

WHEN RECORDED, RETURN TO:

Phoenix of Copper Canyon, LLC
Attn: Legal
11650 S. State Street, Suite 300
Draper, Utah 84020
801.922.5002

**DECLARATION OF ANNEXATION TO
COPPER CANYON P.U.D.
PHASE 7**

THIS DECLARATION OF ANNEXATION TO COPPER CANYON P.U.D. is filed on the date evidenced below by Phoenix of Copper Canyon, LLC, as the Declarant ("**Declarant**") of the subdivision pursuant to the Declaration (as defined below).

RECITALS

A. Whereas, a Declaration of Covenants, Conditions and Restrictions for Copper Canyon P.U.D. Subdivision was recorded on August 17, 2007, as Entry No. 291588 in the Recorder's Office for Tooele, County (as may be amended from time to time, the "**Declaration**").

B. Whereas, a Declaration of Covenants, Conditions and Restrictions for Copper Canyon P.U.D. Subdivision, Phase 3, Tooele, Utah was recorded July 14, 2015, as Entry No. 415639 in the Recorder's Office for Tooele, County (as may be amended from time to time, "**Phase 3 Declaration**").

C. Whereas, a Plat for Copper Canyon P.U.D. Phase 7 was recorded May 21st, 2024, as Entry No. 603365 in the Recorder's Office for Tooele County ("**Phase 7 Plat**");

D. Whereas, under Recitals (E) of the Declaration and Phase 3 Declaration, Declarant reserved an option to expand the Project (as defined in the Declaration) and annex additional property into the Project at any time.

E. Whereas, Declarant Phoenix of Copper Canyon, LLC was granted Declarant rights under a separate Agreement of that certain real property known as Copper Canyon P.U.D. Subdivision;

F. Whereas, Declarant is the fee simple owner of record of that certain real property known as Copper Canyon P.U.D. Phase 7 described with particularity on Exhibit A attached hereto and incorporated herein by this reference ("**Phase 7**") with authority to annex the property described herein.

G. Whereas, the undersigned desires to expand the Project by annexing the Phase 7 Additional Property into the Project and intends that Phase 7 shall be subject to the Phase 3 Declaration.

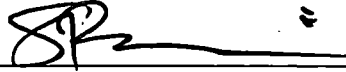
NOW THEREFORE, Declarant hereby declares as follows:

1. The Phase 7 Additional Property, as described in Exhibit A, is hereby submitted to the provisions of the Phase 3 Declaration and, pursuant thereto, is hereby annexed into the Property, as "**Property**" is defined in the Phase 3 Declaration, and is to be held, transferred, sold, conveyed, and occupied as a part of the Project.

2. Except as amended by the provisions of this Declaration of Annexation, the Declaration and Phase 3 Declaration shall remain unchanged, and together with this Declaration of Annexation shall constitute the covenants, conditions and restrictions for the Property.

IN WITNESS WHEREOF, the Declarant has executed this instrument the 21st day of MAY, 2024.

DECLARANT
PHOENIX OF COPPER CANYON, LLC



Printed Name: Shon Rindlisbacher

Title: Managing Member

STATE OF UTAH)
) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 21th day of MAY, 2024, by Shon Rindlisbacher, the manager of Phoenix of Copper Canyon, LLC, on behalf of such company.

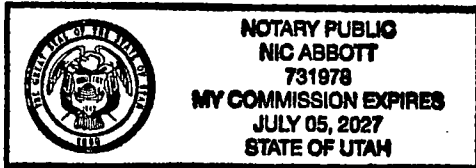

Notary Public

EXHIBIT A

Legal Description

All Lots and Common Area, COPPER CANYON P.U.D. PHASE 7, A PLANNED UNIT DEVELOPMENT OF TOOELE CITY, according to the official plat thereof recorded with the office of the Tooele County Recorder, State of Utah.

Comprising of Lots 7001-7032.

Contains approximately 6.69 acres

Boundary Description

A portion of the NW1/4 of Section 21, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the Westerly line COPPER CANYON P.U.D. PHASE 4, according to the Official Plat thereof recorded in the Office of the Tooele County Recorder, located S89°42'47"W along the Section line 1,424.29 feet and South 1,376.38 feet from the North 1/4 Corner of Section 21, Township 3 South, Range 4 West, Salt Lake Base and Meridian; thence along said plat the following 5 (five) courses and distances: S27°42'21"E 66.50 feet; thence along the arc of a curve to the right with a radius of 29.50 feet a distance of 46.42 feet through a central angle of 90°09'10" Chord: S17°22'14"W 41.77 feet; thence S27°51'22"E 60.00 feet; thence Easterly along the arc of a non-tangent curve to the right having a radius of 29.50 feet (radius bears: S27°33'11"E) a distance of 46.26 feet through a central angle of 89°50'50" Chord: S72°37'46"E 41.66 feet; thence S27°42'22"E 65.98 feet to the Northeasterly corner of Lot 139 COPPER CANYON PHASE 1 AMENDED PLAT, recorded October 15, 1998 as Entry No. 119822 in the Office of the Tooele County Recorder; thence along said plat the following 6 (six) courses and distances: S62°17'39"W 29.62 feet; S63°18'51"W 382.01 feet; thence S62°05'46"W 95.75 feet; thence S62°05'22"W 403.05 feet; thence S57°43'23"W 139.50 feet; thence S57°43'59"W 60.00 feet; thence N32°12'00"W 70.31 feet; thence along the arc of a curve to the left with a radius of 29.50 feet a distance of 46.38 feet through a central angle of 90°05'13" Chord: N77°14'36"W 41.75 feet; thence N32°17'13"W 60.00 feet; thence Northerly along the arc of a non-tangent curve to the left having a radius of 29.50 feet (radius bears: N31°56'16"W) a distance of 46.47 feet through a central angle of 90°15'39" Chord: N12°55'54"E 41.82 feet; thence N32°12'00"W 70.64 feet; thence N57°48'03"E 60.00 feet; thence N57°42'47"E 190.39 feet; thence N62°26'49"E 620.00 feet; thence N65°36'35"E 260.44 feet to the point of beginning.