

RUSSELL SHIRTS * WASHINGTON CO RECORDER
1996 AUG 21 16:15 PM FEE \$10.00 BY RS
FOR: VALLEY TITLE CO

DECLARATION OF ANNEXATION

WHEREAS, the undersigned, McArthur-Jones Development Company, a Joint Venture comprised of McArthur Brothers, L.C., a Utah Limited Liability Company and H. Jones Construction, L.C., a Utah Limited Liability Company, hereinafter referred to as the "Declarant" is the owner of the following described property hereinafter referred to as the "Property", located in Washington County, State of Utah, to-wit:

**MCARTHUR HEIGHTS SUBDIVISION - PHASE III
BOUNDARY DESCRIPTION**

A PORTION OF SECTION 21, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE MERIDIAN, WASHINGTON COUNTY, UTAH, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY BOUNDARY LINE OF MCARTHUR HEIGHTS SUBDIVISION PHASE II, LOCATED NORTH 89°09'10" EAST ALONG THE CENTER SECTION LINE 585.64 FEET AND SOUTH 00°30'20" EAST ALONG THE EAST BOUNDARY OF MCARTHUR HEIGHTS SUBDIVISION, PHASE II, 611.12 FEET FROM THE CENTER 1/4 CORNER OF SECTION 21, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON THE NORTHERLY LINE OF 450 NORTH STREET ON A 490.00 FOOT RADIUS CURVE (A RADIAL LINE WHICH BEARS SOUTH 08°26'11" WEST); THENCE EASTERLY 5.00 FEET ALONG THE ARC OF SAID CURVE (CHORD: SOUTH 81°16'19" EAST 5.00 FEET) TO A POINT OF REVERSE CURVE; THENCE EASTERLY ALONG THE ARC OF A 410.00 FOOT RADIUS CURVE 70.61 FEET (CHORD: SOUTH 85°54'49" EAST 70.52 FEET) TO A POINT OF TANGENCY; THENCE NORTH 89°09'10" EAST 3.85 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE 31.30 FEET (CHORD NORTH 44°18'49" EAST 28.20 FEET); THENCE NORTH 88°53'44" EAST 50.00 FEET TO A POINT ON A 20.00 FOOT RADIUS CURVE TO THE LEFT (A RADIAL LINE WHICH BEARS NORTH 89°28'28" EAST); THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 31.53 FEET TO A POINT OF TANGENCY (CHORD: SOUTH 45°41'11" EAST 28.36 FEET); THENCE NORTH 89°09'10" EAST 78.85 FEET; THENCE SOUTH 00°31'57" EAST 689.47 FEET ALONG THE WEST BOUNDARY LINE OF "AUTUMN COVE ESTATES, PHASE 11 TO THE NORTH RIGHT OF WAY LINE OF EXISTING 350 NORTH STREET; THENCE SOUTH 89°11'50" WEST 248.25 FEET ALONG SAID 350 NORTH STREET TO THE SOUTHEAST CORNER OF "MCARTHUR HEIGHTS SUBDIVISION PHASE 1"; THENCE NORTH 00°30'20" WEST 696.18 FEET ALONG THE EAST BOUNDARY LINE OF "MCARTHUR HEIGHTS PHASES 1 & 11" TO THE POINT OF BEGINNING.

WHEREAS, Declarant shall cause the Lots within the Subdivision to be conveyed subject to certain protective covenants, conditions and restrictions. It is Declarant's intention and desire that the property shall be subject to the Declaration of Covenants, Conditions and Restrictions of McArthur Heights Subdivision which was recorded June 2, 1994, Entry No. 33145 in Book 825, at Pages 156 through 168 of the Official Records of the Recorder of Washington County, State of Utah.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, have hereunto set his hand seal this 15th day of July, 1996.

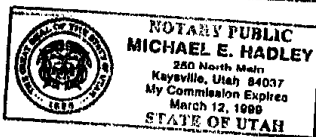
MCARTHUR-JONES DEVELOPMENT COMPANY

BY [Signature]
MANAGING PARTNER

STATE OF UTAH

COUNTY OF WASHINGTON
DAVIS

ON THE 17th DAY OF JULY, 1996, PERSONALLY APPEARED BEFORE ME, HARRY V. JONES, WHO DULY ACKNOWLEDGED TO ME THAT HE A MEMBER OF H. JONES CONSTRUCTION, L.C., A UTAH LIMITED LIABILITY COMPANY, WHO IS THE MANAGING PARTNER OF MCARTHUR-JONES DEVELOPMENT COMPANY, AND THAT HE EXECUTED THE FOREGOING INSTRUMENT FOR AND IN BEHALF OF AND BY AUTHORITY OF SAID DEVELOPMENT COMPANY.



[Signature]
NOTARY PUBLIC