

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

00741223 B: 1476 P: 825

B: 1476 P: 825 Fee \$40.00

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

03/04/2020 11:33:41 AM By: INWEST TITLE SERVICES - SALT LAKE

Parcel Nos.

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

B-2708

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

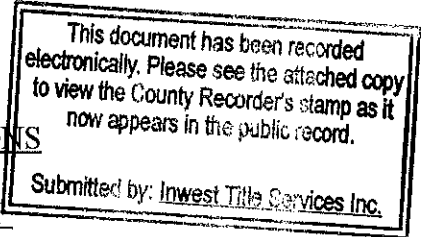
This Amendment is made this 28<sup>th</sup> day of February, 2020, by DEVELOPMENT TEAM, LLC, a Utah Limited Liability Company, 216 South 200 West, Cedar City, Utah 84720 (the "Declarant") as authorised by the State of Utah, acting by and through the School and Institutional Trust Lands Administration, 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 the following amendment refers to a Pump Lift Station located in the Blackstone Subdivision Phase 1 to be used in the waste treatment system for this development. The Declaration of conditions and restrictions for Iron Horse Development Project will be amended to read as follows:
  - A. The Pump Lift Station referred to in this document will be owned and maintained by the Iron Horse Project Home Owners Association and will be their responsibility through out the life of this projects as referred to in the 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.
  - B. The Iron Horse Project Home Owners Association will be responsible for inspecting the Pump Lift Station and documenting such inspections on a monthly basis.
  - C. Regular and annual maintenance of the Pump Lift Station will be carried out by the Iron Horse Project Owners Association and is the responsibility of this organization.

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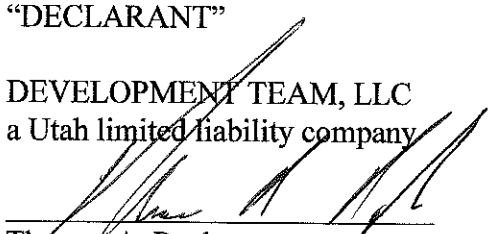
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  - B. The Iron Horse Project Home Owners Association will be responsible for inspecting the Pump Lift Station and documenting such inspections on a monthly basis.
  - C. Regular and annual maintenance of the Pump Lift Station will be carried out by the Iron Horse Project Owners Association and is the responsibility of this organization.

- D. The Iron Horse Project Home Owners Association will send an annual report on the Pump Lift Station to Cedar City's Engineering Department documenting these items.
- E. A warning system of flashing lights above grade at the Pump Lift Station and/or a digital notification will be installed in this system to ensure timely notification of any interruption of service by the Pump Lift Station.

IN WITNESS WHEREOF, Declarant has caused this Amendment to be executed this 15<sup>th</sup> day of February 28, 2020.

"DECLARANT"

DEVELOPMENT TEAM, LLC  
a Utah limited liability company

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

(Notary Page to Follow)

STATE OF UTAH

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:SS

COUNTY OF IRON

On the <sup>28</sup>~~15~~<sup>February</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

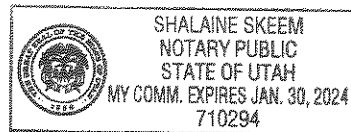


Exhibit "A"

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°54'21" (RADIUS POINT BEARS N44°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°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°29'43"E, 1338.34 FEET TO THE 1/16TH SECTION CORNER; THENCE ALONG THE SECTION LINE N89°29'16"E, 132.81 FEET TO THE WEST LINE OF COVE DRIVE; THENCE ALONG SAID WEST LINE S01°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°03'30"; THENCE ALONG THE ARC OF SAID CURVE 427.93 FEET; THENCE DEPARTING SAID WEST LINE S28°17'39"W, 109.35 FEET TO THE 1/16TH SECTION LINE; THENCE ALONG SAID 1/16TH SECTION LINE S89°28'40"W, 272.00 FEET TO THE 1/16TH SECTION CORNER; THENCE ALONG THE 1/16TH SECTION LINE S01°22'30"E, 918.38 FEET TO THE NORTHERLY LINE OF CROSS HOLLOW ROAD; THENCE ALONG SAID NORTHERLY LINE N74°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°40'05"; THENCE ALONG THE ARC OF SAID CURVE 347.01 FEET; THENCE N40°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°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°09'46"; THENCE ALONG THE ARC OF SAID CURVE 672.26 FEET; THENCE N25°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°45'15"; THENCE ALONG THE ARC OF SAID CURVE 389.69 FEET; THENCE N54°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°56'54"; THENCE ALONG THE ARC OF SAID CURVE 90.17 FEET; THENCE N62°22'25"W, 347.35 FEET TO THE SECTION LINE; THENCE ALONG SAID SECTION LINE N88°34'02"E, 1829.47 FEET TO THE POINT OF BEGINNING.