

**DECLARATION OF ANNEXATION**

**[Padre Lakes Townhomes—Phase II]**

This Declaration of Annexation is prepared pursuant to Article X of the Declaration of Covenants Conditions and Restrictions of Padre Lakes Townhomes which was recorded April 14, 1994, as Entry No. 463799, in Book 811, at Pages 024 et seq., records of the Washington County Recorder.

Declarants desire to annex the following described property as a part of, and it is Declarants' intention that the property shall be subject to, the Declaration of Covenants Conditions and Restrictions of Padre Lakes Townhomes referred to above:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE

Any required approvals have been given.

IN WITNESS WHEREOF, the undersigned, being the Declarants herein, have hereunto set their hands this 25<sup>th</sup> day of AUGUST, 1994.

**Declarant**

ENCE EXCAVATION & GENERAL ENGINEERING, INC.

By Jay Ence  
Jay Ence, President

Layton P. Ott  
LAYTON P. OTT

Paul S. Jensen  
PAUL S. JENSEN

Corinne O. Jensen  
CORINNE O. JENSEN

STATE OF UTAH )  
COUNTY OF WASHINGTON ) ss.

On this 25<sup>th</sup> day of August, 1994, before me personally appeared Jay Ence, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that he is the president of **Ence Excavation & General Engineering, Inc.**, a corporation, and that the foregoing document was signed by him on behalf of that corporation by authority of its bylaws or of a resolution of its board of directors, and he acknowledged before me that the corporation executed the document and the document was the act of the corporation for its stated purpose.

Belinda L. Farnsworth  
NOTARY PUBLIC  
Address: St. George  
My Commission Expires: 10-15-94

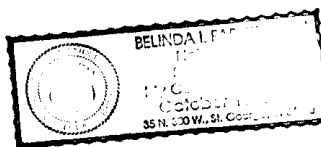


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RUSSELL SHIRTS \* WASHINGTON CO RECORDER  
1994 NOV 02 09:36 AM FEE \$16.00 BY CB  
FOR: SOUTHERN UTAH TITLE CO

STATE OF UTAH )  
 ) ss.  
COUNTY OF WASHINGTON )

On this 25th day of August, 1994, before me personally appeared **Layton P. Ott**, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is signed on the preceding document, and acknowledged before me that he signed it voluntarily for its stated purpose.

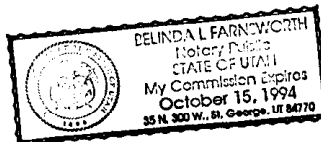
Belinda L. Farnsworth  
NOTARY PUBLIC  
Address: St. George  
My Commission Expires: 10-15-94



STATE OF UTAH )  
 ) ss.  
COUNTY OF WASHINGTON )

On this 25th day of August, 1994, before me personally appeared **Paul S. Jensen** and **Corinne O. Jensen**, personally known to me or proved to me on the basis of satisfactory evidence to be the persons whose names are signed on the preceding document, and acknowledged before me that they signed it voluntarily for its stated purpose.

Belinda L. Farnsworth  
NOTARY PUBLIC  
Address: St. George  
My Commission Expires: 10-15-94



MC/DC/DNE/Encor Ex 724406 Padre Lakes:decanexll 081894 724406 dc

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**EXHIBIT "A" - LEGAL DESCRIPTION**

BEGINNING at a point North 88°34'11" East 2724.12 feet along the center section line to the center of the Section 5 and South 00°10'03" West 641.84 feet along the Center Section line from the West Quarter Corner of Section 5, Township 42 South, Range 16 West, Salt Lake Base and Meridian; and running thence South 00°10'03" West 712.31 feet along said Center Section line to the 1/16 corner; thence North 88°20'45" East 694.01 feet along the 1/16 line; thence North 01°39'15" West 82.23 feet; thence North 14°14'38" West 33.01 feet; thence North 00°10'03" East 554.54 feet; thence North 35°00'18" West 42.82 feet; thence North 00°10'03" East 80.00 feet to a corner of Padre Lakes - Phase 1; thence along said boundary for the following 9 courses: thence North 89°49'57" West 136.00 feet; thence South 00°10'03" West 79.80 feet; thence South 32°22'11" West 39.71 feet; thence South 00°10'03" West 78.98 feet; thence North 89°49'57" West 109.00 feet; thence North 60°51'30" West 180.09 feet; thence North 89°49'57" West 65.25 feet; thence North 67°51'37" West 31.24 feet; thence North 89°49'57" West 140.23 feet, to the point of beginning.