

DECLARATION OF ANNEXATION

[Emerald Springs Townhomes—Phase II]

This Declaration of Annexation is prepared pursuant to Article IX of the Declaration of Covenants Conditions and Restrictions of Emerald Springs Townhomes which was recorded April 26, 1995, as Entry No. 498373, in Book 902, at Pages 830 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 Emerald Springs Townhomes referred to above:

LEGAL DESCRIPTION

Beginning at a point South 89°39'15" West 1330.765 feet along the Section line to the 1/16 Corner and North 00°46'46" West 692.18 feet along the 1/16 line from the South Quarter (S¼) Corner of Section 23, Township 42 South, Range 16 West, Salt Lake Base and Meridian, and running thence North 00°46'46" West along said 1/16 line 237.00 feet; thence North 89°13'14" East 115.00 feet; thence South 00°46'46" East 43.22 feet; thence North 89°13'14" East 136.16 feet; thence South 70°02'00" East 285.93 feet; thence North 41°18'14" East 111.26 feet; thence North 48°41'46" West 75.00 feet; thence North 41°18'14" East 163.00 feet; thence South 48°41'46" East 75.00 feet; thence North 41°18'14" East 175.96 feet; thence North 00°26'31" West 133.11 feet; thence North 89°33'29" East 16.45 feet, to a 135.00 foot radius curve to the right, (center bears South 0°26'31" East); thence Southeasterly along the arc of said curve 82.05 feet; thence North 0°26'31" West 104.18 feet to the 1/16 line; thence along said 1/16 line North 89°33'29" East 310.72 feet to the Westerly Boundary Corner of Paradise Cove Townhomes Phase I; thence leaving said 1/16 line and along the Boundary of said Townhomes as follows: South 00°47'23" East 203.99 feet; thence South 89°11'25" West 39.55 feet thence South 00°48'35" East 78.16 feet to the Westerly Boundary of Paradise Cove Townhomes Phase II; thence along said Townhomes as follows: South 89°11'25" West; 162.51 feet; thence South 41°18'14" West 111.20 feet; thence South 10°26'28" West 180.10 feet; thence along Paradise Cove Townhomes Phase II and III South 15°14'17" West 617.77 feet; thence South 00°48'35" East 199.94 feet to the Section line, said point also being on the centerline of 100 North Street; thence along said Section line and Centerline South 89°39'15" West 133.06 feet to a 555.00 foot radius curve to the right; thence Northwesterly along the arc of said curve 34.48 feet to the boundary of Emerald Springs Townhomes Phase I; thence along said boundary as follows: North 03°12'48" East 33.00 feet; thence North 13°01'16" East 240.00 feet; thence North 61°58'18" West 78.73 feet; thence North 28°01'42" East 74.63 feet; thence North 18°20'55" West 53.01 feet; thence North 72°30'28" West 76.91 feet; thence South 57°24'23" West 79.87 feet; thence North 32°35'37" West 235.82 feet; thence South 89°13'14" West 126.70 feet; thence North 00°46'46" West 79.00 feet; thence South 89°13'14" West 80.00 feet; thence North 68°40'05" West 37.78 feet; thence South 89°13'14" West 80.00 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 27th day of January, 1997.

Declarants

LAYTON P. OTT
QUENTIN ENCE

JAY ENCE

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RUSSELL SHIRTS * WASHINGTON CO RECORDER
1997 MAY 13 09:31 AM FEE \$12.00 BY JRB
FOR: SOUTHERN UTAH TITLE CO

STATE OF UTAH)
) ss.
COUNTY OF WASHINGTON)

On this 27th day of January, 1997, before me personally appeared **Layton P. Ott, Quentin Ence, and Jay Ence** 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.

Jill N Cannon
NOTARY PUBLIC
Address: St. George, Utah
My Commission Expires: 5/1/00

