

REQUEST: DIXIE TITLE CO.BOOK 474 PAGE 863-867  
FILE 1250 ABS.

1988 JAN 14 PM 4:28

DOCUMENT 326420  
BY BS  
HERBERT S. BENTLEY  
WASHINGTON CITY RECORDER

SUPPLEMENTAL DECLARATION  
GARDENS SOUTH CONDOMINIUMS  
PHASE VI

GARDENS SOUTH DEVELOPMENT, INC., a Utah corporation, Declarant under that certain Declaration of Condominium of Gardens South Condominiums, Phase I, filed of record on November 16, 1984, as Entry No. 268617, Book 363, Pages 40-85, of the Official Washington County Records, as amended under that certain Amendment to Declaration of Condominium of Gardens South Condominiums, Phase I, dated October 4, 1985, recorded October 4, 1985, as Entry No. 282520, Book 389, Pages 935 to 943 of the Official Washington County Records, as supplemented by the Supplemental Declaration and Record of Survey Map for Phase II, dated October 3, 1985, recorded October 4, 1985, as Entry No. 282522, Book 389, Pages 945 to 950 of the Official Washington County Records, as supplemented by the Supplemental Declaration and Record of Survey Map for Phase III, recorded March 31, 1986, as Entry No. 291572, Book 407, Pages 404 to 408 of the Official Washington County Records, and Amendment to Declaration of Condominium for Phases I-III recorded June 20, 1986 as Entry No. 296764, Book 416, Pages 813 to 816 of the Official County Records, as supplemented by the Supplemental Declaration and Record of Survey Map for Phase IV, dated September 25, 1986, recorded October 3, 1986, as Entry No. 302438, Book 427, Pages 525 to 529 of the Official Washington County Records, as Supplemental Declaration of Gardens South Condominiums Phase V, recorded February 25, 1987, as Entry No. 310470, Book 442, Pages 986 to 991 of

Official Washington County Records, as amended by the Amendment to Supplemental Declaration of Gardens South Condominiums Phase V, recorded April 16, 1987, as Entry No. 313511, Book 448, Pages 865 to 868 of the Official Washington County Records, hereby exercises its rights and privileges under said Declaration as follows:

1. Declarant hereby annexes to Gardens South Condominiums, Phase I, Phase II, Phase III, Phase IV, and Phase V, that certain property known as Gardens South Condominiums, Phase VI, which is the following described property located in the City of St. George, County of Washington, State of Utah:

See Exhibit A attached hereto.

2. Declarant further states that said addition contains a total of two architecturally compatible buildings to be known as Buildings "X" and "K", for a total of six additional units as more particularly described on Exhibit B attached hereto, as further particularly described on the Record of Survey Map of Gardens South Condominiums, Phase VI-A and Record of Survey Map of Gardens South Condominiums, Phase VI-B filed concurrently herewith.

3. Declarant further amends the undivided interest of each unit in the common areas of the total Gardens South project (as allowed in such Declaration and under the Utah Condominium Act), from 1/66 to 1/72, 72 being the total platted units in the project to date. All units shall share in common expenses according to their undivided interests which is hereby amended, subject to the rights of Declarant as set forth in the Declaration. Declarant continues to reserve all rights to expand and such other rights as

are conferred in the Declaration as amended.

DATED this 11<sup>th</sup> day of January, 1987.

"Declarant"

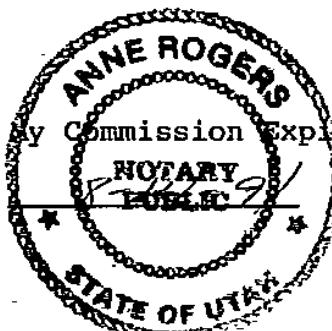
GARDENS SOUTH DEVELOPMENT, INC.,  
a Utah corporation

Edward M. Burgess  
Edward M. Burgess, President

James R. Staheli  
James R. Staheli, Secretary

STATE OF UTAH      )  
                        )  
COUNTY OF WASHINGTON)

On this 11<sup>th</sup> day of January, 1987, personally appeared before me Edward M. Burgess and James R. Staheli, known to me to be the President and Secretary, respectively, of Gardens South Development, Inc., a Utah corporation, who being by me duly sworn did say that they are the President and Secretary, respectively, of said corporation, and that the foregoing instrument was signed by them on behalf of said corporation by authority of the Bylaws or a Resolution of its Board of Directors, and acknowledged to me that said corporation executed the same.



Anne Rogers  
Notary Public

Residing In:

St. George, Ut

**EXHIBIT A**

**GARDENS SOUTH CONDOMINIUMS PHASE VI  
LEGAL DESCRIPTIONS**

**Phase VI-A**

Beginning at a point N  $0^{\circ}54'43''$  W 432.36 feet along the section line and S  $89^{\circ}05'17''$  W 325.75 feet from the East 1/4 Corner of Section 36, Township 42 South, Range 16 West, Salt Lake Base and Meridian; and running thence S  $89^{\circ}05'17''$  W 89.43 feet to a point on a 50.47 foot radius curve to the right (center bears S  $79^{\circ}32'07''$  E); thence northeasterly 22.93 feet along the arc of said curve to a 122.41 foot radius reverse curve to the left; thence northerly 44.87 feet along the arc of said curve to the point of tangency; thence N  $15^{\circ}30'$  E 47.00 feet to a 127.20 foot radius curve to the left; thence northwesterly 60.42 feet along the arc of said curve; thence S  $75^{\circ}10'20''$  E 63.88 feet; thence N  $14^{\circ}49'40''$  E 24.10 feet; thence N  $89^{\circ}05'17''$  E 5.57 feet; thence N  $54^{\circ}05'17''$  E 22.87 feet; thence N  $14^{\circ}49'40''$  E 18.63 feet; thence S  $21^{\circ}54'36''$  E 33.49 feet to a 76.606 foot radius curve to the left (center bears S  $21^{\circ}54'36''$  E); thence southwesterly 28.35 feet along the arc of said curve to the point of tangency; thence S  $46^{\circ}53'07''$  W 59.05 feet; thence S  $43^{\circ}06'53''$  E 2.995 feet; thence S  $0^{\circ}54'43''$  E 114.35 feet to the point of beginning. Containing 0.246 acres.

and

**Phase VI-B**

Beginning at a point N  $0^{\circ}54'43''$  W 481.81 feet along the section line and S  $89^{\circ}05'17''$  W 12.25 feet from the East 1/4 corner of Section 36, T 42 S, R 16 W, SLB & M; and running thence S  $89^{\circ}05'17''$  W 78.00 feet; thence N  $0^{\circ}54'43''$  W 146.03 feet; thence N  $89^{\circ}05'17''$  E 78.00 feet; thence S  $0^{\circ}54'43''$  E 146.03 feet to the point of beginning. Containing 0.261 acres.

The above descriptions are more particularly set forth on those certain Record of Survey Maps which constitute the total of Phase VI, but which are denominated on said maps as Phase VI-A and Phase VI-B, which maps are filed concurrently herewith.

## EXHIBIT B

## SCHEDULE OF UNIT NUMBERS, PARKING, AND UNDIVIDED INTERESTS

Unit No.	Garage Parking Assignment	Undivided Interest in Common Areas
<u>Building "X"</u>		
X-1	XG-1	1/72
X-2	XG-2	1/72
<u>Building "K"</u>		
1	KG-1	1/72
2	KG-2	1/72
3	KG-3	1/72
4	KG-4	1/72

The garages referred to above are private areas, appurtenant to the units designated above, and need not be referred to in any unit deed.

The unit numbers and garage numbers listed above, correspond to the same unit numbers and garage numbers referred to on the Record of Survey Map.

The Declarant continues to reserve unto itself the right to change parking assignments for any unit owned by itself, or with the permission of affected owners, any other covered parking space. This shall be accomplished by the filing of a Supplemental Declaration indicating the change together with any necessary approval.