

DECLARATION OF ANNEXATION

[Padre Lakes Townhomes—Phase IV]

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:

LEGAL DESCRIPTION

Beginning at the Northeast Corner of Padre Lakes Townhomes - Phase II, said point being South 88°34'11" West 1958.33 feet along the Center Section Line and South 00°00'00" East 566.70 feet from the East Quarter (E/4) Corner of Section 5, Township 42 South, Range 16 West, Salt Lake Base and Meridian, and running thence along the East Boundary line of said Padre Lakes Townhomes - Phase II as follows: South 00°10'03" West 80.00 feet; thence South 35°00'18" East 42.82 feet; thence South 00°10'03" West 76.84 feet; thence along the North Boundary line of Padre Lakes Townhomes - Phase III as follows: South 89°49'57" East 135.17 feet; thence North 00°10'03" East 11.19 feet; thence South 89°49'57" East 68.00 feet; thence South 00°10'03" West 47.03 feet; thence South 89°49'57" East 76.00 feet; thence South 00°10'03" West 77.55 feet; thence South 89°49'57" East 50.63 feet; thence South 00°10'03" West 12.05 feet; thence North 89°48'53" East 77.96 feet; thence South 83°05'50" East 30.23 feet; thence North 89°48'53" East 80.00 feet; thence leaving said North Boundary line North 00°11'07" West 715.81 feet; thence South 88°34'11" West 189.19 feet; thence South 01°25'49" East 80.00 feet; thence South 21°39'06" West 32.61 feet; thence South 01°25'49" East 77.70 feet; thence North 89°48'53" East 3.85 feet; thence South 00°11'07" East 128.63 feet; thence North 89°49'57" West 72.70 feet; thence South 68°00'54" West 110.03 feet; thence South 77°04'52" West 35.44 feet; thence South 68°00'54" West 65.13 feet; thence North 89°49'57" West 76.56 feet to the point of beginning.

Any required approvals have been given.

IN WITNESS WHEREOF, the undersigned, being the Declarants herein, have hereunto set their hands this 3<sup>RD</sup> day of MARCH, 1997.

Declarants

ENCE EXCAVATION & GENERAL ENGINEERING, INC.

By Quentin Ence  
Quentin Ence, Vice-President

Layton P. Ott  
LAYTON P. OTT

Paul S. Jensen  
PAUL S. JENSEN

Corinne O. Jensen  
CORINNE O. JENSEN

BURGESS LEASING, L.L.C., A UTAH LIMITED LIABILITY COMPANY

By Edward M. Burgess  
Edward M. Burgess, Managing Partner

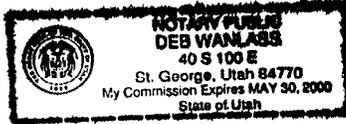
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RUSSELL SHIRTS \* WASHINGTON CO RECORDER  
1997 APR 21 14:00 PM FEE \$12.00 BY JRB  
FOR: SOUTHERN UTAH TITLE CO

STATE OF UTAH )  
 ) ss.  
COUNTY OF WASHINGTON )

On this 3rd day of March, 1997, before me personally appeared Quentin 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 vice-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 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.

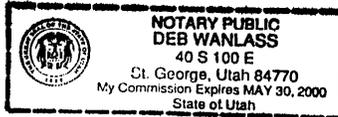
Debbie Wanlass  
NOTARY PUBLIC  
Address: St. George, Ut.  
My Commission Expires: 5-30-2000



STATE OF UTAH )  
 ) ss.  
COUNTY OF WASHINGTON )

On this 3 day of March, 1997, before me personally appeared **Layton P. Ott, 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.

Debbie Wanlass  
NOTARY PUBLIC  
Address: St. George, Ut.  
My Commission Expires: 5-30-2000



STATE OF UTAH )  
 ) ss.  
COUNTY OF WASHINGTON )

On this 3 day of March, 1997, before me personally appeared Edward M. Burgess, who being by me duly sworn, did say that he is the Managing Partner of **Burgess Leasing, L.L.C.**, a Utah limited liability company, and that the foregoing document was signed by him on behalf of said limited liability company being authorized and empowered to do so by the operating agreement of Burgess Leasing L.L.C., and he did duly acknowledge to me that such limited liability company executed the same for the uses and purposed stated herein.

Debbie Wanlass  
NOTARY PUBLIC  
Address: St. George, Ut.  
My Commission Expires: 5-30-2000

