



\*W3259987\*

WHEN RECORDED, MAIL TO:  
Cheney Law Group  
10808 S. River Front Parkway, Suite 365  
South Jordan, Utah 84095  
Attn: Brian C. Cheney

E# 3259987 PG 1 OF 9  
LEANN H KILTS, WEBER CTY. RECORDER  
18-OCT-22 140 PM FEE \$66.00 TN  
REC FOR: SUNSET RIDGE

Parcel Nos: 070020066, 070020065, 077860013, 077850011, 077850001, 077850010,  
077850002, 077850003, 077850004, 077860001, 077860002, 077860003, 077860004,  
077860005, 077860006, 077860007, 077860008, 077860009, 077860010, 077860011,  
077860012, 077850005, 077850006, 077850007, 077850008, 077850009

**DECLARATION OF ANNEXATION AND FIRST AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS AND RESERVATION OF EASEMENTS FOR SUNSET RIDGE**

THIS DECLARATION OF ANNEXATION AND FIRST AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND  
RESERVATION OF EASEMENTS FOR SUNSET RIDGE (this "*Amendment*") is made as of  
October 18<sup>th</sup>, 2022, by Sunset Ridge, LLC, a Utah limited liability company (the "*Original  
Declarant*"), and Sunset Ridge 34 LLC, a Utah limited liability company ("*Sunset Ridge 34*").

**RECITALS**

A. Original Declarant is the Declarant under that certain Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Sunset Ridge (A Planned Unit Development) executed November 3, 2017, and recorded in the official records of the office of the county recorder of Weber County, Utah (the "*Official Records*"), as Instrument Number 2889497 on November 13, 2017 (the "*Declaration*"). Capitalized terms used herein but not otherwise defined shall have the meaning ascribed to them in the Declaration.

B. The Declaration encumbers that certain real property commonly known as Phases 1 and 2 of the Sunset Ridge development as more particularly described on **Exhibit A** attached hereto (the "*Original Property*").

C. Pursuant to Article XV of the Declaration, Declarant reserved the right, at its sole election, to expand the Property/Project to include additional property described in Exhibit E to the Declaration consisting of Phases 3 and 4 of Sunset Ridge, such property being particularly described on **Exhibit B** attached hereto (the "*Additional Property*"). In accordance with Article XV of the Declaration, such expansion shall occur by the Declarant filing (1) an additional subdivision plat or plats creating additional planned residential unit developments on the Additional Property stating on each plat the intention to have the property described therein subject to the terms of the Declaration upon filing a Declaration of Annexation, and (2) a Declaration of Annexation.

D. On January 7, 2022, Original Declarant sold and conveyed all of its right, title and interest in and to the Additional Property to Sunset Ridge 34. Concurrently therewith, Original

Declarant transferred, assigned and conveyed to Sunset Ridge 34 all of its right, title and interest as Declarant under the Declaration with respect to the Additional Property pursuant to that certain Assignment and Assumption Agreement and Bill of Sale by and between Original Declarant and Sunset Ridge 34 dated January 7, 2022, and recorded in the Official Records on January 7, 2022, as Instrument Number 3209267 (the "Assignment").

E. Contemporaneously with the recording of this Amendment, and in accordance with Article XV of the Declaration, Original Declarant and Sunset Ridge 34 intend to record a plat or plats creating additional parcels on the Additional Property with the intent of subjecting such Additional Property to the Declaration.

F. Original Declarant and Sunset Ridge 34 now desire that this Amendment, among other things (i) satisfy the requirement for a Declaration of Annexation to incorporate the Additional Property into the real property encumbered by the Declaration, and (ii) amend the description of real property in Exhibit A attached to the Declaration to include the Additional Property to be encumbered by the Declaration.

NOW, THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Annexation of Additional Property. As of the date hereof, the terms and provisions of the Declaration shall apply to the Additional Property, and the Additional Property shall be subject to the Declaration, including any use restrictions therein.

2. Amendment to Exhibit A of the Declaration. The description of real property on Exhibit A of the Declaration is hereby deleted in its entirety and replaced with **Exhibit C** attached hereto, and includes both the Original Property and the Additional Property.

3. Sunset 34 as Declarant. The parties confirm and acknowledge that any and all rights of Declarant under the Declaration with respect to the Additional Property have been assigned to and assumed by Sunset Ridge 34 pursuant to the terms of the Assignment, and that Sunset Ridge 34 be and hereby is authorized to exercise any rights or powers granted to or reserved by the Declarant under the terms of the Declaration, as amended hereby, with respect to the Additional Property.

4. Miscellaneous.

(a) All other terms and conditions in the Declaration which are not specifically amended or altered herein are hereby ratified and approved, and shall continue in full force and effect.

(b) In the event of any inconsistency between the terms and provisions of this Amendment and the Declaration, this Amendment shall control.

*[Remainder of Page Intentionally Left Blank – Signatures on Following Page]*

*This page left blank*

IN WITNESS WHEREOF, Declarant has executed this Amendment on the day and year first above written.

**ORIGINAL DECLARANT:**

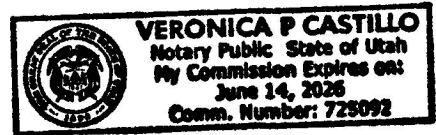
**SUNSET RIDGE, LLC,**  
a Utah limited liability company

By: *Vaughn Jacobsen*  
Name: Vaughn Jacobsen  
Title: Manager

STATE OF UTAH )  
: ss.  
COUNTY OF Weber )

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of October, 2022, by Vaughn Jacobsen, the Manager of Sunset Ridge, LLC, a Utah limited liability company, on behalf of such company.

*Veronica P Castillo*  
NOTARY PUBLIC



My Commission Expires: \_\_\_\_\_

STATE OF UTAH )  
: ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2022, by Tom Miller, the Member of Sunset Ridge, LLC, a Utah limited liability company, on behalf of such company.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

[signatures continue on following page]

**SUNSET RIDGE 34:**

SUNSET RIDGE 34 LLC,  
a Utah limited liability company

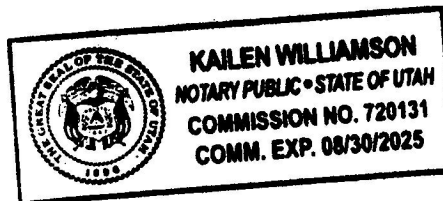
By: [Signature]  
Name: Daniel Stephens  
Title: Manager

STATE OF UTAH )  
: ss.  
COUNTY OF Weber )

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of October 2022,  
by Daniel Stephens, the Manager of Sunset Ridge 34 LLC, a Utah limited liability company, on  
behalf of such company.

[Signature]  
NOTARY PUBLIC

My Commission Expires: 8/30/2025



## EXHIBIT A

### LEGAL DESCRIPTION OF PHASE 1 AND 2

That certain real property located in Weber County, Utah and more particularly described as follows:

Beginning at the Northeast Corner of Sunset Ridge PRUD – Phase 1, said point being on a Boundary Line Agreement and South 89°28'30" East 1330.70 feet along the quarter section line and North 0°14'53" East 217.65 feet from the West Quarter Corner of Section 15, Township 5 North, Range 1 West, Salt Lake Base and Meridian, and running; thence South 00°14'53" West 110.15 feet; thence South 89°36'06" East 145.51 feet; thence South 00°28'01" West 215.40 feet to a point on the northerly right-of-way line of Shadow Valley Drive; thence Westerly along the northerly right-of-way line of Shadow Valley Drive for the following four (4) courses and distances:

1) Westerly 2.54 feet along the arc of a 433.00 feet-foot radius non-tangent curve to the left (center bears South 00°51'02" West and the long chord bears North 89°18'51" West 2.54 feet with a central angle of 00°19'46");

2) North 89°28'56" West, a distance of 50.20 feet

3) Westerly 241.08 feet along the arc of a 433.00 feet-foot radius tangent curve to the left (center bears South 00°31'04" West and the long chord bears South 74°34'03" West 237.98 feet with a central angle of 31°54'02");

4) South 58°37'02" West 14.29 feet thence North 35°41'00" West 223.77 feet; thence South 89°28'30" East 17.40 feet; thence North 31°44'00" West 281.32 feet to the Southwest Corner of Sunset Ridge PRUD- Phase 4; thence along the southerly line of Sunset Ridge PRUUD- Phase 4 for the following eleven (11) courses and distances:

1) North 63°18'42" East 20.08 feet;

2) South 31°52'09" East 55.16 feet;

3) North 60°52'12" East 61.08 feet;

4) North 59°29'22" East 70.99 feet;

5) Southeasterly 35.32 feet along the arc of a 2757.93 feet-foot radius non-tangent curve to the left (center bears North 59°29'21" East and the long chord bears South 30°52'39" East 35.31 feet with a central angle of 00°44'01");; thence Easterly 23.69 feet along the arc of a 15.00 feet radius curve to the left (center bears North 58°45'20" East and the long chord bears South 76°29'20" East 21.30 feet with a central angle of 90°29'20")

6) North 58°16'00" East 31.76 feet;

7) Northeasterly 17.47 feet along the arc of a 72.00 feet-foot radius tangent curve to the left (center bears North 31°44'00" West and the long chord bears North 51°18'57" East 17.43 feet with a central angle of 13°54'07");; thence along a line non-tangent to said curve, North 29°56'01" West, a distance of 135.75 feet

8) North 28°00'26" West 70.01 feet;

9) North 21°43'03" East 13.12 feet;

10) North 71°26'06" East 28.59 feet;

11) North 03°00'01" West 124.14 feet;

thence along the line of Sunset Ridge PRUD- Phase 3 the following six (6) courses and distances:

1) North 00°52'22" East 82.65 feet;

2) South 85°33'48" East 82.28 feet;

- 3) North  $04^{\circ}26'12''$  East 56.00 feet;
- 4) South  $85^{\circ}33'48''$  East 11.27 feet;
- 5) North  $04^{\circ}26'12''$  East 85.00 feet;
- 6) South  $85^{\circ}33'49''$  East 143.75 feet; thence South  $00^{\circ}14'53''$  West 573.87 feet; to the point of beginning.

Contains 6.069 acres, 21 private units

## EXHIBIT B

### LEGAL DESCRIPTION OF PHASE 3 AND 4

That certain real property located in Weber County, Utah and more particularly described as follows:

A parcel of land beginning at a point on the northerly right-of-way line of Harrison Boulevard, said point being South 89°28'30" East 771.08 feet along the section line and North 00°31'30" East 516.57 feet from the West Quarter Corner of Section 15, Township 5 North, Range 1 West, Salt Lake Base and Meridian and running thence: North 27°09'37" West 308.32 feet along said right-of-way to the South line of Landing Point Apartments LC; thence along said South line the following two (2) courses and distances: 1) North 81°13'26" East 216.96 feet; 2) South 85°33'49" East 342.32 feet to the Northwest Corner of Sunset Ridge PRUD - Phase 2; thence along the westerly line of Sunset Ridge PRUD - Phase 2 the following ten (10) courses and distances:

- 1) South 04°26'12" West 85.00 feet;
- 2) North 85°33'48" West 11.27 feet;
- 3) South 04°26'12" West 56.00 feet;
- 4) North 85°33'48" West 82.28 feet;
- 5) South 00°52'22" West 82.65 feet;
- 6) South 02°59'59" East 124.14 feet;
- 7) South 71°25'31" West 28.59 feet;
- 8) South 21°43'03" West 13.12 feet;
- 9) South 28°00'30" East 70.00 feet;
- 10) South 29°55'59" East 135.75 feet to a point on the northerly line of Sunset Ridge PRUD - Phase 1 thence along the northerly line of Sunset Ridge PRUD - Phase 1 the following eight (8) courses and distances:

- 1) 17.47 feet along the arc of a 72.00-foot radius non-tangent curve to the right (center bears North 45°38'10" West and the long chord bears South 51°18'55" West 17.43 feet with a central angle of 13°54'10");
  - 2) South 58°16'00" West 31.76 feet;
  - 3) 23.69 feet along the arc of a 15.00-foot radius tangent curve to the right (center bears North 31°44'00" West and the long chord bears North 76°29'20" West 21.30 feet with a central angle of 90°29'20");
  - 4) 35.31 feet along the arc of a 2757.09-foot radius curve to the right (center bears North 58°45'20" East and the long chord bears North 30°52'39" West 35.31 feet with a central angle of 00°44'02");
  - 5) South 59°29'22" West 71.00 feet;
  - 6) South 60°52'23" West 61.08 feet;
  - 7) North 31°52'09" West 55.16 feet;
  - 8) South 63°18'42" West 20.08 feet
- thence North 27°09'37" West 314.70 feet along the northerly right-of-way line of Harrison Boulevard to the point of beginning.

Contains 4.593 acres, 22 private units.



## EXHIBIT C

### NEW LEGAL DESCRIPTION FOR EXHIBIT A TO DECLARATION

That certain real property located in Weber County, Utah and more particularly described as follows:

A parcel of land beginning at a point on the northerly right-of-way line of Harrison Boulevard, said point being South 89°28'30" East 771.08 feet along the section line and North 00°31'30" East 516.57 feet from the West Quarter Corner of Section 15, Township 5 North, Range 1 West, Salt Lake Base and Meridian and running thence: North 27°09'37" West 308.32 feet along said right-of-way to the South line of Landing Point Apartments LC; thence along said South line the following two (2) courses and distances:

- 1) North 81°13'26" East 216.96 feet;
- 2) South 85°33'49" East 342.32 feet to the Northwest Corner of Sunset Ridge PRUD - Phase 2; thence South 85°33'49" East 143.75 feet to the Northeast Corner of Sunset Ridge PRUD- Phase 2; thence South 00°14'53" West 573.87 feet to the Southeast Corner of Sunset Ridge PRUD-Phase 2; thence South 00°14'53" West 110.15 feet thence South 00°28'01" West 215.40 feet to a point on the Northerly right-of-way line of Shadow Valley Drive; thence Westerly along the northerly right-of-way line of Shadow Valley Drive for the following four (4) courses and distances:

- 1) Westerly 2.54 feet along the arc of a 433.00 feet-foot radius non-tangent curve to the left (center bears South 00°51'02" West and the long chord bears North 89°18'51" West 2.54 feet with a central angle of 00°19'46");
- 2) North 89°28'56" West 50.20 feet
- 3) Westerly 241.08 feet along the arc of a 433.00 feet-foot radius tangent curve to the left (center bears South 00°31'04" West and the long chord bears South 74°34'03" West 237.98 feet with a central angle of 31°54'02");
- 4) South 58°37'02" West 14.29 feet to a point on the Easterly right-of-way line of Harrison Boulevard. thence North 35°41'00" West 223.77 feet; thence South 89°28'30" East 17.40 feet; thence North 31°44'00" West 281.32 feet; thence North 27°09'37" West 314.69 feet; to the point of beginning

Contains 10.662 acres; 43 private units