

When recorded, return to:

Suncor Development  
2303 N Coral Canyon  
SUITE 200  
WASHINGTON, UT 84780

00812227 Bk 1535 Pg 0993  
RUSSELL SHIRTS \* WASHINGTON CO RECORDER  
2003 APR 03 13:22 PM FEE \$18.00 BY AMH  
FOR: SUNCOR DEVELOPMENT

FIRST AMENDMENT TO THE  
DECLARATION OF ANNEXATION AND TRACT DECLARATION  
FOR CORAL CANYON

THIS FIRST AMENDMENT TO THE DECLARATION OF ANNEXATION AND TRACT DECLARATION FOR CORAL CANYON ("Amendment") is made this 31 day of March, 2003, by SUNCOR DEVELOPMENT COMPANY, an Arizona corporation and the STATE OF UTAH, acting through the SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION ("Declarant"), with reference to the following:

RECITALS

WHEREAS, Declarant previously executed and caused to be recorded that certain Residential Declaration of Covenants, Conditions, and Restrictions for Coral Canyon, dated March 1, 2000 and recorded on March 21, 2000, as Instrument No. 00679603, Book 1363, beginning at page 1079 records of Washington County, Utah (the "Original Declaration"). The Original Declaration was amended by a First Amendment to Residential Declaration of Covenants, Conditions, and Restrictions for Coral Canyon, dated August 30, 2001 and recorded September 6, 2001, as Instrument No. 00734231, Book 1425, beginning at page 1393, records of Washington County, Utah (the "First Amendment"). The Original Declaration, as amended by the First Amendment, was further amended by an Amended and Restated Residential Declaration of Covenants, Conditions, and Restrictions for Coral Canyon, dated February 21, 2002 and recorded April 3, 2002, as Instrument No. 00759602, Book 1459, beginning at page 1213, records of Washington County, Utah (the "Restated Declaration"). The Original Declaration, as amended by the First Amendment, as amended by the Restated Declaration, was further amended by a First Amendment to Amended and Restated Residential Declaration of Covenants, Conditions, and Restrictions for Coral Canyon, dated July 16, 2002 and recorded July 23, 2002, as Instrument No. 00774326, Book 1477, beginning at page 0121, records of Washington County, Utah (the "First Amendment to Restated Declaration"). The First Amendment to Restated Declaration superseded the Original Declaration, First Amendment, and Restated Declaration in their entirety. Capitalized terms used in this Amendment and not otherwise defined in this Amendment shall have the meanings given to such terms in the First Amendment to Restated Declaration. The Original Declaration, as amended and restated as set forth in this Recital, is referred to as the "Declaration"; and

WHEREAS, pursuant to the terms of such Declaration, Declarant executed and caused to be recorded that certain Declaration of Annexation of Tract Declaration for Coral Canyon dated September 17, 2002 and recorded October 3, 2002 as Instrument No. 00783850, Book 1491, beginning at page 1693, records of Washington County, Utah (the "Recreational Center/Lot 412 Declaration"); and

WHEREAS, the Recreational Center/Lot 412 Declaration is a Tract Declaration, as defined in the Declaration; and

WHEREAS, pursuant to Section 7 of the Recreational Center/Lot 412 Declaration, the Recreational Center/Lot 412 Declaration may only be amended as provided in the Declaration; and

WHEREAS, pursuant to Section 11.2 of the Declaration, at any time, Declarant shall have the right to amend any Tract Declaration to correct any error or inconsistency if the amendment does not adversely affect the rights of any Owner (as defined in the Declaration); and

WHEREAS, the Recreational Center/Lot 412 Declaration was recorded with a legal description inconsistent to the legal description recorded with the Final Plat; and

WHEREAS, Declarant desires to amend the Recreational Center/Lot 412 Declaration to correct the legal description to make it consistent with the legal description recorded with the Final Plat; and

WHEREAS, such amendment does not adversely affect the rights of any Owner.

NOW, THEREFORE, pursuant to the powers retained by the Declarant under the Declaration, the Recreational Center/Lot 412 Declaration is hereby amended as follows:

- 1. Exhibit "A" to the Recreational Center/Lot 412 Declaration entitled "Legal Description to Annexable Property" is hereby replaced and superseded by the Exhibit "A" attached hereto and incorporated herein by this reference, which Exhibit "A" constitutes the correct legal description of the real property being annexed into the Covered Property pursuant to Section 3.1 of the Declaration.

IN WITNESS WHEREOF, the Declarant hereby executes this First Amendment to Declaration of Annexation and Tract Declaration, as evidenced by the signatures below:

DECLARANT:

SUNCOR DEVELOPMENT COMPANY,  
an Arizona coporation

By: DSBII  
Its: V.P.

THE STATE OF UTAH, ACTING THROUGH THE  
SCHOOL AND INSTITUTIONAL TRUST LANDS  
ADMINISTRATION

Approved as to Form  
Mark L. Shurtleff  
ATTORNEY GENERAL  
By: [Signature]

By: [Signature]  
Its: [Signature]

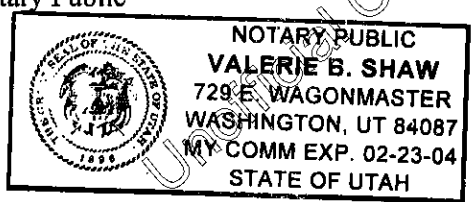
[Acknowledgements follow on next page.]

STATE OF Utah )  
 ) ss.  
County of Washington )

The foregoing instrument was acknowledged before me this 20 day of March, 2003, by Duane Black the VP + COO of SUNCOR DEVELOPMENT COMPANY, an Arizona corporation, for and on behalf of the corporation.

Valerie B. Shaw  
Notary Public

My Commission Expires:  
2/23/04

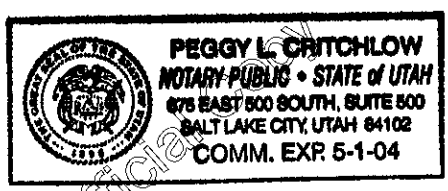


STATE OF UTAH )  
 ) ss.  
County of Salt Lake )

The foregoing instrument was acknowledged before me this 31 day of March, 2003, by Tom S. Christy the Acting Director of THE STATE OF UTAH, ACTING THROUGH THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION, for and on behalf of the State of Utah, School and Institutional Trust Lands Administration.

Peggy L. Critchlow  
Notary Public

My Commission Expires:  
5-1-2004



**EXHIBIT "A"**

**Legal Description to Annexable Property**

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Beginning at a point which is North 01°11'11" West 1322.40 feet along the West section line and South 90°00'00" East 348.31 feet from the Southwest Corner of Section 5, Township 42 South, Range 14 West of the Salt Lake Base and Meridian and running thence North 88°59'28" East 291.98 feet; thence North 63°30'12" East 62.93 feet along a radial line to a point on the arc of a 1124.00 foot radius curve concave to the Northeast; thence Southeasterly 27.02 feet along the arc of said curve through a central angle of 01°22'39" to a point on the radial line of said curve; thence along said radial line North 62°07'33" East 124.00 feet; thence South 30°38'15" East 133.96 feet; thence South 58°15'13" West 116.62 feet to a point on the arc of a 392.00 foot radius curve concave to the Northeast, the radius point of which bears North 51°59'54" East; thence Southeasterly 54.46 feet along the arc of said curve through a central angle of 07°57'34" to the point of tangency; thence South 45°57'40" East 110.42 feet to point on the northwest subdivision boundary line of Heritage Park as shown on the "Heritage Park Dedication Plat" recorded as Entry No. 760049 on April 8, 2002 in Book 1459, Page 2681 in office of the Washington County Recorder; thence along said subdivision boundary line in the following three (3) courses: South 35°36'50" West 8.09 feet to the Northeasterly right-of-way line of Grasslands Parkway, a public roadway; thence South 44°02'20" West 90.00 feet to a point on the Southwesterly right-of-way line of said Grasslands Parkway; thence South 22°37'45" West 69.82 feet; thence leaving said subdivision boundary line North 45°57'40" West 48.54 feet to the point of curvature of a 565.00 foot radius curve concave to the Northeast, thence Northwesterly 118.81 feet along the arc of said curve through a central angle of 12°02'53" to a point from which the radius point bears North 56°05'13" East; thence South 18°16'18" West 133.89 feet; thence South 72°17'17" West 167.74 feet; thence North 35°25'10" West 269.89 feet; thence North 02°24'51" East 196.13 feet; to the point of beginning. Contains 4.076 acres.