

Recorded at the Request of: Kay H. Traveller

After recording, mail to: Snow & Jensen, 150 North 200 East, Suite 203,
St. George, Utah 84770

**DECLARANT'S AMENDMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF
THE RIDGE AT ST. GEORGE,
A PLANNED UNIT DEVELOPMENT**

THIS AMENDMENT is made by the undersigned Declarant, this 31st day of December, 1992.

RECITALS

1. The undersigned, Kay H. Traveller, was the original Declarant and continues to be the developer of that certain planned unit development known as "The Ridge at St. George."

2. The Ridge at St. George is a planned unit development, with the original Declaration of Covenants, Conditions and Restrictions of The Ridge at St. George having been previously executed by the Declarant on the 9th day of December, 1983, and having been recorded in the Office of the Washington County Recorder, State of Utah, on the 9th day of December, 1983, at Book 339, pages 490-537, Entry No. 255824, and this amendment specifically makes reference to the said Declaration.

3. That Article X, Section 4, of said Declaration reserves unto the Declarant, the right to unilaterally amend said Declaration, "as may be reasonably necessary or desirable: (i) to more accurately express the intent of any provision of the Declaration in the light of any existing circumstances or information; (ii) to better insure, in light of then existing circumstances or information, workability of the arrangement which is contemplated by the Declaration; or (iii) to facilitate the practical, technical, adminis-

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trative, or functional integration of any additional tract or subdivision into the development."

4. That it is the desire and intent, based upon the foregoing powers and provisions, for the Declarant to amend this Declaration in light of existing circumstances and information, and in order to better ensure in light of the now existing circumstances or information, the ongoing flexibility and workability of the entire arrangement of the homeowners working under the provisions of said Declaration.

NOW, THEREFORE, pursuant to the recitals above indicated and further pursuant to the powers and provisions enumerated in said Declaration at said Article X, Section 4, the Declarant hereby amends said Declaration as follows:

ARTICLE III, MEMBERSHIP AND VOTING RIGHTS, Section 2.

Classes of Membership, subsection (b) Class B. 2., is hereby amended to read as follows: On *January 1, 2004*.

(The language amended is indicated in italics with emphasis added).

ARTICLE X, ANNEXATION OF ADDITIONAL PROPERTIES, Section

1. Annexation by Declarant, in relevant part, is hereby amended to read as follows:

Declarant reserves the right and option to expand THE RIDGE AT ST. GEORGE, PLAT A, A PLANNED UNIT DEVELOPMENT SUBDIVISION and annex additional land as set forth herein. A part, parts or all of the following described property in the County of Washington, State of Utah, may be annexed to THE RIDGE AT ST. GEORGE, PLAT A, SUBDIVISION, a planned unit development, by Declarant, without the consent of Class A members, for a period terminating *January 1, 2004*.

(The language amended is indicated in italics with emphasis added).

ARTICLE XIV, AMENDMENT, is hereby amended, in relevant part,

to read as follows:

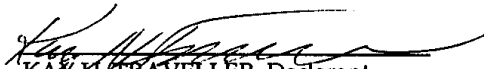
Except as otherwise provided herein, this Declaration may be amended during the first twenty (20) year period by an instrument signed by not less than *seventy-five percent (75%)* of the lot owners, . . .

(The language amended is indicated in italics with emphasis added).

Except as specifically amended herein, it is the intent and desire of the Declarant that this amendment not be construed as amending any other relevant portions of the Declaration except as specifically provided for herein.

Declarant hereby declares that all property subject to the provisions of the original Declaration shall be hereafter held, sold and conveyed, subject to the provisions of this amendment, which is executed for the purpose of protecting the value and desirability of said property and which shall be construed as an amended covenant of equitable servitude, which shall run with the real property herein described on Exhibit A and shall be binding on all parties having any right, title and interest in said property described on Exhibit A, which is attached hereto and incorporated herein by this reference.

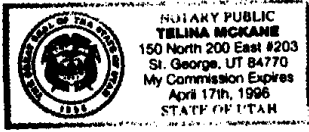
DATED this day and year first above indicated.


KAY H. TRAVELLER, Declarant

STATE OF UTAH,)
 : ss.
County of Washington.)

On the 31st day of December, 1992, personally appeared before me KAY H. TRAVELLER, the signer of the within and foregoing instrument, who duly acknowl-

edged before me that he executed the same.



Telina McKane
Notary Public
Residing at: St. George, UT

My Commission Expires:
April 17, 1996

EXHIBIT A

THE RIDGE AT ST. GEORGE, A PLANNED UNIT DEVELOPMENT, pursuant to the Official Plat thereof filed for record on the 9th day of December, 1983, in Book 339, page 489, Entry No. 255823, in the Book of Plats, in the Office of the Washington County Recorder, State of Utah.

THE RIDGE AT ST. GEORGE - PLAT B, A PLANNED UNIT DEVELOPMENT, pursuant to the Official Plat thereof filed for record on the 8th day of June, 1984, in Book 351, page 237, Entry No. 262412, in the Book of Plats, in the Office of the Washington County Recorder, State of Utah.

THE RIDGE AT ST. GEORGE - PLAT C, A PLANNED UNIT DEVELOPMENT, pursuant to the Official Plat thereof filed for record on the 17th day of January, 1985, in Book 367, page 356, Entry No. 270948, in the Book of Plats, in the Office of the Washington County Recorder, State of Utah.

THE RIDGE AT ST. GEORGE - PLAT D, A PLANNED UNIT DEVELOPMENT, pursuant to the Official Plat thereof filed for record on the 1st day of August, 1985, in Book 384, page 1, Entry No. 279573, in the Book of Plats, in the Office of the Washington County Recorder, State of Utah.

THE RIDGE AT ST. GEORGE - PLAT E, A PLANNED UNIT DEVELOPMENT, pursuant to the Official Plat thereof filed for record on the 9th day of January, 1986, in Book 399, page 117, Entry No. 287217, in the Book of Plats, in the Office of the Washington County Recorder, State of Utah.

THE RIDGE AT ST. GEORGE, PLAT F, A PLANNED UNIT DEVELOPMENT, pursuant to the Official Plat thereof filed for record on the 16th day of November, 1990, at Book 580, page 489, Entry No. 374344, in the Book of Plats, in the Office of the Washington County Recorder, State of Utah.

THE RIDGE AT ST. GEORGE, PLAT G, A PLANNED UNIT DEVELOPMENT, pursuant to the Official Plat thereof filed for record on the 3rd day of March, 1989, at Book 514, page 328, Entry No. 344856, in the Book of Plats, in the Office of the Washington County Recorder, State of Utah.

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THE RIDGE AT ST. GEORGE, PLAT H, A PLANNED UNIT DEVELOPMENT, pursuant to the Official Plat thereof filed for record on the 3rd day of March, 1989, at Book 514, page 329, Entry No. 344857, in the Book of Plats, in the Office of the Washington County Recorder, State of Utah.

THE RIDGE AT ST. GEORGE, PLAT I, A PLANNED UNIT DEVELOPMENT, pursuant to the Official Plat thereof filed for record on the 22nd day of February, 1990, at Book 551, page 47, Entry No. 360993, in the Book of Plats, in the Office of the Washington County Recorder, State of Utah.

THE RIDGE AT ST. GEORGE, PLAT J, A PLANNED UNIT DEVELOPMENT, pursuant to the Official Plat thereof filed for record on the 15th day of October, 1990, at Book 576, page 759, Entry No. 372607, in the Book of Plats, in the Office of the Washington County Recorder, State of Utah.

THE RIDGE AT ST. GEORGE, PLAT J AMENDED, A PLANNED UNIT DEVELOPMENT, pursuant to the Official Plat thereof filed for record on the 30th day of August, 1991, at Book 616, page 815, Entry No. 389950, in the Book of Plats, in the Office of the Washington County Recorder, State of Utah.

THE RIDGE AT ST. GEORGE, PLAT K, A PLANNED UNIT DEVELOPMENT, pursuant to the Official Plat thereof filed for record on the 18th day of December, 1992, at Book 698, page 437, Entry No. 422231, in the Book of Plats, in the Office of the Washington County Recorder, State of Utah.

Exhibit A, continued

PARCEL #1 Beginning at a point N. 89°26'45" East 749.46 feet along Center Section line and S 5°38'30" W 422.64 feet from the west $\frac{1}{4}$ Corner of Section 24, Township 42 South, Range 16 West, Salt Lake Base and Meridian and running thence S 31°30' E 581.53 feet; thence S 13°00' W 150.00 feet; thence N. 51°19'45" W 162.07 feet; thence N. 42°30' W 210.00 feet; thence N 19°30' W 210.00 feet; thence N 20°00' E. 200.00 feet to the point of beginning. Containing 2.252 Acres M/L

PARCEL #2 Beginning at the Southeast Corner of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 24, Township 42 South, Range 16 West, SLB&M, said point being North 89°26'45" East 1351.96 feet along the Center Section Line from the West $\frac{1}{4}$ Corner of said Section 24, AND RUNNING THENCE South 89°26'45" West 602.50 feet along the 1/16th line; thence South 5°38'30" West 422.64 feet; thence South 31°30' East 581.53 feet; thence South 13°00' West 150.00 feet; thence North 67°28' East 544.45 feet; thence North 67°03'30" East 173.53 feet to the Most Westerly Corner of Lot 25, Valley View Heights Subdivision; thence North 62°00' East 121.48 feet to a point on a curve to the right on the Northwestern Side of Existing Donlee Drive, the radius point of which is North 82°50'24" East 105.00 feet; thence Northerly and Easterly 220.20 feet along the arc of said curve, and said Northerly line of Donlee Drive to a point of tangency; thence South 74°02'30" East 62.00 feet along the Northerly Line of Donlee Drive to the Top of the Bluff; thence following the top of the Bluff as follows: North 43°40' West 127.50 feet; thence North 25°00' East 92.00 feet; thence North 11°55' West 100.00 feet; thence North 33°00' West 50.00 feet; thence North 2°26' West 69.00 feet; thence North 27°00' East 163.00 feet; thence North 3°53'30" West 118.54 feet to the Center Section Line of said Section 24; thence leaving said Top of Bluff and running thence South 89°26'45" West 566.96 feet along the Center Section Line to the point of beginning, all embraced within the N $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 24.

PARCEL #3 Beginning at the Northwest corner of the Southeast Quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 24, Township 42 South, Range 16 West SLB&M and running thence East 153 feet to a point West 400 feet from the West line of Highway 91; thence South 19°56' East 792 feet; thence North 89°33' East 136 feet; thence South 374.8 feet; thence North 89°33' East 170.2 feet; thence South 200 feet; thence South 89°33' West 666.2 feet; thence North 1320 feet to the point of beginning. Containing 13.33 acres.

PARCEL #4 Beginning at the Southeast Corner of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 24, Township 42 South, Range 16 West, Salt Lake Base and Meridian, said point being N 89°26'45" E 1351.96 feet along the Center Section line from the West $\frac{1}{4}$ Corner of said Section 24; thence N 1°02'57" W 1332.27 feet to the Northeast Corner of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 24; thence S 89°25'13" W 274.42 feet along the 1/16 line; thence S 2°26'15" W 560.41 feet; thence N 85°44'30" W 107.74 feet; thence S 17°01' W 479.47 feet; thence S 5°39'30" W 326.29 feet to a point on the Center Section of said Section 24; thence N 89°26'45" E 602.50 feet along the Center Section line to the point of beginning.

PARCEL #5 Beginning at a point on the West line of State Highway No. 91, said point being S 89°26'45" W 392.48 feet along the Center Section line and N 19°56' W 1195.57 feet along said West line of Highway from the Southeast Corner of the Northwest $\frac{1}{4}$ of Section 24, Township 42 South, Range 16 West, Salt Lake Base and Meridian, said point of beginning also being S 89°33' W 371.56 feet and N 19°56" W 1184.75 feet from a point used in the past as being the Southeast Corner of the Northwest $\frac{1}{4}$ of said Section 24 and tied into the City Block information by the City Engineer when said point existed on the ground and running thence S 89°33' W 400.00 feet; thence N 19°56' W 215.94 feet to the TRUE POINT OF BEGINNING, which point lies on the South line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section 24, thence N-19°56' W 9.06 feet, thence N 89°33' E 400.00 feet to a point on the West line of State Highway No. 91; thence N 19°56' W 50.00 feet along the West line of said Highway, thence S 89°33' W to a point which lies 53.0 feet East of the West line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 24, thence South to the South line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 24, thence N 89°25'13" E along said South line to the TRUE POINT OF BEGINNING.

PARCEL #6 BEGINNING at a point on the West line of State Highway No. 91, said point being S 89°26'45" W 392.48 feet along the Center Section line and N 19°56' W 620.57 feet along said West line of Highway from the Southeast Corner of the Northwest $\frac{1}{4}$ of Section 24, Township 42 South, Range 16 West, Salt Lake Base and Meridian; said point of beginning also being S 89°33' W 371.56 feet and N 19°56' W 609.75 feet from a point used in the past as being the Southeast Corner of the Northwest $\frac{1}{4}$ of Section 24 and tied into the City Block information by the City Engineer when said point existed on the ground; said point of beginning also being the Northeast Corner of a Tract of land conveyed by Sherman C. Lamb & Julia P. Lamb to J. I. Ricketts and Berneice C. Ricketts and recorded in Book Y-12 page 198 in the office of the Washington County Recorder and running thence N 19°56' W 25.00 feet; thence S 89°33' W 125.00 feet; thence N 19°56' W 234.80 feet; thence S 89°33' W 141.49 feet; thence N 48°47' W 217.56 feet; thence S 89°33' W 22.16 feet; thence S 19°56' E 410.00 feet; thence N 89°33' E 400.00

feet to the point of beginning.

LESS AND EXCEPTING any portion of the parcels lying within the boundaries of that property known as Ridge View Drive, a dedicated road.

All of the above parcels being located in Washington County, State of Utah.