

## DECLARATION OF EXPANSION PARADISE CANYON PHASE 5

WHEREAS, the undersigned (hereafter "Developer") is the owner of certain real property located in St. George, Washington County, State of Utah, identified as PARADISE CANYON PHASE 5, such property being more particularly described in Exhibit "A" attached hereto and made a part hereof and being referred to herein as the "Property."

WHEREAS, Developer has caused such Property to be subdivided and platted, to be recorded as Phase 5 of the Paradise Canyon Subdivision.

WHEREAS, Developer desires to and shall cause such Property to be conveyed subject to those protective covenants, conditions and restrictions as set forth in the declaration of Covenants, Conditions and Restrictions of Paradise Canyon, dated April 6, 2000, and recorded in the official records of the Washington County Recorder on April 27, 2000, as Entry No. 00683469, Book 1367, Pages 295 through 309 (hereinafter "Covenants").

NOW, THEREFORE, Developer hereby declares that all of the Property shall be held, sold and conveyed subject to the Covenants, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the Property. The Covenants shall run to, with and from the Property, shall be binding on all parties having or acquiring any right, title or interest in the Property, and shall inure to the benefit of each such party. The lot owners of any of the Property shall be members of the Paradise Canyon Owners Association and shall enjoy the same rights and be under the same duties as any other member as set forth in the Covenants.

IN WITNESS WHEREOF, the undersigned, being the Developer, has hereunto set its hand this 8 day of May, 2002.

Developer:

S & S CONSTRUCTION, INC.

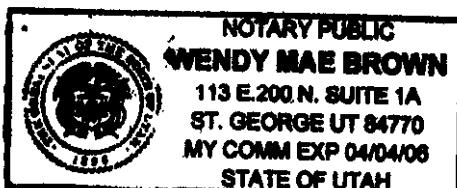
By:   
D. Craig Sullivan, President

ATTEST:

By:   
Secretary

STATE OF UTAH )  
COUNTY OF WASHINGTON ) ss.

Subscribed and sworn to before me this 8 day of May, 2002, by D. Craig Sullivan and Mary E. Griffith, who acknowledged to me that they are respectively the President and Secretary of S & S Construction, Inc., and that they executed the foregoing document on behalf of said Corporation by authority of a resolution of the Board of Directors of such Corporation.



  
Wendy Mae Brown  
Notary Public

96825

## EXHIBIT "A" - LEGAL DESCRIPTION

Beginning at a point located North 1°05'05" East along the Center Section Line 881.33 feet from the Center Quarter Corner of Section 14, Township 42 South, Range 16 West, Salt Lake Base and Meridian; and running thence North 1°05'05" East along the Center Section Line 456.13 feet; thence North 26°54'48" West, 29.76 feet to a point on the Southerly boundary of PARADISE CANYON, PHASE 4 SUBDIVISION, according to the Official Plat thereof, records of Washington County; thence along said boundary the following (13) Thirteen courses: thence North 76°25'53" East, 144.50 feet; thence South 11°46'46" East, 23.88 feet; thence North 80°00'34" East, 130.30 feet; thence North 16°26'50" East, 83.31 feet; thence South 76°18'53" East, 109.19 feet; thence South 12°16'22" West, 34.46 feet; thence South 79°08'22" East, 103.96 feet; thence South 6°44'38" West, 3.16 feet; thence South 79°23'09" East, 117.35 feet; thence South 10°24'52" West, 3.31 feet; thence South 79°47'08" East, 118.45 feet; thence South 4°47'11" West, 1.95 feet; thence South 80°29'47" East, 136.86 feet to a point on the Westerly Boundary of that particular property described in Entry No. 685019, Records of Washington County, said point also being on a 225.00 foot radius curve to the left, the radius point of which bears South 80°29'25" East; thence along the arc of said curve 66.36 feet and through a central angle of 16°53'53"; thence continuing along said property the following Eleven (11) courses: South 7°23'18" East, 109.90 feet to the point of a 455.00 foot radius curve to the left, the radius point of which bears North 82°36'42" East; thence along the arc of said curve 101.12 feet and through a central angle of 12°44'00"; thence South 20°07'18" East, 162.92 feet to the point of a 310.00 foot radius curve to the right, the radius point of which bears South 69°52'42" West; thence along the arc of said curve 117.86 feet and through a central angle of 21°46'58"; thence South 86°29'26" East, 20.66 feet; thence South 3°30'34" West, 75.00 feet; thence North 86°29'26" West, 20.50 feet; thence South 3°30'34" West, 44.94 feet to the point of a 40.00 foot radius curve to the left, the radius point of which bears South 86°29'26" East; thence along the arc of said curve 13.40 feet and through a central angle of 19°11'17" to the point of a 50.00 foot radius reverse curve to the right, the radius point of which bears South 74°19'17" West; thence along the arc of said curve 16.74 feet and through a central angle of 19°11'16"; thence South 3°30'33" West, 76.31 feet to a point on the North Line of Snow Canyon Parkway Bike Path being that particular property as described in Entry No. 671317, Records of Washington County; thence along said property the following Ten (10) courses: North 78°28'55" West, 61.93 feet to the point of a 309.00 foot radius curve to the left, the radius point of which bears South 11°31'05" West; thence along the arc of said curve 38.83 feet and through a central angle of 7°11'58"; thence North 85°40'53" West, 57.12 feet to the point of a 491.00 foot radius curve to the right, the radius point of which bears North 4°19'07" East; thence along the arc of said curve 36.26 feet and through a central angle of 4°13'54"; thence North 81°26'59" West, 218.52 feet to the point of a 291.00 foot radius curve to the right, the radius point of which bears North 8°33'01" East; thence along the arc of said curve 43.88 feet and through a central angle of 8°38'22"; thence North 72°48'37" West, 159.00 feet to the point of a 491.00 foot radius curve to the right, the radius point of which bears North 17°11'23" East; thence along the arc of said curve 146.02 feet and through a central angle of 17°02'23"; thence North 55°46'14" West, 24.10 feet to the point of a 1009.00 foot radius curve to the left, the radius point of which bears South 34°13'46" West; thence along the arc of said curve 33.44 feet and through a central angle of 1°53'55"; thence North 57°40'09" West, 213.42 feet to the point of beginning.

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