

Record against the property
describe in Exhibit A

WHEN RECORDED, PLEASE MAIL TO:

Alex Meisner Construction LLC
1166 South Sage Drive
Cedar City, Utah 84720
435.531.9688

**AMENDMENT TO THE DECLARATION
OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
THE CANYON AT EAGLE RIDGE**

As more particularly stated herein, this instrument (hereafter "Amendment") amends the Declaration of Easements, Covenants, Conditions and Restrictions of The Canyon at Eagle Ridge recorded as entry number 00720587 on October 17th 2018 in book 1426, page 1202 in the Office of the Iron County Recorder, State of Utah.;

In the event of a conflict between this Amendment and the Declaration, this Amendment shall control.

This Amendment shall take effect upon the date it is recorded in the records of the Iron County Recorder (the "Amendment Date"). All of the Property known as The Canyon at Eagle Ridge (described in Exhibit A attached hereto and made a part hereof) shall be held, sold and conveyed subject to the Declaration as amended by this Amendment.

The following amends, wholly replaces, and substitutes Sections 4.1, 4.23 in the Declaration – All other terms of the Declaration and other governing documents that do not contradict the terms of this Amendment shall remain in full force and effect. **(AMENDMENTS ARE IN STRIKEOUTS AND ITALICS)**

1. Section 4.1 is hereby amended as follows:

Land Use and Building Type. No Lot shall be used except for a residential purpose. No building shall be erected, altered, placed, or permitted to remain on any Lot other than one (1) single-family dwelling not to exceed two (2) stories in height (not counting the basement) and private garage for not less than two (2) vehicles. Carports may not be built. Rambler-style houses shall have a minimum of 1,850

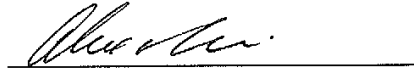
finished square feet of main floor area above finished grade. Two-story houses shall have a minimum of 2,200 finished square feet above finished grade. Multi-level houses shall have a minimum of 2,000 finished square feet of main floor area above finished grade (only two levels may be used to determine the 2,000 finished square feet and not all levels). Notwithstanding the foregoing, ~~in the event that any Lot has an area of less than 10,700 square feet,~~ Lots 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, a rambler-style house on such Lot shall have a minimum of 1,650 finished square feet of main floor area above finished grade. Square footage of any style is excluding garages, porches, verandas, patios, basements, eaves, overhangs, and steps. Any square footage with any portion thereof beneath the top grade of the foundations will not qualify to offset the minimum square footage requirement. Any deviations from this requirement must be approved in writing by the Committee.

2. Section 4.23 is hereby amended as follows:

Fences and Walls. Fencing and walls may be constructed of any of the following materials: ~~stucco, brick, masonry, stone, or wrought iron.~~ *Masonry Block, Color shall be Geneva Brown.* No other materials may be used for the construction of fences within the Project. ~~Fences and walls are to be color coordinated with the approved dwelling colors.~~ Use of landscaping materials for hedges and fencing is encouraged. No fence, wall hedge, tree, plant, shrub or foliage shall be planted, kept or maintained in such a manner as, in the opinion of the Committee, shall create a serious potential hazard or an aesthetically unpleasant appearance to the other residents of the area. All fences and walls must have prior written approval of the Committee.

IN WITNESS WHEREOF, Declarant has executed this Declaration this 14 day of May, ~~2018~~ 2019.

THE CANYON AT EAGLE RIDGE, LLC, a Utah limited liability company



By: Alex Meisner

Its: Managing Member

STATE OF UTAH)

) SS:

COUNTY OF Iron)

On the 14 day of May, ~~2018~~ 2019, personally appeared before me Alex Meisner, who being by me duly sworn, did say that he is a managing member of The Canyon at Eagle Ridge, LLC, a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of that company by authority of its' organizational documents and that the company executed the same.

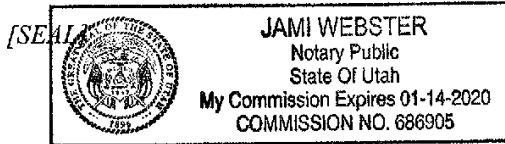


EXHIBIT A

to

DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE CANYON AT EAGLE RIDGE SUBDIVISION

All of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34, THE CANYON AT EAGLE RIDGE, PHASE 1, according to the Official Plat thereof, on file in the Office of the Recorder of Iron County, State of Utah.

Tax Serial Numbers:

B-2001-0001-0000
B-2001-0002-0000
B-2001-0003-0000
B-2001-0004-0000
B-2001-0005-0000
B-2001-0006-0000
B-2001-0007-0000
B-2001-0008-0000
B-2001-0009-0000
B-2001-0010-0000
B-2001-0011-0000
B-2001-0012-0000
B-2001-0013-0000
B-2001-0014-0000
B-2001-0015-0000
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B-2001-0017-0000
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B-2001-0023-0000
B-2001-0024-0000
B-2001-0025-0000
B-2001-0026-0000
B-2001-0027-0000
B-2001-0028-0000
B-2001-0029-0000
B-2001-0030-0000
B-2001-0031-0000
B-2001-0032-0000
B-2001-0033-0000
B-2001-0034-0000

00728505 B: 1444 P: 1772

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Alex Meisner Construction LLC
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**AMENDMENT TO THE DECLARATION
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In the event of a conflict between this Amendment and the Declaration, this Amendment shall control.

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The following amends, wholly replaces, and substitutes Sections 4.1, 4.23 in the Declaration – All other terms of the Declaration and other governing documents that do not contradict the terms of this Amendment shall remain in full force and effect. **(AMENDMENTS ARE IN STRIKEOUTS AND ITALICS)**

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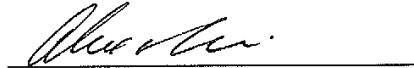
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IN WITNESS WHEREOF, Declarant has executed this Declaration this 14 day of May, ~~2018~~ 2019.

THE CANYON AT EAGLE RIDGE, LLC, a Utah limited liability company



By: Alex Meisner

Its: Managing Member

STATE OF UTAH)

) SS:

COUNTY OF Iron)

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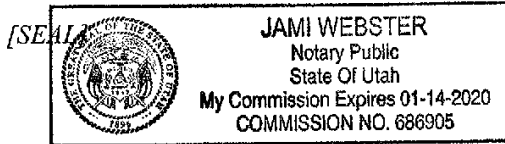


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DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE CANYON AT EAGLE RIDGE SUBDIVISION

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B-2001-0023-0000
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B-2001-0025-0000
B-2001-0026-0000
B-2001-0027-0000
B-2001-0028-0000
B-2001-0029-0000
B-2001-0030-0000
B-2001-0031-0000
B-2001-0032-0000
B-2001-0033-0000
B-2001-0034-0000

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When Recorded Please Mail To:

Canyon At Eagle Ridge LLC
1196 Sage Drive
Cedar City, Utah 84720
(435)531-1679

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Carri R. Jeffries, Iron County Recorder Page 1 of 5
12/07/2023 11:15:26 AM By CANYON AT EAGLE RIDGE LLC



**AMENDMENT TO THE DECLARATION
OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE CANYON AT EAGLE RIDGE**

As more particularly stated herein, this instrument (hereafter "Amendment") amend the Declaration of Easements, Covenants Conditions and Restrictions of The Canyon at Eagle Ridge recorded as entry number 00720587 on October, 17th 2018 in book 1426, page 1202 in the Office of the Iron County Recorders, State of Utah; and Amendment recorded as entry number 00728505 on May 21, 2019 in the Office of the iron County Recorders, State of Utah;

In the event of a conflict between this Amendment and the Declaration, this Amendment shall control.

The Amendment shall take effect upon the date it is recorded in the records of the Iron County Recorder (the "Amendment Date"). All of the Property known as The Canyon at Eagle Ridge (described in Exhibit A attached hereto and made a part hereof) shall be held, sold and conveyed subject to the Declaration as amended by the Amendment.

THIS DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE CANYON AT EAGLE RIDGE (this "Declaration") is made and executed this 7th day of December, 2023, by The Canyon at Eagle Ridge LLC, a Utah limited liability company (the "Declarant")

RECITALS

Declarant is the owner of certain real property in Iron County, Utah, more particularly described on Exhibit A attached hereto (the "Property"). Declarant desire to develop the Property as a subdivision consisting of The Canyon at Eagle Ridge Subdivisions (the "Project").

Declarant intends to establish a common scheme and plan for the possession, use, enjoyment, repair, maintenance, restoration, and improvement of the Project.

DECLARATION

NOW, THEREFORE, it is hereby declared that the Project shall be held, sold, conveyed, leased, rented, encumbered, and used subject to the following easements, rights, assessments, liens, charges, covenants, servitudes, restrictions, limitations, conditions, and uses, which are for the purpose of protecting the value and desirability of, and which shall run with, the Property and be binding on all parties having any right, title, or interest in the described Property or any

part thereof, their heirs, successors, and assigns, and shall inure to the benefit of each owner thereof.

The following amends, wholly replaces, and substitutes Section 4.1, 4.23, 4.3 in the Declaration - All other terms of the Declaration and other governing documents that do not contradict the terms of the Amendment shall remain in full force and effect. **(AMENDMENTS ARE IN STRIKEOUTS AND ITALICS)**

1. Section 4.1 is hereby amended as follows:

Land Use and Building Type. No Lot shall be used except for a residential purpose No building shall be erected, altered, placed, or permitted to remain on any Lot other than one (1) single-family dwelling not to exceed two (2) stories in height (not counting the basement) and private garage for no less than two (2) vehicles. ~~Carports may not be built.~~ Rambler style houses shall have a minimum of 1,850 finished square feet of main floor area above finished grade. Two-story house shall have a minimum of 2,200 finished square feet above finished grade. Multi-level houses shall have a minimum of 2,000 finished square feet of main floor area above finished grade (only two levels may be used to determine the 2,000 finished square feet and not all levels.) ~~Notwithstanding the foregoing, in the event that any Lot has an area of less than 10,700 square feet, a rambler style house on such Lot shall have a minimum of 1,650 finished square feet of main floor area above finished grade.~~ Square footage of any style is excluding garages, porches, verandas, patios, basements, eaves, overhangs, and steps. Any square footage with any portion thereof beneath the top grade of the foundation will not qualify to offset the minimum square footage recruitment. Any deviation from this requirement must be approved in writing by the Committee.

2. Section 4.23 is hereby amended as follows:

Fences and Walls. Fencing and walls may be constructed of any of the following materials; *Masonry Block, color shall be Geneva Brown, Cocoa or colored matched to neighborhood.* No other materials may be used for the construction of fences within the project. Use of landscaping materials for hedges and fencing is encouraged. No fence, wall hedge, tree, plant, shrub or foliage shall be planted, kept or maintained in such a manner as, in the opinion of the Committee, shall create a serious potential hazard or an aesthetically unpleasant appearance to the other residents of the area. All fences and walls must have prior written approval of the Committee.

3. Section 4.3 is hereby amended as follows:

Construction Quality, Size, and Cost. The Committee will base its approval of construction plans, specifications, landscaping plans, and other alterations on the acceptability and harmony of the external design of the proposed structure with respect to topography and grade, quality of materials, size, height, color, etc. All dwellings constructed on the Property shall be of new materials, except pre-approved used brick, and shall be of good quality workmanship and materials. Only those exterior materials that will blend harmoniously with the natural environment, with special emphasis on

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earth-toned colors, shall be permitted. All exterior material shall be new, except pre-approved used brick, rock, stucco, or a combination approved in writing by the Architectural Review Committee. Aluminum soffit and fascia is acceptable. No aluminum or vinyl exterior siding homes shall be permitted in the Project, unless otherwise approved by the Committee. Any wood exterior siding shall be used in combination with brick, rock, and/or stucco as approved by the Committee. Wood shake, wood shingles and three-tab asphalt shingles are not permitted for roofs in the Project. All exterior materials and colors are to be specified on plans and submitted for approval by the Committee. All spaces between any porch, deck or other similar structure and ground level shall be appropriately skirted and such skirting shall be maintained in an aesthetically pleasing condition by the Owner of the Lot. No pre-manufactured home shall be permitted. ~~No flat roofs shall be permitted in the Project without prior written approval by the Committee.~~ A minimum width of six (6) inches shall be required on the fascia. All stacks and chimneys from the fireplace in which combustible materials other than natural gas are burned shall be fitted with spark arrestors. All owners shall strictly comply with all state laws and local ordinance pertaining to fire hazard control.

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12/07/2023 11:15:26 AM By CANYON AT EAGLE RIDGE LLC




EXHIBIT "A"

The Canyon at Eagle Ridge, PHASES 2 THROUGH 3 AND ALL FUTURE PHASES AND LOTS, according to the Official Plat thereof, on file and of records in the Office of the Iron County Recorder, State of Utah.

All of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24 The Canyon at Eagle Ridge, Phase 2, according to the Official Plat thereof, as filed in the Office of the Iron County Recorder.

Tax Serial Numbers: B-2011-0001-0000, B-2011-0002-0000, B-2011-0003-0000, B-2011-0004-0000, B-2011-0005-0000, B-2011-0006-0000, B-2011-0007-0000, B-2011-0008-0000, B-2011-0009-0000, B-2011-0010-0000, B-2011-0011-0000, B-2011-0012-0000, B-2011-0013-0000, B-2011-0014-0000, B-2011-0015-0000, B-2011-0016-0000, B-2011-0017-0000, B-2011-0018-0000, B-2011-0019-0000, B-2011-0020-0000, B-2011-0021-0000, B-2011-0022-0000, B-2011-0023-0000, B-2011-0024-0000

All Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 The Canyon at Eagle Ridge, Phase 3, according to the Official Plat thereof, as filed in the Office of the Iron County Recorder.

Tax Serial Numbers: B-2039-0001-0000, B-2039-0002-0000, B-2039-0003-0000, B-2039-0004-0000, B-2039-0005-0000, B-2039-0006-0000, B-2039-0007-0000, B-2039-0008-0000, B-2039-0009-0000, B-2039-0010-0000, B-2039-0011-0000, B-2039-0012-0000

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Carri R. Jeffries, Iron County Recorder Page 4 of 5
12/07/2023 11:15:26 AM By CANYON AT EAGLE RIDGE LLC



WITNESS the hand(s) of said grantor(s), this 7th day of December, 2023

Canyon at Eagle Ridge LLC, a Utah Limited Liability Company

By: 
Alex Meisner, Manager


See attached for notary acknowledgement.

Notary acknowledgment attached to the certain executed by The Canyon at Eagle Ridge LLC, a Utah limited liability company

STATE OF UTAH

COUNTY OF IRON

On the 7th day of December, 2023, personally appeared before me, Alex Meisner, who being by me duly sworn, did say that he/she is the manager of The Canyon at Eagle Ridge, LLC a Limited Liability Company, and that said instrument was signed by him/her in behalf of said, limited liability, company by authority of statue is article of organization, or is operating agreement, for the use and purposes, Hearon mentioned, and said Alex Meisner acknowledges to me, that said, limited liability company executed the same.


NOTARY PUBLIC



My commission expires: 1/14/24

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Carri R. Jeffries, Iron County Recorder Page 5 of 5
12/07/2023 11:15:26 AM By CANYON AT EAGLE RIDGE LLC

