

After Recording Return to:

RC Gardner Development, Inc.
Attn: Skyler Gardner
60 E. South Temple, Suite 1800
Salt Lake City, UT 84111

Ent 140872 Bk 333 Pg 1791
Date: 23-FEB-2017 9:59:09AM
Fee: \$17.00 Credit Card
Filed By: JP
BRENDA NELSON, Recorder
MORGAN COUNTY
For: GARDNER MEADOW RIDGE LLC

Tax Id. Nos. _____

DECLARATION OF ANNEXATION

THIS DECLARATION OF ANNEXATION (this "Declaration of Annexation") is made this 22 day of February, 2017, by GARDNER COTTONWOOD CREEK, L.C., a Utah limited liability company ("Declarant").

RECITALS

A. That certain Declaration of Protective Covenants, Conditions and Restrictions for Cottonwood Meadows (The Cottonwoods at Mountain Green), recorded August 18, 2016, as Entry Number 104099, in Book 234, Page 365, in the Official Records of Morgan County, Utah, as amended by that certain Addendum 1 to the Cottonwood Meadows Covenants Conditions and Restrictions Cottonwood Meadows, a P.U.D. Subdivision, Cottonwood Meadows, recorded August 8, 2007, as Entry Number 108787, in Book 251, Page 810, in the Official Records of Morgan County, Utah, as further amended by that certain First Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Cottonwood Meadows (The Cottonwoods at Mountain Green), recorded April 2, 2009, as Entry Number 116142, in Book 276, Page 1336, in the Official Records of Morgan County, Utah (collectively, the "Neighborhood Declaration"), encumbers the real property more particularly described in the Declaration (the "Properties").

B. Section 1.2 of the Neighborhood Declaration permits additional property to be annexed to the Properties in the manner contemplated in that certain Declaration of Covenants, Conditions, Restrictions and Easements for the Cottonwoods at Mountain Green, recorded October 12, 2004, as Entry Number 097334, in Book 210, Page 0170, in the Official Records of Morgan County, Utah (the "Master Declaration").

C. Section 2.2 of the Master Declaration permits Declarant to unilaterally expand the Properties to include additional property.

D. Declarant desires to annex that certain real property located in the general vicinity of the Properties (the "Annex Property"), more particularly shown and described in that certain Plat of Meadow Ridge Phase 2 at Cottonwood Meadows in the office of the Morgan County Recorder on February 23, 2017, as Entry No. 140871, incorporated herein by this reference, and to subject the Annex Property to the Declaration.

E. Declarant is the owner of the Annex Property. Declarant is willing to subject the Annex Property to the Declaration and to be annexed into the Properties.

DECLARATION

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant declares and agrees as follows:

1. Annexation. Declarant hereby annexes the Annex Property into the Properties. The Annex Property is hereinafter subject to the Declaration and all covenants, conditions, restrictions, easements, assessments, charges and liens set forth therein.

2. Defined Terms. Any and all capitalized terms used in this Declaration of Annexation which are not specifically defined herein shall be given the same definitions assigned such terms in the Neighborhood Declaration and Master Declaration.

[signature and acknowledgment are on the following page]

Legal Description

Meadow Ridge Phase 2 at Cottonwood Meadows all of
Lots 201 and 202 as recorded February 23, 2017 as
entry number 140871.

IN WITNESS WHEREOF the parties hereto execute this Declaration of Annexation as of the day and year first written above.

DECLARANT:

GARDNER COTTONWOOD CREEK, L.C.,
a Utah limited liability company

By: *R. C. Gardner*
Name: R. C. Gardner
Its: manager,

STATE OF UTAH)

COUNTY OF SALT LAKE) : ss

On this 22 day of FEBRUARY, 2017, personally appeared before me, R. C. Gardner duly sworn, did say that he/she is the MANAGER of GARDNER COTTONWOOD CREEK, L.C., a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of said company in his/her capacity as MANAGER.

[Signature]
Notary Public

4814-8665-4019, v. 1

