

3
DOC # 20130046327

CCR Annexation Page 1 of 3
Russell Shirts Washington County Recorder
12/18/2013 10:10:16 AM Fee \$ 14.00
By SOUTHERN UTAH TITLE CO



**DECLARATION OF ANNEXATION OF ESCALERA SUBDIVISION, PHASE 5
TO FIRST AMENDED AND RESTATED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS OF ESCALERA SUBDIVISION, PHASE 1**

DECLARANT, BAR S PROPERTIES, INC., a Utah corporation, hereby elects to annex, and to subject to the provisions of the First Amended and Restated Declaration of Covenants, Conditions and Restrictions of Escalara Subdivision, Phase 1, as recorded in the Office of the Washington County Recorder and recorded as Document # 20060014510, pgs 1-18, April 14, 2006, all of the real property described in Exhibit A, attached hereto, and by this reference made a part hereof, to be known as "Escalara Subdivision, Phase 5."

This annexation shall be accomplished by filing this Declaration annexing the described real property in Exhibit A in the public records of Washington County, Utah and by recording the Escalara Subdivision Plat, Phase 5, all as provided by the laws of the State of Utah and the appropriate municipal ordinances.

IN WITNESS WHEREOF, Declarant has executed this Declaration of Annexation of Escalara Subdivision, Phase 5, to First Amended and Restated Declaration of Covenants, Conditions and Restrictions of Escalara Subdivision, Phase 1, this 17 day of Sept. 2013.

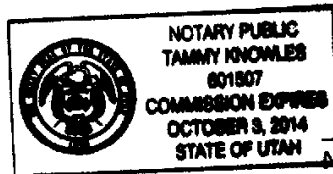
DECLARANT:

BAR S PROPERTIES, INC.

By: James Sullivan
Its: President

STATE OF UTAH)
 :SS.
COUNTY OF WASHINGTON)

On this 17th day of September 2013, personally appeared before me James Sullivan, who being by me duly sworn, did state that he is the president of Bar S Properties, Inc., and that he executed the foregoing document, *Declaration of Annexation of Escalara Subdivision, Phase 5, to First Amended and Restated Declaration of Covenants, Conditions and Restrictions of Escalara Subdivision, Phase 1*, on behalf of said corporation by authority of a resolution of its board of directors and he did acknowledge to me that the corporation executed the same for the uses and purposes stated therein.



Tammy Knowles
Notary Public

EXHIBIT A

BOUNDARY DESCRIPTION

Sec 16, T42S, R15W, SLB&M

BEGINNING AT THE NORTHWEST CORNER OF LOT 406 OF ESCALERA, PHASE 4 SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDS OF WASHINGTON COUNTY, UTAH, SAID POINT ALSO BEING LOCATED N 89°17'53" W ALONG THE SOUTH 1/16TH LINE 354.45 FEET FROM THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE N 89°17'53" W, ALONG THE 1/16TH LINE 583.23 FEET; THENCE S 0°42'07" W 119.43 FEET; THENCE S 9°04'18" E 312.29' TO A POINT ON THE NORTH BOUNDARY OF ESCALERA, PHASE 3 SUBDIVISION, RECORDS OF WASHINGTON COUNTY; THENCE ALONG THE NORTH BOUNDARY OF SAID SUBDIVISION THE FOLLOWING (10) TEN COURSES (1) N 71°40'08" E 50.78 TO A POINT ON A 175.00 FOOT RADIUS CURVE TO THE RIGHT; (2) THENCE ALONG THE ARC OF SAID CURVE 228.06 FEET AND THROUGH A CENTRAL ANGLE OF 74°40'02", TO THE POINT OF A 325.00 FOOT REVERSE CURVE TO THE LEFT; (3) THENCE ALONG THE ARC OF SAID CURVE 62.50 FEET AND THROUGH A CENTRAL ANGLE OF 11°01'08" TO A POINT OF A 20.00 FOOT COMPOUND CURVE TO THE LEFT; (4) THENCE ALONG THE ARC OF SAID CURVE 34.38 FEET AND THROUGH A CENTRAL ANGLE OF 98°29'04"; (5) THENCE S 53°10'02" E 50.00 FEET TO A POINT ON A 20.00 FOOT NON-TANGENT CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS S 53°10'02" E; (6) THENCE ALONG THE ARC OF SAID CURVE 34.38 FEET AND THROUGH A CENTRAL ANGLE OF 98°29'04", TO A POINT ON A 325.00 FOOT RADIUS COMPOUND CURVE TO THE LEFT; (7) THENCE ALONG THE ARC OF SAID CURVE 114.71 FEET AND THROUGH A CENTRAL ANGLE OF 20°13'24"; (8) THENCE S 81°52'30" E 18.54 FEET; (9) THENCE N 8°07'30" E 111.97 FEET; (10) THENCE S 89°33'04" E 104.23 FEET TO A POINT ON THE WEST BOUNDARY OF ESCALERA, PHASE 4 SUBDIVISION; THENCE ALONG THE WEST BOUNDARY OF SAID SUBDIVISION THE FOLLOWING (3) THREE COURSES (1) N 0°26'56" E 347.01 FEET; (2) THENCE N 89°17'48" W 81.15 FEET; (3) THENCE N 0°42'07" E 159.99 FEET TO THE POINT OF BEGINNING.

Contains 7.00 Acres