

TRAILS WEST SUBDIVISION

SUPPLEMENTAL DECLARATION--PHASE II AND III

00396723 Bk00649 Pg00149-00151

WITNESSETH:

DIXIE B MATHESON - IRON COUNTY RECORDER
1998 AUG 13 09:41 AM FEE \$54.00 BY PTC
REQUEST: JOE BURGESS

A. On August 15, 1997, Joe Burgess ("Developer") recorded Protective Covenants on property known as the Trails West Subdivision in Iron County, Utah (the "Original Declaration"). The Original Declaration was recorded in Book 610, Page 384, as Recorder's Entry No. 382129, Iron County Records.

B. The Original Declaration describes the Trails West Subdivision, Phase I.

C. Section 7 of the Original Declaration provides for the annexation of additional land within the subdivision upon the recording of a Supplemental Declaration which complies with said Section 7.

D. Developer has developed and recorded the plat for Phase II and Phase III of the Trails West Subdivision and this Supplemental Declaration is executed for the purpose of subjecting Phase II and Phase III of the Trails West Subdivision, as hereby described, to the force and effect of the Original Declaration and the covenants therein contained.

NOW THEREFORE, the Developer, in accordance with and for the purpose of complying with Section 7 of the Original Declaration, hereby declares that the property herein described shall be hereafter held, sold, conveyed, encumbered, leased, occupied and improved as part of the Property subject to the Original Declaration, and that from and after this date, the property herein described shall be subject in full to all of the terms, conditions and covenants of the Original Declaration.

1. The property which comprises Trails West Phase II and Phase III and to which this

Supplemental Declaration applies is described as follows:

Phase II Property Description

Beginning at a point South 89°56'11" West 1683.78 feet along the Section line and South 0°02'40" East 1172.03 feet from the Northeast corner of Section 13, Township 35 South, Range 11 West, Salt Lake Base & Meridian, said point also being the Southeast corner of Midvalley Park Subdivision Phase I and running thence South 00°02'40" East 1138.50 feet; thence South 89°56'53" West 24.98 feet to the point of a 1899.75 foot radius to the left; thence Southwesterly along the arc of said curve 98.27 feet to a point of tangency; thence South 86°59'03" West 81.20 feet; thence South 89°57'20" West 197.78 feet; thence North 00°02'40" 1115.80 feet to a point on the South boundary line of said Midvalley Park Subdivision Phase I; thence along said boundary line as follows: North 89°57'20" 224.54 feet to a 300.00 foot radius curve to the left; thence Northeastly along the arc of said curve 98.65 feet to a 250.00 foot radius reverse curve; thence Northeastly along the arc of said curve 82.12 feet to the point of beginning.

Phase III Property Description

Beginning at a point on the Northwest corner of Trails West Subdivision Phase I and the South line of Midvalley Road, a 66.00 foot wide right of way, said point beginning South 89°56'11" West 2094.09 feet along the section line and South 0°02'40" East 33.00 feet from the Northeast corner of Section 13, Township 35 South, Range 11 West, Salt Lake Base & Meridian and running thence South 89°56'11" West 377.40 feet along the South line of Midvalley Road; thence South 0°02'40" East 1168.24 feet; thence North 89°57'20" East 377.40 feet; thence North 0°02'40" West 1168.36 feet to the point of beginning.

2. There are no additional limitations, restrictions, covenants and conditions that are applicable to the annexed land as herein described.

3. Upon recording of this document, after signature by the Developer, the land herein described shall become part of the Property subject to and governed by the Original Declaration and shall be subject to the rights, covenants and obligations therein contained.

4. The limitations on annexation contained in Section 7 are satisfied, and said limitations do not prevent or prohibit this annexation in any way.

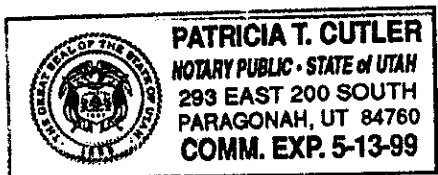
5. The undersigned hereby certifies that the Property herein described is owned by the Developer and that this action has been duly and properly authorized.

DATED this 12th day of August, 1998.

Joe Burgess
JOE BURGESS

STATE OF UTAH)
 : ss.
COUNTY OF IRON)

On the 12th day of August, 1998, personally appeared before me Joe Burgess, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.



Patricia T. Cutler
Notary Public