

00739094

B: 1471 P: 700

B: 1471 P: 700 Fee \$40.00

Carri R. Jeffries, Iron County Recorder - Page 1 of 4

01/16/2020 12:02:45 PM By: INWEST TITLE SERVICES - SALT LAKE

When Recorded, Return to:  
Development Team, LLC  
216 South 200 West  
Cedar City, Utah 84720

Parcel Nos.

B-1709, B-1459-22, B-1708-4

B-2708

FIRST AMENDMENT TO DECLARATION  
OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
THE IRON HORSE DEVELOPMENT PROJECT  
(Cedar City, Utah)

This Amendment is made this 15<sup>th</sup> day of January, 2020, by DEVELOPMENT TEAM, LLC, a Utah Limited Liability Company, 216 South 200 West, Cedar City, Utah 84720 (the "Declarant") as authorised by the State of Utah, acting by and through the School and Institutional Trust Lands Administration, 675 East 500 South, Suite 500, Salt Lake City, Utah (the "Trust Lands Administration") under that Development lease Agreement No. 1169, dated July 1<sup>st</sup>, 2019.

1. This Amendment refers to the original DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS for IRON HORSE DEVELOPMENT PROJECT, Cedar City, Utah, Recorded on October 11, 2019 and recorded as Entry # 00735126 Book 1461 Page 879.

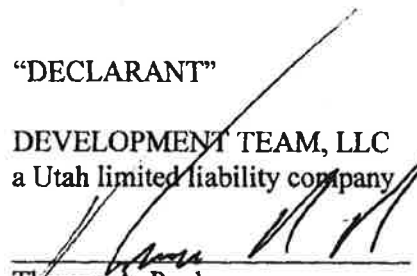
2. In order to better pronounce the intentions of the Declarant, it is hereby declared that Article 12. External Building Structures will be amended to read as follows:

"All significantly exposed and noticeable projections outside of any building, including but not limited to mechanical and electrical equipment, antennae, satellite dishes of any type, short wave antennae, free standing antennae, internet dishes or broadcasters, or electronic equipment etc. will be screened from public view by Architecture Control Committee approved enclosures."

IN WITNESS WHEREOF, Declarant has caused this Amendment to be executed this 15<sup>th</sup> day of January, 2020.

"DECLARANT"

DEVELOPMENT TEAM, LLC  
a Utah limited liability company

  
Thomas A. Pugh  
President

When Recorded, Return to:  
Development Team, LLC  
216 South 200 West  
Cedar City, Utah 84720

Parcel Nos.  
B-1709, B-1459-22, B-1708-4  
B-2708

FIRST AMENDMENT TO DECLARATION  
OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
THE IRON HORSE DEVELOPMENT PROJECT  
(Cedar City, Utah)

This Amendment is made this 15<sup>th</sup> day of January, 2020, by DEVELOPMENT TEAM, LLC, a Utah Limited Liability Company, 216 South 200 West, Cedar City, Utah 84720 (the "Declarant") as authorised by the State of Utah, acting by and through the School and Institutional Trust Lands Administration, 675 East 500 South, Suite 500, Salt Lake City, Utah (the "Trust Lands Administration") under that Development lease Agreement No. 1169, dated July 1<sup>st</sup>, 2019.

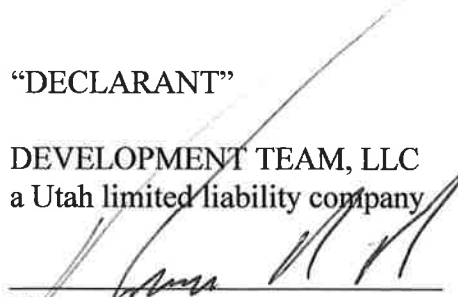
1. This Amendment refers to the original DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS for IRON HORSE DEVELOPMENT PROJECT, Cedar City, Utah, Recorded on October 11, 2019 and recorded as Entry # 00735126 Book 1461 Page 879.
2. In order to better pronounce the intentions of the Declarant, it is hereby declared that Article 12. External Building Structures will be amended to read as follows:

"All significantly exposed and noticeable projections outside of any building, including but not limited to mechanical and electrical equipment, antennae, satellite dishes of any type, short wave antennae, free standing antennae, internet dishes or broadcasters, or electronic equipment etc. will be screened from public view by Architecture Control Committee approved enclosures."

IN WITNESS WHEREOF, Declarant has caused this Amendment to be executed this 15<sup>th</sup> day of January, 2020.

"DECLARANT"

DEVELOPMENT TEAM, LLC  
a Utah limited liability company

  
\_\_\_\_\_  
Thomas A. Pugh  
President

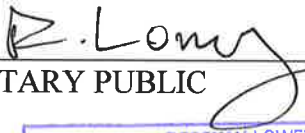
(Notary Page to Follow)

STATE OF UTAH

)  
:SS

COUNTY OF IRON

On the 15<sup>th</sup> Day of January, 2020, personally appeared before me Thomas A. Pugh, who being duly sworn, did say that he is the President of Development Team, LLC, a Utah limited liability company and that the foregoing instrument was signed on behalf of said Development Team, LLC, by authority of its Certificate of Organization or a Resolution of its members, and he acknowledged to me that he executed the same.

  
NOTARY PUBLIC

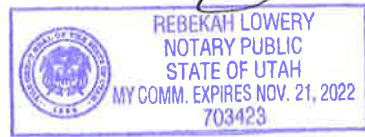


Exhibit "A"

Property Description for Iron Horse Project, Cedar City, Utah

PARCEL 1-1358.952 ACRES

BEGINNING AT THE EAST 1/4 CORNER OF SECTION 29, T36S, R11W, SLB&M; THENCE N89°57'44"W, 2668.63 FEET TO THE CENTER 1/4 CORNER OF SAID SECTION 29; THENCE N89°58'00"W, 1337.85 FEET TO THE 1/16TH CORNER; THENCE N0°01'25"E, 2650.10 FEET TO THE 1/16TH SECTION CORNER; THENCE N0°31'43"W, 2665.14 FEET TO THE 1/16TH CORNER; THENCE N0°31'38"W, 2659.56 FEET TO THE 1/16TH CORNER; THENCE S89°43'08"E, 1314.11 FEET TO THE NORTH 1/4 CORNER OF SECTION 20; THENCE ALONG THE SECTION LINE S89°43'14"E, 1478.03 FEET; THENCE S0°16'46"W, 56.29 FEET; THENCE N89°43'14"W, 238.71 FEET; THENCE S0°16'46"W, 208.71 FEET; THENCE S89°43'14"E, 438.71 FEET; THENCE N0°16'46"E, 265.00 FEET TO THE SECTION LINE; THENCE ALONG SAID SECTION LINE S89°43'14"E, 950.29 FEET TO THE N.W. CORNER OF SECTION 21; THENCE ALONG THE SECTION LINE N88°34'02"E, 539.12 FEET TO THE SOUTHERLY LINE OF CROSS HOLLOW ROAD; THENCE ALONG SAID SOUTHERLY LINE S73°56'03"E, 72.50 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 546.00 FEET AND A CENTRAL ANGLE OF 11°33'38"; THENCE ALONG THE ARC OF SAID CURVE 110.16 FEET; THENCE S62°22'25"E, 400.15 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 546.00 FEET AND A CENTRAL ANGLE OF 8°27'51"; THENCE ALONG THE ARC OF SAID CURVE 80.66 FEET; THENCE S53°54'34"E, 253.10 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 669.50 FEET AND A CENTRAL ANGLE OF 28°14'18"; THENCE ALONG THE ARC OF SAID CURVE 329.97 FEET; THENCE S25°40'16"E, 170.92 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 630.50 FEET AND A CENTRAL ANGLE OF 42°49'26"; THENCE ALONG THE ARC OF SAID CURVE 471.25 FEET; THENCE S68°29'42"E, 534.97 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 619.50 FEET AND A CENTRAL ANGLE OF 21°07'44"; THENCE ALONG THE ARC OF SAID CURVE 228.45 FEET; THENCE S47°21'58"E, 469.84 FEET; THENCE N42°38'02"E, 4.00 FEET; THENCE S47°21'58"E, 371.83 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 676.50 FEET AND A CENTRAL ANGLE OF 28°39'17"; THENCE ALONG THE ARC OF SAID CURVE 338.33 FEET; THENCE S76°01'15"E, 478.83 FEET TO THE 1/16TH SECTION LINE; THENCE ALONG SAID 1/16TH SECTION LINE S01°22'30"E, 309.70 FEET TO THE 1/16TH CORNER; THENCE ALONG THE 1/16TH SECTION LINE S89°21'51"W, 187.39 FEET; THENCE S18°36'51"W, 236.92 FEET; THENCE S56°10'42"W, 286.69 FEET; THENCE S65°53'24"E, 569.56 FEET; THENCE S01°22'20"E, 60.93 FEET; THENCE S65°53'24"E, 104.79 FEET; THENCE S09°31'43"E, 590.00 FEET; THENCE S03°57'37"E, 286.24 FEET; THENCE S14°05'16"E, 349.70 FEET; THENCE S29°22'56"E, 434.95 FEET; THENCE S44°18'21"W, 520.65 FEET TO THE SECTION LINE; THENCE S89°49'45"W, 100.02 FEET TO THE 1/16TH SECTION CORNER; THENCE ALONG THE 1/16TH SECTION LINE S0°06'33"W, 257.12 FEET; THENCE N89°53'27"W, 100.00 FEET; THENCE S0°06'33"W, 200.00 FEET; THENCE S89°53'27"E, 100.00 FEET TO THE 1/16TH SECTION LINE; THENCE ALONG SAID 1/16TH SECTION LINE S0°06'33"W, 1704.01 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF THE I-15 FRONTAGE ROAD AND A

POINT OF NON-TANGENT CURVATURE TO THE RIGHT HAVING A RADIUS OF 21,993.97 AND A CENTRAL ANGLE OF  $1^{\circ}54'21''$  (RADIUS POINT BEARS  $N44^{\circ}03'29''W$ ); THENCE ALONG THE ARC OF SAID CURVE AND RIGHT OF WAY 731.54 FEET TO THE 1/4 SECTION LINE THENCE ALONG SAID 1/4 SECTION LINE  $S89^{\circ}53'37''W$ , 3451.37 FEET TO THE POINT OF BEGINNING.

PARCEL 2-91.487 ACRES

BEGINNING AT THE NORTH 1/4 CORNER OF SECTION 21, T36S, R11W, SLB&M; THENCE ALONG THE SECTION LINE  $N89^{\circ}29'43''E$ , 1338.34 FEET TO THE 1/16TH SECTION CORNER; THENCE ALONG THE SECTION LINE  $N89^{\circ}29'16''E$ , 132.81 FEET TO THE WEST LINE OF COVE DRIVE; THENCE ALONG SAID WEST LINE  $S01^{\circ}22'52''E$ , 888.93 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 437.38 FEET AND A CENTRAL ANGLE OF  $56^{\circ}03'30''$ ; THENCE ALONG THE ARC OF SAID CURVE 427.93 FEET; THENCE DEPARTING SAID WEST LINE  $S28^{\circ}17'39''W$ , 109.35 FEET TO THE 1/16TH SECTION LINE; THENCE ALONG SAID 1/16TH SECTION LINE  $S89^{\circ}28'40''W$ , 272.00 FEET TO THE 1/16TH SECTION CORNER; THENCE ALONG THE 1/16TH SECTION LINE  $S01^{\circ}22'30''E$ , 918.38 FEET TO THE NORTHERLY LINE OF CROSS HOLLOW ROAD; THENCE ALONG SAID NORTHERLY LINE  $N74^{\circ}52'34''W$ , 473.62 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 573.50 FEET AND A CENTRAL ANGLE OF  $34^{\circ}40'05''$ ; THENCE ALONG THE ARC OF SAID CURVE 347.01 FEET; THENCE  $N40^{\circ}12'29''W$ , 877.35 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 626.50 FEET AND A CENTRAL ANGLE OF  $52^{\circ}37'33''$ ; THENCE ALONG THE ARC OF SAID CURVE 575.44 FEET TO A POINT OF REVERSE CURVATURE TO THE RIGHT HAVING A RADIUS OF 573.50 FEET AND A CENTRAL ANGLE OF  $67^{\circ}09'46''$ ; THENCE ALONG THE ARC OF SAID CURVE 672.26 FEET; THENCE  $N25^{\circ}40'16''W$ , 33.54 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 776.50 FEET AND A CENTRAL ANGLE OF  $28^{\circ}45'15''$ ; THENCE ALONG THE ARC OF SAID CURVE 389.69 FEET; THENCE  $N54^{\circ}25'31''W$ , 255.38 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 650.00 FEET AND A CENTRAL ANGLE OF  $7^{\circ}56'54''$ ; THENCE ALONG THE ARC OF SAID CURVE 90.17 FEET; THENCE  $N62^{\circ}22'25''W$ , 347.35 FEET TO THE SECTION LINE; THENCE ALONG SAID SECTION LINE  $N88^{\circ}34'02''E$ , 1829.47 FEET TO THE POINT OF BEGINNING.