

Amended Restrictive Covenants Page 1 of 5
Gary Christensen Washington County Recorder
06/05/2025 09:22:02 AM Fee \$66.00 By
SOUTHERN UTAH TITLE COMPANY

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 GRAND HEIGHTS**

This Fourth Supplemental and Annexation Amendment to Declaration Of Covenants, Conditions, And Restrictions And Reservation Of Easements For Grand Heights, Phase 1 (the "Fourth Amendment") is made this 4th day of June, 2025, by GHE Development, LLC ("Declarant"), a Utah limited liability company.

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").
- E. Whereas, the Third 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 October 27, 2022 as Doc No. 20220048002 (the "Third 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 4 (the "Phase 4 Property")
- D. Whereas, the undersigned now intend that the Phase 4 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 4 Property consists of Lots 32, 33, 34, 35, 36, 37, 50, 51, 52, 53, 54, 55, 56 57, 58, 59, 60, 61, 62, 63, 64, 65, 66 Grand Heights Phase 4, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah (the "Phase 4 Lots").

The undersigned intend and hereby subject all of the property described in Exhibit A, including the Phase 4 Lots to the terms of the Declaration, as amended from time to time, and further declares that the Phase 4 Property shall be annexed to and become subject to the Declaration, which, upon recordation of this Fourth Amendment, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A subject to the Declaration. The Phase 4 Lots are located on the following described property in Washington County, State of Utah, 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 the "Phase 4 Property")

The undersigned hereby consent to the annexation of the Phase 4 Property into Grand Heights and the Declaration and further declares that the Phase 4 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 4 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 4 Property is added to and made a part of the land subject to the Declaration. The Phase 4 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 4 Property as follows:

**LEGAL DESCRIPTION OF THE
GRAND HEIGHTS PHASE 4**

GRAND HEIGHTS PHASE 4 LEGAL DESCRIPTION

Beginning at the Northeast Corner of Section 20, Township 42 South, Range 15 West, Salt Lake

Base and Meridian, and running thence South 89°27'54" East along the section line 231.88 feet to a point on the west boundary line of a parcel of land more particularly described in Document No. 20150012706, Official Records, Washington County, Utah; thence along said line the following sixteen (16) courses: 1) South 15°39'47" East 152.63 feet, 2) South 31°29'49" East 54.23 feet, 3) South 07°40'31" East 82.83 feet, 4) South 11°22'35" East 100.16 feet, 5) South 11°52'13" West 51.00 feet, 6) South 31°17'05" West 62.22 feet, 7) South 05°32'37" West 205.77 feet, 8) South 29°05'49" West 36.18 feet, 9) South 45°12'35" West 25.90 feet, 10) South 74°26'25" West 66.46 feet, 11) South 57°22'09" West 45.45 feet, 12) South 01°28'13" East 54.25 feet, 13) South 08°51'21" West 25.47 feet, 14) South 21°56'54" West 119.00 feet, 15) South 64°09'18" West 80.89 feet, and 16) South 49°48'00" West 42.09 feet to a point on the east boundary line of Grand Heights Phase 1, Document No 20180046309, Official Records, Washington County, Utah; thence along said boundary line the following nine (9) courses: 1) South 78°21'27" West 52.06 feet, 2) North 65°35'33" West 58.31 feet, 3) South 50°31'16" West 75.44 feet, 4) South 14°57'41" West 48.65 feet, 5) North 53°45'24" West 164.48 feet, 6) northeasterly along a 95.00 foot radius non-tangent curve to the right, (long chord bears North 31°02'37" East a distance of 19.52 feet), center point lies South 64°51'14" East through a central angle of 11°47'42", a distance of 19.56 feet, 7) northeasterly along a 595.00 foot radius compound curve to the right, (long chord bears North 38°24'38" East a distance of 30.51 feet), center point lies South 53°03'32" East through a central angle of 02°56'19", a distance of 30.52 feet, 8) North 50°07'13" West 45.00 feet, and 9) North 53°20'02" West 108.02 feet to a point on the east boundary line of Grand Heights Phase 3, Document No 20220022463, Official Records, Washington County, Utah; thence along said boundary line the following seven (7) courses: 1) North 42°42'46" East 262.55 feet, 2) North 29°27'21" East 160.98 feet, 3) South 88°54'34" East 58.52 feet, 4) North 01°05'26" East 110.00 feet, 5) South 88°54'34" East 37.12 feet, 6) North 01°05'26" East 165.00 feet, and 7) North 88°54'34" West 360.00 feet to a point on the east boundary line of Grand Heights Phase 2, Document No 20200014106, Official Records, Washington County, Utah; thence along said boundary line the following three (3) courses: 1) North 01°05'26" East 117.50 feet, 2) South 88°54'34" East 37.08 feet, and 3) North 01°05'26" East 155.50 feet to a point on the north line of said Section 20; thence South 88°54'34" East along said line 380.00 feet to the point of beginning.

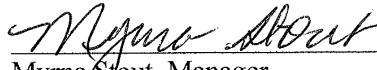
Containing 521,138 square feet or 11.96 acres.

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

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SIGNATURES BEGIN ON NEXT PAGE**

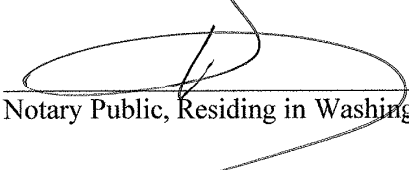
GHE DEVELOPMENT, LLC


Myrna Stout, Manager

ACKNOWLEDGMENT

STATE OF UTAH)
)SS.
COUNTY OF WASHINGTON)

On the 4th day of June, 2025, 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.


Notary Public, Residing in Washington County, UT

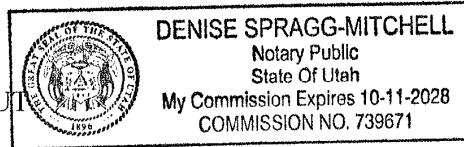


EXHIBIT A
LEGAL DESCRIPTION OF THE
GRAND HEIGHTS PHASE 4

GRAND HEIGHTS PHASE 4 LEGAL DESCRIPTION

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Containing 521,138 square feet or 11.96 acres.

Also known as:

Lots 32, 33, 34, 35, 36, 37, 50, 51, 52, 53, 54, 55, 56 57, 58, 59, 60, 61, 62, 63, 64, 65, 66 Grand Heights Phase 4, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

Tax ID: SG-GRA-4-32, 33, 34, 35, 36, 37, 50, 51, 52, 53, 54, 55, 56 57, 58, 59, 60, 61, 62, 63, 64, 65, 66

MS