

AFTER RECORDING, RETURN TO:

David E. Gee
KIMBALL, PARR, WADDINGS, BROWN & GEE
185 South State Street, Suite 1300
Salt Lake City, Utah 84111

**DECLARATION ANNEXING LAGUNA AT GREEN SPRING PHASE III
TO LAGUNA AT GREEN SPRING,
A PROJECT WITHIN THE GREEN SPRING VILLAGES**

THIS DECLARATION ("Declaration") is made this 30 day of September, 1996, by **GREEN SPRING VILLAGES, L.C.**, a Utah limited liability company ("Declarant").

RECITALS:

A. Declarant is the successor in interest to the declarant under that certain Declaration of Protective Covenants, Conditions, Restrictions and Easements for The Green Spring Villages dated January 29, 1996 and recorded February 16, 1996 as Entry Number 00523555 in Book 0974 at Pages 0670-0719 of the Official Records of Washington County, Utah (the "Master Declaration").

B. Declarant is also successor in interest to the declarant under that certain Declaration of Protective Covenants, Conditions and Restrictions for Laguna at Green Spring, a Project Within the Green Spring Villages dated January 29, 1996 and recorded February 16, 1996 as Entry Number 00523557 in Book 0974 at Pages 0727-0732 of the Official Records of Washington County, Utah (the "Laguna Declaration").

C. The Laguna Declaration designates the property included within that certain plat entitled "Laguna Villages at Green Spring Phase #1," recorded February 16, 1996 as Entry Number 00523553 in Book 0974 at Page 0668 of the Book of Plats of Washington County, Utah (the "Project Property"), as a Project, as that term is defined in the Master Declaration, within The Green Spring Villages, annexing the Project Property to the Green Spring Villages, and subjecting the Project Property to the Master Declaration, as modified by the Laguna Declaration.

D. Section 2 of the Laguna Declaration provides that the Project Property may be expanded by annexing Additional Property, as that term is defined in the Master Declaration, in the manner contemplated by the Master Declaration.

E. On November 6, 1996, Declarant recorded a plat entitled "Laguna at Green Spring Phase III, a Project within The Green Spring Villages" (the "Laguna Plat Phase III") as Entry Number 548741 in Book 1050 at Pages 137 of the Book of Plats of Washington County, Utah. The property included within the Laguna Plat Phase III is to be Phase III of the Project designated by the Laguna Declaration and is hereinafter referred to as the "Project Property Phase III." A description of the Project Property Phase III is attached hereto as Exhibit "A."

b:\boyer\gsv\lag3-dec.fin [MAW] September 26, 1996

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FOR: SOUTHERN UTAH TITLE CO

F. Declarant wishes to expand the Project Property by annexing the Project Property Phase III to the Project Property on the terms and conditions set forth in this Declaration.

NOW, THEREFORE, the Declarant does hereby declare and provide as follows:

1. **Definitions.** Except as otherwise specifically provided in this Declaration or as clearly required by the context hereof, each of the terms used herein shall have the meanings set forth in the Master Declaration (as the same may be amended from time to time), as modified by the Laguna Declaration (as the same may be amended from time to time).

2. **Annexation of Project Property Phase III.** Project Property Phase III is hereby designated as a Project, annexed to the Project Property, and made subject to the Master Declaration (as the same may be amended from time to time), as modified by the Laguna Declaration (as the same may be amended from time to time).

3. **Binding Effect.** The Project Property Phase III, including all Common Areas, Project Common Areas and Lots therein, shall be held, conveyed, hypothecated, encumbered, used, occupied, and improved only in accordance with the provisions of the Master Declaration (as the same may be amended from time to time), as modified by the Laguna Declaration (as the same may be amended from time to time), which easements, covenants, restrictions, and charges shall run with the Project Property Phase III and shall be binding upon all parties having or acquiring any right, title or interest in the Project Property Phase III or any part thereof and shall inure to the benefit of each Owner thereof.

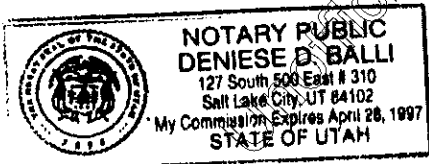
IN WITNESS WHEREOF, Declarant has executed this Declaration as of the day and year first set forth above.

GREEN SPRING VILLAGES, L.C.,
a Utah limited liability company

By *Kem Gardner*
Kem Gardner
Trustee

STATE OF UTAH)
) :ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 30 day of September, 1996 by Kem Gardner as Trustee of Green Spring Villages, L.C., a Utah limited liability company.



Deniese D. Balli
Notary Public for Utah
My commission expires: 4-28-97

Exhibit "A"

Project Property Phase III

Beginning at the Northwest Corner of "Laguna at Green Spring Phase II, a Project within The Green Spring Villages" as recorded and on file in the Office of the Washington County Recorder, said point being located North 89°43'00" West 684.08 feet along the Section Line and North 638.97 feet from the South Quarter (S¼) Corner of Section 10, Township 42 South, Range 15 West, Salt Lake Base and Meridian, and running thence North 6°09'50" West 35.55 feet; thence North 11°33'46" East 264.31 feet; thence South 78°26'14" East 116.11 feet; thence North 12°55'59" East 10.00 feet; thence North 73°39'21" East 84.15 feet; thence South 89°58'56" East 170.73 feet; thence South 0°01'04" West 245.00 feet to the Northeast Corner of said "Laguna at Green Spring Phase II, a Project within The Green Spring Villages"; thence along said Northerly boundary line the following 6 (six) courses: North 89°58'56" West 15.00 feet; thence South 53°43'52" West 50.69 feet; thence North 89°58'56" West 241.09 feet to a point on a 250.00 foot radius curve to the left, the radius point bears North 85°13'54" East; thence Southeasterly 6.09 feet along the arc of said curve through a central angle of 1°23'44" to the point of tangency; thence South 6°09'50" East 10.39 feet; thence South 83°50'10" West 122.00 feet to the point of beginning.