PHASE 5, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah (the "Phase 5 Lots")

Declarant intends and hereby subjects all of the property described in Exhibit A, including the Phase 5 Lots and the associated Common Area and Limited Common Area to the terms of the Declaration, as amended from time to time, and further declares that the Phase 5 Property shall be annexed to and become subject to the Declaration, which, upon recordation of this Second 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. The Phase 5 Lots 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 5:

See Exhibit A attached hereto and incorporated herein for legal description
(hereinafter referred to as the "Phase 5 Property")

The Declarant hereby consents to the annexation of the Phase 5 Property into Hidden Valley at St. George and Villa Highlands at Hidden Valley and further declares that the Phase 5 Property 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 the Phase 5 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 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 the Phase 5 Property is added to and made a part of the land subject to the Declaration. The Phase 5 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 5 Property as follows:

LEGAL DESCRIPTION OF VILLA HIGHLANDS AT HIDDEN VALLEY PHASE 5

(VILLA HIGHLANDS AT HIDDEN VALLEY PH 5 BOUNDARY DESCRIPTION)

BEGINNING AT THE SOUTHWEST CORNER OF HIDDEN VALLEY PHASE 9, DOCUMENT NO. 20170017191, OFFICIAL RECORDS, WASHINGTON COUNTY, UTAH, SAID POINT LIES SOUTH 88°52'18" EAST ALONG THE SECTION LINE 493.17 FEET AND DUE SOUTH A DISTANCE OF 2320.08 FEET FROM THE NORTHWEST CORNER OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING ALONG THE SOUTH BOUNDARY LINE OF SAID HIDDEN VALLEY PHASE 9 THE FOLLOWING SEVEN COURSES: 1) NORTH 84°57'38" EAST 89.77 FEET, 2) EASTERLY ALONG A 415.00 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 75°32'26" EAST A DISTANCE OF 135.85 FEET), CENTER POINT LIES NORTH 05°02'22" WEST THROUGH A CENTRAL ANGLE OF 18°50'25", A DISTANCE OF 136.46 FEET, 3) NORTH 66°07'13" EAST 130.92 FEET, 4) EASTERLY ALONG A 225.00 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 81°40'42" EAST A DISTANCE OF 120.70 FEET), CENTER POINT LIES SOUTH 23°52'47" EAST THROUGH A CENTRAL ANGLE OF 31°06'58", A DISTANCE OF 122.19 FEET, 5) SOUTH 82°45'48" EAST 166.12 FEET, 6) EASTERLY ALONG A 180.00 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 81°35'11" EAST A DISTANCE OF 97.11 FEET), CENTER POINT LIES NORTH 07°14'12" EAST THROUGH A CENTRAL ANGLE OF 31°18'01", A DISTANCE OF 98.33 FEET, AND 7) NORTH 64°09'01" EAST 95.53 FEET TO A POINT ON THE WEST BOUNDARY LINE OF VILLA HIGHLANDS AT HIDDEN VALLEY PHASE 2, DOCUMENT NO. 20180007884, OFFICIAL RECORDS, WASHINGTON COUNTY, UTAH; THENCE ALONG SAID LINE THE FOLLOWING TWO (2) COURSES: 1) SOUTH 33°00'00" EAST 352.20 FEET, AND 2) SOUTH 11°28'00" EAST 19.59 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF VILLA HIGHLANDS AT HIDDEN VALLEY PHASE 3, DOCUMENT NO. 20210040825, OFFICIAL RECORDS WASHINGTON COUNTY, UTAH, THENCE ALONG THE NORTH AND WEST BOUNDARY LINES OF SAID PHASE 3 THE FOLLOWING THREE (3) COURSES: 1) SOUTH 78°44'24" WEST 19.35 FEET, 2) SOUTH 14°44'19" EAST 77.10 FEET, AND 3) SOUTH 25°00'59" EAST 40.17 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF A PARCEL OF LAND MORE PARTICULARLY DESCRIBED IN STATE OF UTAH PATENT NO. 20707, DOCUMENT NO. 20210029034, OFFICIAL RECORDS, WASHINGTON

COUNTY, UTAH; THENCE ALONG SAID LINE THE FOLLOWING NINE COURSES: 1) SOUTH 46°09'54" WEST 221.22 FEET, 2) SOUTH 65°43'23" WEST 71.80 FEET, 3) SOUTH 69°33'24" WEST 108.34 FEET, 4) SOUTH 85°36'27" WEST 70.86 FEET, 5) NORTH 73°44'56" WEST 68.22 FEET, 6) SOUTH 64°32'26" WEST 71.33 FEET, 7) SOUTH 27°14'03" WEST 131.71 FEET, 8) SOUTH 88°59'03" WEST 260.47 FEET, AND 9) SOUTH 49°50'51" WEST 80.53 FEET TO A POINT ON THE WEST BOUNDARY LINE OF A PARCEL OF LAND MORE PARTICULARLY DESCRIBED IN STATE OF UTAH PATENT NO. 20931, DOCUMENT NO. 20230001444, OFFICIAL RECORDS, WASHINGTON COUNTY, UTAH; THENCE ALONG SAID LINE AND THE EAST LINE OF A PARCEL OF LAND MORE PARTICULARLY DESCRIBED IN STATE OF UTAH PATENT NO. 20987, DOCUMENT NO. 20240001670, OFFICIAL RECORDS, WASHINGTON COUNTY, UTAH, THE FOLLOWING SIX COURSES: 1) NORTHWESTERLY ALONG A 459.47 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 49°11'55" WEST A DISTANCE OF 70.39 FEET), CENTER POINT LIES SOUTH 45°11'39" WEST THROUGH A CENTRAL ANGLE OF 08°47'09", A DISTANCE OF 70.45 FEET, 2) NORTH 51°10'45" WEST 77.39 FEET, 3) NORTHERLY ALONG A 20.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 08°10'36" WEST A DISTANCE OF 27.29 FEET), CENTER POINT LIES NORTH 38°48'16" EAST THROUGH A CENTRAL ANGLE OF 86°02'16", A DISTANCE OF 30.03 FEET, 4) NORTH 55°09'28" WEST 60.00 FEET, 5) NORTHERLY ALONG A 420.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 15°09'07" EAST A DISTANCE OF 283.03 FEET), CENTER POINT LIES NORTH 55°09'28" WEST THROUGH A CENTRAL ANGLE OF 39°22'50", A DISTANCE OF 288.68 FEET, AND 6) NORTH 03°56'31" WEST 264.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 604,948 SQUARE FEET OF 13.89 ACRES.

SG-5-3-18-433; SG-5-3-18-437; SG-5-3-18-310-SLL

A portion of which is also known as:

All of Lots 501-530, VILLA HIGHLANDS AT HIDDEN VALLEY PHASE 5, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

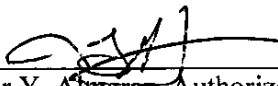
SG-VILL-5-501 through SG-VILL-5-530

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


**THIS SPACE INTENTIONALLY LEFT BLANK
SIGNATURES BEGIN ON NEXT PAGE**

IVORY SOUTHERN, LLC,

By: 
Jair Y. Almaraz, Authorized
Representative

STATE OF UTAH)
: ss.
COUNTY OF WASHINGTON)

The foregoing instrument was acknowledged before me this 19th day of ~~November~~^{3rd} December, 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

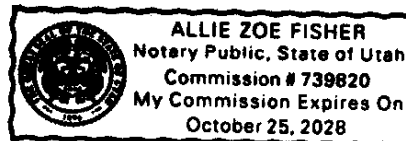
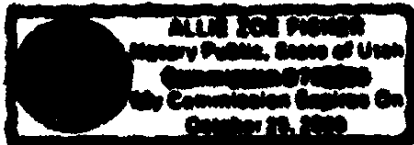


EXHIBIT A
LEGAL DESCRIPTION OF VILLA HIGHLANDS AT HIDDEN VALLEY PHASE 5

(VILLA HIGHLANDS AT HIDDEN VALLEY PH 5 BOUNDARY DESCRIPTION)

BEGINNING AT THE SOUTHWEST CORNER OF HIDDEN VALLEY PHASE 9, DOCUMENT NO. 20170017191, OFFICIAL RECORDS, WASHINGTON COUNTY, UTAH, SAID POINT LIES SOUTH 88°52'18" EAST ALONG THE SECTION LINE 493.17 FEET AND DUE SOUTH A DISTANCE OF 2320.08 FEET FROM THE NORTHWEST CORNER OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING ALONG THE SOUTH BOUNDARY LINE OF SAID HIDDEN VALLEY PHASE 9 THE FOLLOWING SEVEN COURSES: 1) NORTH 84°57'38" EAST 89.77 FEET, 2) EASTERLY ALONG A 415.00 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 75°32'26" EAST A DISTANCE OF 135.85 FEET), CENTER POINT LIES NORTH 05°02'22" WEST THROUGH A CENTRAL ANGLE OF 18°50'25", A DISTANCE OF 136.46 FEET, 3) NORTH 66°07'13" EAST 130.92 FEET, 4) EASTERLY ALONG A 225.00 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 81°40'42" EAST A DISTANCE OF 120.70 FEET), CENTER POINT LIES SOUTH 23°52'47" EAST THROUGH A CENTRAL ANGLE OF 31°06'58", A DISTANCE OF 122.19 FEET, 5) SOUTH 82°45'48" EAST 166.12 FEET, 6) EASTERLY ALONG A 180.00 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 81°35'11" EAST A DISTANCE OF 97.11 FEET), CENTER POINT LIES NORTH 07°14'12" EAST THROUGH A CENTRAL ANGLE OF 31°18'01", A DISTANCE OF 98.33 FEET, AND 7) NORTH 64°09'01" EAST 95.53 FEET TO A POINT ON THE WEST BOUNDARY LINE OF VILLA HIGHLANDS AT HIDDEN VALLEY PHASE 2, DOCUMENT NO. 20180007884, OFFICIAL RECORDS, WASHINGTON COUNTY, UTAH; THENCE ALONG SAID LINE THE FOLLOWING TWO (2) COURSES: 1) SOUTH 33°00'00" EAST 352.20 FEET, AND 2) SOUTH 11°28'00" EAST 19.59 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF VILLA HIGHLANDS AT HIDDEN VALLEY PHASE 3, DOCUMENT NO. 20210040825, OFFICIAL RECORDS WASHINGTON COUNTY, UTAH, THENCE ALONG THE NORTH AND WEST BOUNDARY LINES OF SAID PHASE 3 THE FOLLOWING THREE (3) COURSES: 1) SOUTH 78°44'24" WEST 19.35 FEET, 2) SOUTH 14°44'19" EAST 77.10 FEET, AND 3) SOUTH 25°00'59" EAST 40.17 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF A PARCEL OF LAND MORE PARTICULARLY DESCRIBED IN STATE OF UTAH PATENT NO. 20707, DOCUMENT NO. 20210029034, OFFICIAL RECORDS, WASHINGTON COUNTY, UTAH; THENCE ALONG SAID LINE THE FOLLOWING NINE COURSES: 1) SOUTH 46°09'54" WEST 221.22 FEET, 2) SOUTH 65°43'23" WEST 71.80 FEET, 3) SOUTH 69°33'24" WEST 108.34 FEET, 4) SOUTH 85°36'27" WEST 70.86 FEET, 5) NORTH 73°44'56" WEST 68.22 FEET, 6) SOUTH 64°32'26" WEST 71.33 FEET, 7) SOUTH 27°14'03" WEST 131.71 FEET, 8) SOUTH 88°59'03" WEST 260.47 FEET, AND 9) SOUTH 49°50'51" WEST 80.53 FEET TO A POINT ON THE WEST BOUNDARY LINE OF A PARCEL OF LAND MORE PARTICULARLY DESCRIBED IN STATE OF UTAH PATENT NO. 20931, DOCUMENT NO.

20230001444, OFFICIAL RECORDS, WASHINGTON COUNTY, UTAH; THENCE ALONG SAID LINE AND THE EAST LINE OF A PARCEL OF LAND MORE PARTICULARLY DESCRIBED IN STATE OF UTAH PATENT NO. 20987, DOCUMENT NO. 20240001670, OFFICIAL RECORDS, WASHINGTON COUNTY, UTAH, THE FOLLOWING SIX COURSES: 1) NORTHWESTERLY ALONG A 459.47 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 49°11'55" WEST A DISTANCE OF 70.39 FEET), CENTER POINT LIES SOUTH 45°11'39" WEST THROUGH A CENTRAL ANGLE OF 08°47'09", A DISTANCE OF 70.45 FEET, 2) NORTH 51°10'45" WEST 77.39 FEET, 3) NORTHERLY ALONG A 20.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 08°10'36" WEST A DISTANCE OF 27.29 FEET), CENTER POINT LIES NORTH 38°48'16" EAST THROUGH A CENTRAL ANGLE OF 86°02'16", A DISTANCE OF 30.03 FEET, 4) NORTH 55°09'28" WEST 60.00 FEET, 5) NORTHERLY ALONG A 420.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 15°09'07" EAST A DISTANCE OF 283.03 FEET), CENTER POINT LIES NORTH 55°09'28" WEST THROUGH A CENTRAL ANGLE OF 39°22'50", A DISTANCE OF 288.68 FEET, AND 6) NORTH 03°56'31" WEST 264.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 604,948 SQUARE FEET OF 13.89 ACRES.

SG-5-3-18-433; SG-5-3-18-437; SG-5-3-18-310-SLL

A portion of which is also known as:

All of Lots 501-530, VILLA HIGHLANDS AT HIDDEN VALLEY PHASE 5, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

SG-VILL-5-501 through SG-VILL-5-530