

SUPPLEMENTAL DECLARATION  
GARDENS SOUTH CONDOMINIUMS  
PHASE VIII

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 supplemented by the Supplemental Declaration of Gardens South Condominiums Phase V, recorded February 25, 1987, as Entry No. 310470, Book 442, Pages 986

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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, as amended by the Amendment to Supplemental Declaration of Gardens South Condominiums Phase VI, recorded January 14, 1988, as Entry No. 326420, Book 474, Pages 863 to 867 of the Official Washington County Records, as supplemented by the Supplemental Declaration of Gardens South Condominiums Phase VII, recorded July 6, 1988, as Entry No. 334900, Book 491, Pages 891 to 895 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, Phase V, Phase VI, and Phase VII, that certain property known as Gardens South Condominiums, Phase VIII, 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 one architecturally compatible building to be known as Building "H", for a total of three 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 VIII filed concurrently herewith, which includes units, common areas and limited common area appurtenant to each adjacent unit as set forth on the Record of Survey Map of Gardens South Condominiums Phase

VIII, filed concurrently herewith. The Limited Common area consists of driveways and decks on building "H".

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 1/88 to 1/91, 91 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 28<sup>th</sup> day of JUNE, 1989.

"Declarant"

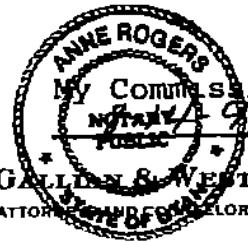
GARDENS SOUTH DEVELOPMENT, INC.,  
a Utah corporation

Edward M. Burgess  
Edward M. Burgess, President

Charles G. Bess  
Charles G. Bess, Secretary

STATE OF UTAH )  
) ss  
COUNTY OF WASHINGTON)

On this 28<sup>th</sup> day of JUNE, 1989, personally appeared before me Edward M. Burgess and Charles G. Bess, 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, Utah

EXHIBIT A

GARDENS SOUTH CONDOMINIUMS PHASE VIII  
LEGAL DESCRIPTIONS

BEGINNING at a point N 0°54'43" W 1092.83 feet along the Section Line and S 89°05'17" W 105.25 feet from the E 1/4 corner of Section 36, Township 42 South, Range 16 West, Salt Lake Base and Meridian, and running S 0°54'43"E 25.00 feet; thence S 89°05'17"W 20.00 feet; thence S 0°54'43"E 45.00 feet; thence N 89°05'17"E 20.00 feet; thence S 0°54'43"E 195.14 feet to the point of a 78.79 foot radius curve to the right, thence Southwesterly 25.662 feet along the arc of said curve to the point of a 111.40 foot radius reverse curve to the left, thence Southwesterly 36.284 feet along the arc of said curve; thence S 0°54'43"E 108.29 feet to the point of a 10.00 foot radius curve to the right; thence Southwesterly 15.708 feet along the arc of said curve to the point of a 92.145 foot radius reverse curve to the left; thence Southwesterly 33.769 feet along the arc of said curve; thence S 68°05'24"W 108.98 feet; thence N 21°54'36"W 33.49 feet; thence N 14°49'40"E 142.02 feet; thence N 89°05'17"E 8.66 feet; thence N 59°00'E 55.00 feet; thence S 31°00'E 13.47 feet; thence N 59°00'E 73.99 feet, thence N 31°00'W 36.97 feet; thence N 0°54'43"W 103.06 feet; thence S 89°05'17"W 5.57 feet, thence N 13°00'W 35.47 feet; thence N 0°54'43"W 98.76 feet; thence N 89°05'17" 32.75 feet to the point of beginning. Containing 0.645 acres.

The above description is more particularly set forth on that certain Record of Survey Map Phase VIII, 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 "H"</u>		
1		1/91
2		1/91
3		1/91

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

\*Garages in each case are attached to and are part of the unit as described and set forth on the Record of Survey Map.