

Recorded at the Request of:  
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**SUPPLEMENTAL DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS  
AND DECLARATION OF ANNEXATION  
FOR STONE CLIFF TOWNHOMES**

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND DECLARATION OF ANNEXATION FOR STONE CLIFF TOWNHOMES (sometimes hereinafter "Declaration and Annexation") is made by Declarant, Traveller/Stone Cliff, L.C., a Utah limited liability company.

**PREAMBLE**

A. The following described real property is located in the City of St. George, County of Washington, State of Utah, and is subject to annexation into the Stone Cliff Planned Unit Development (hereinafter "Annexed Property"):

BEGINNING AT A POINT WHICH LIES N 89°01'48" W 2027.83 FEET ALONG THE SECTION LINE AND SOUTH 1399.80 FEET FROM THE NORTHEAST CORNER OF SECTION 4, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE S 42°35'39" E 27.88 FEET TO THE POINT OF A 15.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 13.21 FEET TO THE POINT OF A 40.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT (CENTER BEARS S 03°04'22" E); THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 25.41 FEET; THENCE N 33°19'46" E 20.00 FEET TO A POINT ON A 60.00 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS N 33°19'46" E); THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE 116.02 FEET; THENCE S 28°17'11" E 516.75 FEET; THENCE S 75°44'23" E 75.89 FEET; THENCE S 41°30'59" E 64.00 FEET; THENCE S 48°29'01" W 96.15 FEET; THENCE S 86°43'31" W 31.94 FEET TO A POINT ON A 40.00 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS S 79°31'49" W); THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 45.14 FEET; THENCE S 35°08'34" E 24.48 FEET; THENCE S 11°01'41" E 78.00 FEET; THENCE S 78°58'19" W 64.00 FEET; THENCE N 11°01'41" E 11.12 FEET; THENCE N 59°34'25" W 123.61 FEET; THENCE N 38°38'41" W 137.80

FEET; THENCE N 30°25'35" E 96.45 FEET TO A POINT ON A 180.00 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS N 52°57'32" E); THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 34.00 FEET; THENCE S 30°25'35" W 100.89 FEET; THENCE N 38°38'41" W 55.47 FEET; THENCE N 23°52'35" W 174.56 FEET; THENCE N 39°53'24" W 146.73 FEET; THENCE N 59°34'25" W 65.09 FEET; THENCE N 02°18'28" W 161.00 FEET TO A POINT ON A 650.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS N 22°53'34" W); THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 243.51 FEET TO THE POINT OF BEGINNING.

The above metes and bounds description has since been platted as Lots 1 - 25, Common areas and Limited Common Areas of Stone Cliff Townhomes as identified on the plat recorded on 10-8-98 as Entry No. 620149, in Book 1265, Page 566, in the Official Records of the Washington County Recorder's Office (hereinafter "Stone Cliff Townhomes Plat").

B. The Annexed Property is part of the Annexable Property as defined in Article XI, section 1 of that certain Declaration of Covenants, Conditions and Restrictions of Stone Cliff, a Planned Unit Development, recorded on April 3, 1995 as Entry No. 496398, in Book 897, Pages 500-528, in the Official Records of the Washington County Recorder's Office (hereinafter referred to as "Stone Cliff Declaration").

C. Said property has been made subject to that certain Restated and Amended Declaration of Covenants, Conditions and Restrictions for Stone Cliff Townhomes, a Residential Planned Unit Development dated May 12, 2003, and recorded concurrently herewith in the Official Records of the Washington County Recorder's Office (hereinafter referred to as "Restated and Amended Stone Cliff Townhomes Declaration").

D. Declarant is the "Declarant" as defined in Article I, section 5 of the definitions of the Stone Cliff Declaration. Declarant now desires to annex, add and include the above-described property into Stone Cliff, a Planned Unit Development, pursuant to Article XI of the Stone Cliff Declaration, and to supplement the Stone Cliff Declaration in respect to the above-described property.

THEREFORE, it is hereby declared as follows:

1. The undersigned Declarant with the execution of this Declaration and Annexation hereby consents to the annexation of the subject property into Stone Cliff, a Planned Unit Development (hereinafter Properties).
2. That the Declarant hereby declares the Annexed Property is added to and made a part of the properties subject to the Stone Cliff Declaration. The Annexed Property is and shall be held, conveyed, hypothecated, encumbered, leased, occupied, built upon or otherwise used, improved or transferred in whole or in part, subject to this Declaration and Annexation, the Stone Cliff Declaration, and the Restated and Amended Stone Cliff Townhomes Declaration, as the same may be amended from time to time.

3. The covenants, conditions and restrictions of this Declaration and Annexation and the Stone Cliff Declaration and the Restated and Amended Stone Cliff Townhomes Declaration are hereby imposed as equitable servitudes upon each lot within the Annexed Property, as a servient tenement, for the benefit of each and every other lot within the Properties, as the dominant tenements.

4. The covenants, conditions and restrictions of this Declaration and Annexation shall run with, and shall inure to the benefit of and shall be binding upon all of the Annexed Property, and shall be binding upon and inure to the benefit of all parties having, or hereafter acquiring, any right, title or interest in all or any portion of the Annexed Property.

5. This Declaration and Annexation is recorded pursuant to Article XI of the Stone Cliff Declaration and each of the provisions hereof shall be deemed a part of the Stone Cliff Declaration, and they may be enforced as therein provided for the enforcement of any other provisions thereof.

6. The owners of lots in the Annexed Property shall automatically become members of Stone Cliff Owners Association, and shall continue as members of Stone Cliff Townhomes Homeowners Association.

7. The Annexed Property shall hereafter be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Stone Cliff Declaration and the Restated and Amended Stone Cliff Townhomes Declaration referred to above.

8. In addition to enforcing the Stone Cliff Declaration, the Stone Cliff Owners Association, Inc., shall also enforce the Restated and Amended Stone Cliff Townhomes Declaration, including landscaping provisions as set forth therein.

9. Declarant reserves rights-of-way and/or easements for purposes of enabling access to, furnishing utilities to, and facilitating or enabling development of, such other annexable or additional land as have not yet been added to the project, as are identified in Exhibit B of the Stone Cliff Declaration.


10. Limited Common Areas within the Annexed Property are the same as those identified in the Stone Cliff Townhomes Plat and Restated and Amended Stone Cliff Townhomes Declaration, mentioned above. Responsibility for maintenance of the Limited Common Areas shall be as set forth in the Stone Cliff Declaration.

11. Declarant agrees to convey to the Stone Cliff Owners Association good and marketable title to all common areas in the subject property, free and clear of all monetary liens and encumbrances (other than the lien of current general taxes and the lien of any current assessments, charges, or taxes imposed by governmental or quasi-governmental authorities).

Declarant has executed this Declaration and Annexation on this \_\_\_\_ day of June, 2003, but this Declaration and Annexation shall not be effective until recorded in the office of the Washington County Recorder.

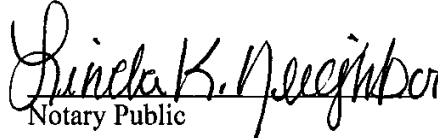
DECLARANT

TRAVELLER/STONE CLIFF, L.C., By: Its Manager  
Stone Cliff Development, Inc.

  
By: Kay H. Traveller  
Its: President

STATE OF UTAH )  
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County of Washington )

On this 20 day of June, 2003, personally appeared before me Kay H. Traveller in his capacity as President of Stone Cliff Development, Inc. Manager of Traveller/Stone Cliff, L.C., and indicated that he executed the foregoing Supplemental Declaration of Covenants, Conditions and Restrictions and Declaration of Annexation for Stone Cliff Townhomes on behalf of said company being authorized and empowered to do so by the Operating Agreement of said entity, and he did duly acknowledge to me that such company executed the same for the uses and purposes stated therein.

  
Notary Public

