

NOTICE OF ANNEXATION OF ADDITIONAL OF PROPERTY

THIS NOTICE is dated this 8th day of December, 1994.

RECITALS

WHEREAS, on or about November 3, 1993, THE SHEPPARD GROUP, L.C., as Declarant, filed for record with the Recorder's Office of Salt Lake County, State of Utah, as Entry Number 5647118 in Book 6793 at Page 1607, that certain document entitled "Declaration of Covenants, Conditions and Restrictions and Reservation of Easement for The Village, A Planned Unit Development" (referred to herein as "the Declaration") which established a planned unit development in Salt Lake County, Utah, which contains sixteen (16) lots; and

WHEREAS, pursuant to Section 1 of Article XIV of the Declaration, Declarant reserved the right to itself and its successors and assigns, for a period of ten (10) years, to develop additional real property contiguous to the real property of the planned unit development and to bring the additional real property within the general plan and scheme of the Declaration by annexation; and

WHEREAS, Declarant owns contiguous real property which it has developed into fifty-nine (59) lots (referred to herein as "the Annexed Property") which is more particularly described in Exhibit "A" which is attached hereto and made a part hereof by this reference; and

WHEREAS, Declarant desires to bring the Annexed Property within the general plan and scheme of the Declaration.

NOW, THEREFORE, Declarant hereby gives notice as follows:

1. Declarant has caused a plat map describing as Annexed Property Lots 17 through 60 inclusive, of The Village, a Planned Unit Development, recorded in the official records of the office of the County Recorder of Salt Lake County, State of Utah as Entry 5687370 in Book 93-12 at Page 337 on December 16, 1993, and Declarant has caused a plat map describing as Annexed Property Lots 61 through 75 inclusive, of the Village, a Planned Unit Development, recorded in the official records of the office of the County Recorder of Salt Lake County, State of Utah as Entry 5961906 in Book 94-11 at Page 342 on November 8, 1994.

2. All of the Annexed Property is hereby declared to be subject to all of the covenants, conditions, restrictions, reservation of easements, liens and charges provided for in the Declaration, each and all of which is and are for the benefit of and shall pass with the Annexed Property, and each and every parcel or Lot thereof, and shall apply to and bind the successors in

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interest, and any Owner thereof.

3. The Owners of the Lots in the Annexed Property shall be members of that certain non-profit corporation known as "The Village Property Owners Association" which shall hold the powers of owning, maintaining and administering the common areas, private roadways and certain other improvement in the Annexed Property and administering and enforcing the covenants, conditions and restrictions, and collecting and disbursing the assessments and charges with respect to the Annexed Property as provided in the Declaration.

4. All of the Annexed Property is hereby declared to be subject to those certain protective covenants, conditions, restrictions, reservation of easements, equitable servitudes, liens and charges, all running with the Property as set forth in the Declaration and further declares that all of the Annexed Property shall be held, sold, conveyed, encumbered, hypothecated, leased, used, occupied and improved subject to the said covenants, conditions, restrictions, easements and equitable servitudes, all of which are for the purpose of uniformly enhancing and protecting the value, attractiveness and desirability of the Annexed Property, in furtherance of a general plan for the protection, maintenance, subdivision, improvement and sale of the Annexed Property, or any portion thereof.

5. A portion of the driveways for each of Lots 69, 70 and 71 shall be located upon the Common Area as that term is defined in Section 11 of Article I of the Declaration and the said three lots shall have access to and from Village Lane over the said Common Area.

6. Certain of Lots 62 through 75 shall be encumbered by and/or have the benefit of and be enhanced by cross easements which are set forth on the Plat Map and identified thereon as "Use Easements" as follows:

Lot 62 shall have the benefit of an exclusive easement over a portion of Lot 63, as designated on the Plat Map, for purposes of parking, ingress and egress, installing and maintaining landscaping and fencing, and the construction, maintaining and repairing of a Dwelling Unit.

Lot 63 shall be subject to an exclusive easement over a portion thereof, as designated on the Plat Map, for the benefit of Lot 62 for purposes of parking, ingress and egress, installing and maintaining landscaping and fencing, and the construction, maintaining and repairing of a Dwelling Unit.

Lot 65 shall be subject to an exclusive easement over a

portion thereof, as designated on the Plat Map, for the benefit of Lot 66 for purposes of parking, ingress and egress, installing and maintaining landscaping and fencing, and the construction, maintaining and repairing of a Dwelling Unit.

Lot 66 shall have the benefit of an exclusive easement over a portion of Lot 65, as designated on the Plat Map, for purposes of parking, ingress and egress, installing and maintaining landscaping and fencing, and the construction, maintaining and repairing of a Dwelling Unit and shall be subject to an exclusive easement over a portion thereof, as designated on the Plat Map, for the benefit of Lot 67 for purposes of parking, ingress and egress, installing and maintaining landscaping and fencing, and the construction, maintaining and repairing of a Dwelling Unit.

Lot 67 shall have the benefit of an exclusive easement over a portion of Lot 66, as designated on the Plat Map, for purposes of parking, ingress and egress, installing and maintaining landscaping and fencing, and the construction, maintaining and repairing of a Dwelling Unit and shall be subject to an exclusive easement over a portion thereof, as designated on the Plat Map, for the benefit of Lot 68 for purposes of parking, ingress and egress, installing and maintaining landscaping and fencing, and the construction, maintaining and repairing of a Dwelling Unit.

Lot 68 shall have the benefit of an exclusive easement over a portion of Lot 67, as designated on the Plat Map, for purposes of parking, ingress and egress, installing and maintaining landscaping and fencing, and the construction, maintaining and repairing of a Dwelling Unit.

Lot 69 shall have the benefit of an exclusive easement over a portion of Lot 70, as designated on the Plat Map, for purposes of parking, ingress and egress, installing and maintaining landscaping and fencing, and the construction, maintaining and repairing of a Dwelling Unit.

Lot 70 shall have the benefit of an exclusive easement over a portion of Lot 71, as designated on the Plat Map, for purposes of parking, ingress and egress, installing and maintaining landscaping and fencing, and the construction, maintaining and repairing of a Dwelling Unit and shall be subject to an exclusive easement over a portion thereof, as designated on the Plat Map, for the benefit of Lot 69 for purposes of parking, ingress and

egress, installing and maintaining landscaping and fencing, and the construction, maintaining and repairing of a Dwelling Unit.

Lot 71 shall be subject to an exclusive easement over a portion thereof, as designated on the Plat Map, for the benefit of Lot 70 for purposes of parking, ingress and egress, installing and maintaining landscaping and fencing, and the construction, maintaining and repairing of a Dwelling Unit.

Lot 74 shall have the benefit of an exclusive easement over a portion of Lot 75, as designated on the Plat Map, for purposes of parking, ingress and egress, installing and maintaining landscaping and fencing, and the construction, maintaining and repairing of a Dwelling Unit.

Lot 75 shall be subject to an exclusive easement over a portion thereof, as designated on the Plat Map, for the benefit of Lot 74 for purposes of parking, ingress and egress, installing and maintaining landscaping and fencing, and the construction, maintaining and repairing of a Dwelling Unit.

IN WITNESS WHEREOF, this Notice of Annexation of Additional Property has been executed as of the day and year first above written.

DECLARANT:

The Sheppard Group, L.C.

by 
L. Kelly Sheppard
its managing member

BK 7069PE2615

STATE OF UTAH)
(SS:
COUNTY OF SALT LAKE)

On this 8th day of December, 1994, personally appeared before me L. Kelly Sheppard, being by me duly sworn and the said L. Kelly Sheppard did say that he is the managing member of THE SHEPPARD GROUP, L.C., a Utah limited liability company, and that the within and foregoing Notice was signed in behalf of the said limited liability company.



DANICE A. TAYLOR
NOTARY PUBLIC - STATE OF UTAH
4023 BEECHWOOD ROAD
SALT LAKE CITY, UT 84119
COMM. EXPIRES 1998

My Commission Expires: ---

Danice A. Taylor
NOTARY PUBLIC
Residing at: 4023 Beechwood Road
Salt Lake City UT 84123

5983974
 12/12/94 4:09 PM 61.00
 KATIE L. DIXON
 RECORDER, SALT LAKE COUNTY, UTAH
 GUARDIAN TITLE
 REC BY: B GRAY DEPUTY - WI

EXHIBIT "A"

I, the undersigned, being duly authorized by the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as THE VILLAGE P.U.D., PHASE 2 & 3 and that the same has been correctly surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

DESCRIPTION OF THE VILLAGE PHASE 2 (LOTS 17 THROUGH 45); BEGINNING AT A POINT WHICH IS SOUTH 14.851,050 FEET AND WEST 882.400 FEET FROM THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE WEST 300.852 FEET; THENCE NORTH 1'30" EAST 108.202 FEET; TO A POINT ON A 240.353 FOOT RADIUS CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH 27°06'31" EAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND THROUGH A CENTRAL ANGLE OF 18°37' A DISTANCE OF 85.511 FEET TO A POINT OF TANGENCY; THENCE NORTH 47°16'29" WEST 72.457 FEET; THENCE NORTH 42°43'31" EAST 100.498 FEET; THENCE NORTH 80°20'42" WEST 15.013 FEET; THENCE NORTH 42°43'31" WEST 12.019 FEET; THENCE NORTH 38°22'35" WEST 26.900 FEET; THENCE NORTH 204.603 FEET; THENCE NORTH 23°29'31" WEST 57.922 FEET; THENCE NORTH 61.006 FEET; THENCE EAST 201.880 FEET; THENCE SOUTH 01°17'43" EAST 224.280 FEET; THENCE SOUTH 45°22'40" EAST 440.870 FEET; THENCE SOUTH 23°15' WEST 91.530 FEET; THENCE SOUTH 2°00' EAST 18.280 FEET TO THE POINT OF BEGINNING. CONTAINS 184,323 SQUARE FEET OR 4.232 ACRES.

DESCRIPTION OF THE VILLAGE PHASE 3 (LOTS 46 THROUGH 80); BEGINNING AT A POINT WHICH IS SOUTH 851.050 FEET AND WEST 1003.142 FEET AND NORTH 1'30" EAST 108.202 FEET FROM THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE MERIDIAN; THENCE WEST 150.200 FEET; THENCE NORTH 47°16'29" WEST 38.253 FEET; THENCE NORTH 8°00' EAST 80.383 FEET; THENCE NORTH 21°00' EAST 337.840 FEET; THENCE EAST 82.117 FEET; THENCE SOUTH 61.006 FEET; THENCE SOUTH 23°29'31" EAST 57.922 FEET; THENCE SOUTH 204.603 FEET; THENCE SOUTH 38°22'35" EAST 26.900 FEET; THENCE SOUTH 42°43'31" EAST 12.019 FEET; THENCE SOUTH 80°20'42" EAST 15.013 FEET; THENCE SOUTH 42°43'31" WEST 100.498 FEET; THENCE SOUTH 47°16'29" EAST 72.457 FEET TO A POINT OF A 240.353 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND THROUGH A CENTRAL ANGLE OF 18°37' A DISTANCE OF 85.511 FEET; THENCE SOUTH 1'30" WEST 4875 FEET TO THE POINT OF BEGINNING. CONTAINS 81,919 OR 1.881 ACRES.

I FURTHER CERTIFY THAT THE LOTS MEET THE FRONTAGE, WIDTH, AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

DATE: July 29, 1993

[Signature]
 T. J. BARTON
 Licensed No. 1225

ACKNOWLEDGMENT
 I, [Signature], 1993 PERSONALLY APPEARED BEFORE ME

STATE OF UTAH
 COUNTY OF SALT LAKE
 ON THE 29th DAY OF JULY, 1993
 APPEARED BEFORE ME [Signature]

ACKNOWLEDGMENT
 I, [Signature], 1993 PERSONALLY APPEARED BEFORE ME [Signature]

I, the undersigned, being duly authorized by the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as THE VILLAGE PHASE 4 P.U.D. and that the same has been correctly surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF 700 EAST STREET WHICH IS SOUTH 619.43 FEET AND WEST 21.83 FEET FROM THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 70°36'32" WEST ALONG THE NORTH LINE OF THE VILLAGE P.U.D.; A SUBDIVISION AS RECORDED WITH THE SALT LAKE COUNTY RECORDERS OFFICE 106.84 FEET TO A POINT ON A 74.50 FOOT RADIUS CURVE TO THE RIGHT, THE CENTER OF SAID CURVE BEARS NORTH 63°03'09" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 63°03'11" 11.10 FEET TO A POINT OF REVERSE CURVE; THENCE SOUTHERLY ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT AND THROUGH A CENTRAL ANGLE OF 88°43'23" 23.29 FEET TO A POINT ON A 126.00 FOOT RADIUS CURVE TO THE LEFT, AND THE NORTHERLY RIGHT OF WAY LINE OF VILLAGER LAKE, THE CENTER OF SAID CURVE BEARS SOUTH 58°45'29" WEST; THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING 6 COURSES: (1) ALONG THE ARC OF SAID CURVE AND THROUGH A CENTRAL ANGLE OF 5°06'30" 11.23 FEET; (2) SOUTH 63°02'53" WEST 2.98 FEET TO A POINT OF A 2.00 FOOT RADIUS CURVE TO THE RIGHT, THE CENTER OF SAID CURVE BEARS NORTH 24°57'11" WEST; (3) ALONG THE ARC OF SAID CURVE AND THROUGH A CENTRAL ANGLE OF 77°25'12" 2.70 FEET TO A POINT OF REVERSE CURVE; (4) ALONG THE ARC OF A 121.50 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 48°08'11" 102.01 FEET TO A POINT OF REVERSE CURVE; (5) ALONG THE ARC OF A 138.50 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 32°05'48" 77.59 FEET TO A POINT OF REVERSE CURVE; (6) ALONG THE ARC OF A 171.50 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 83°43'19" 180.80 FEET TO A POINT OF REVERSE CURVE; (7) ALONG THE ARC OF A 158.50 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 17°55'16" 43.32 FEET; (8) NORTH 89°20'26" WEST 11.41 FEET TO THE SOUTHEAST CORNER OF LOT 16, THE VILLAGE P.U.D.; THENCE NORTH 23°45'00" EAST 60.87 FEET ALONG THE EAST PROPERTY LINE OF SAID LOT 16 TO A POINT ON THE NORTH BOUNDARY LINE OF SAID SUBDIVISION; THENCE NORTH 71°20'00" WEST ALONG SAID NORTH BOUNDARY 135.83 FEET; THENCE NORTH 25°04'35" EAST 148.15 FEET TO THE SOUTH LINE OF #70 LUNDON STREET PHASE 1, A SUBDIVISION AS RECORDED WITH THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE SOUTH 71°20'00" EAST ALONG SAID SOUTH LINE 93.81 FEET TO A POINT ON AN EXISTING FENCE LINE; THENCE SOUTH 70°20'30" EAST 302.88 FEET ALONG SAID FENCE LINE; THENCE NORTH 18°40'00" EAST 5.25 FEET TO A POINT ON THE SOUTH LINE OF #70 LUNDON STREET PHASE 1; THENCE SOUTH 71°20'00" EAST ALONG SAID SOUTH LINE 158.30 FEET TO SAID WEST RIGHT OF WAY LINE OF 700 EAST STREET; THENCE SOUTH 1°15'41" WEST ALONG SAID WEST LINE 180.38 FEET TO THE POINT OF BEGINNING. CONTAINS 93,795 SQUARE FEET, OR 2.15 ACRES. 15 LOTS I FURTHER CERTIFY THAT THE LOTS CONFORM TO THE APPLICABLE ZONING ORDINANCE.

Dec 5 1994



COURTESY RECORDING
 This document is being recorded solely as a courtesy and as an accomodation only to the parties named therein. Guardian Title Co. of Utah hereby expressly disclaims any responsibility or liability for the accuracy thereof.

BR 7069Pg2617