

**DECLARATION OF ANNEXATION**

**[Emerald Springs Townhomes—Phase III]**

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:

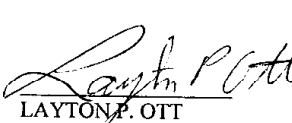
**LEGAL DESCRIPTION**


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 929.18 feet along the 1/16 line from the South Quarter Corner of Section 23, Township 42 South, Range 16 West, Salt Lake Base and Meridian and running thence North 00°46'46" West 407.58 feet along said 1/16 line to the 1/16 Corner; thence along the 1/16 line North 89°33'29" East 915.11 feet to the boundary of EMERALD SPRINGS - PHASE II, thence along said boundary as follows: South 00°26'31" East 104.18 feet to a point on a 135.00 foot radius curve to the left (center bears South 34°22'56" West); thence Northwesterly along the arc of said curve 82.05 feet; thence South 89°33'29" West 16.45 feet; thence South 00°26'31" East 133.11 feet; thence South 41°18'14" West 175.96 feet; thence North 48°41'46" West 75.00 feet; thence South 41°18'14" West 163.00 feet; thence South 48°41'46" East 75.00 feet; thence South 41°18'14" West 111.26 feet; thence North 70°02'00" West 285.93 feet; thence South 89°13'14" West 136.16 feet; thence North 00°46'46" West 43.22 feet; thence South 89°13'14" West 115.00 feet to the Point of Beginning.

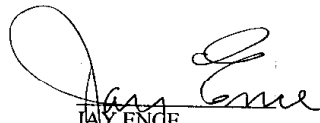
Any required approvals have been given.

IN WITNESS WHEREOF, the undersigned, being the Declarants herein, have hereunto set their hands this 29<sup>th</sup> day of December, 1998.

**Declarants**

  
LAYTON P. OTT

  
QUENTIN ENCE

  
JAY ENCE

STATE OF UTAH )  
 ) ss.  
COUNTY OF WASHINGTON )

00635772 Bk 1313 Pg 0543

On this 29<sup>th</sup> day of December, 1998, 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.

Deb Wanlass  
NOTARY PUBLIC  
Address: St. George  
My Commission Expires: 5-30-2000

