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RUSSELL SHIRTS \* WASHINGTON CO RECORDER  
2000 SEP 13 16:04 PM FEE \$12.00 BY BJ  
FOR: SOUTHERN UTAH TITLE CO

**SUPPLEMENTAL DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
OF DESERT GARDEN ESTATES**

**PHASE II**

THIS SUPPLEMENTAL DECLARATION ('Supplement') is made this 30th day of August, 2000, by BLACKMORE CONSTRUCTION INC., a Utah Corporation (the 'Declarant').

**RECITALS:**

- A. Declarant caused that certain Declaration of Covenants, Conditions and Restrictions of Desert Garden Estates to be recorded on June 15, 1998 as Document No. 00606811 in the records of the County Recorder of Washington County, Utah (the 'Declaration').
- B. Declarant is the owner of that certain real property described in Exhibit 'A' attached hereto and incorporated herein by this reference.
- C. Pursuant to Article I, Declarant has the unilateral right to expand the Development as defined in the Declaration, from time to time by adding thereto all or any portion of certain additional land owned by Declarant. Declarant desires to supplement the Declaration to expand the Development by adding thereto the Annexed Property as hereinafter provided.

NOW THEREFORE, Declarant hereby amends and supplements the Declaration as follows:

1. **Annexation.** The Annexed Property, together with any improvements thereto and all easements, rights and appurtenances thereto belonging, is hereby annexed to, and made a part of, Desert Garden Estates and will be referred to as Desert Gardens Estates Phase II. The terms and provisions of the Declaration are hereby incorporated herein by reference in order to accomplish such annexation.
2. As supplemented and amended by this Supplement, all of the terms and provisions of the Declaration of Covenants, Conditions and Restrictions of Desert Garden Estates are hereby expressly ratified and confirmed, shall remain in full force and effect, and shall apply to the Development as expanded.

IN WITNESS WHEREOF, Declarant has executed this Supplement on the day and year first above written.

BLACKMORE CONSTRUCTION INC.  
A Utah Corporation, Developer

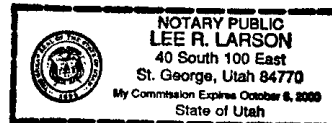
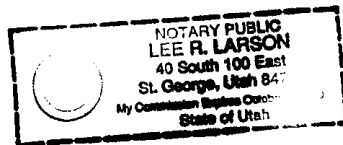
By:

*James Blackmore*  
JAMES BLACKMORE, President

On the 30th day of August, 2000, personally appeared before me JAMES BLACKMORE, President of Blackmore Construction, Inc., a Utah Corporation, who being first by me duly sworn, did say that he executed the foregoing instrument for and on behalf of said Corporation by authority of a resolution of its Board of Directors for the uses and purposes set forth therein.

Notary Public *Lee R. Larson*

My Commission expires: 10/6/2000



## EXHIBIT "A" - LEGAL DESCRIPTION

PROOFREAD ☒

Beginning at a point North 89°46'21" East, 1858.63 feet along the Section line from the Southwest Corner of Section 21, Township 41 South, Range 12 West, Salt Lake Base and Meridian, said point being the Southeast Corner of Lot 10 of DESERT GARDEN ESTATES PHASE I as recorded in the Office of the Washington County Recorder, and running thence along the Easterly Boundary of said subdivision for the following 10 courses: North 12°44'50" East, 313.79 feet; thence North 06°11'46" West, 104.30 feet; thence North 47°02'21" West, 122.83 feet to a 450.00 foot radius curve to the right; thence Northwesterly along the arc of said curve 118.48 feet; thence North 38°50'00" East, 312.55 feet; thence North 00°13'01" West, 367.96 feet; thence North 82°14'00" West, 71.17 feet; thence North 07°46'00" East, 210.00 feet; thence North 16°51'41" West, 55.00 feet; thence North 07°46'00" East, 200.00 feet; thence South 82°14'00" East, 450.00 feet; thence North 56°47'30" East, 85.41 feet; thence South 62°09'43" East, 149.07 feet to a point on a 400.00 foot radius curve to the left (center bears North 42°50'35" East), said point also being on the Westerly Right-of-Way Line of "Sheep Bridge Road," a 100.00 foot public street as recorded in the Office of the Washington County Recorder; thence along the right-of-way of said road for the following 3 courses: Southeasterly along the arc of said curve 133.23 feet through a central angle of 19°05'00" to the point of tangency; thence South 66°14'25" East, 85.12 feet to the point of a 350.00 foot radius curve to the right; thence Southeasterly along the arc of said curve 213.64 feet through a central angle of 34°58'23"; thence South 05°00'00" East, 263.27 feet; thence South 38°50'00" West, 587.17 feet to a point on the Northwesterly right-of-way of said Sheep Bridge Road; thence along said right-of-way for the following 7 courses: South 45°18'01" West, 3.13 feet to the point of a 450.00 foot radius curve to the left; thence Southwesterly along the arc of said curve 32.87 feet through a central angle of 4°11'08" to the point of tangency; thence South 41°06'53" West, 218.30 feet to the point of a 450.00 foot radius curve to the left; thence Southwesterly along the arc of said curve 55.97 feet through a central angle of 7°07'36" to the point of tangency; thence South 33°59'17" West, 189.47 feet to the point of a 350.00 foot radius curve to the right; thence Southwesterly along the arc of said curve 66.83 feet through a central angle of 10°56'22" to the point of tangency; thence South 44°55'39" West, 241.71 feet to a point on the Section Line; thence South 89°46'21" West, 185.91 feet along said Section Line to the point of beginning.

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