

DECLARATION OF ANNEXATION
(South Pointe Subdivision Phase 10)

This Declaration of Annexation is prepared pursuant to **Article II, Section 9** of the Protective Covenants for South Pointe Subdivision, which was recorded **April 25, 1996**, as Entry No. **530634**, in Book **996**, at Pages **98 et seq.**, records of the Washington County Recorder.

Declarant desires to annex the following described property as a part of, and it is Declarant's intention that the property shall be subject to the Protective Covenants for South Pointe Subdivision referred to above:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Any required approvals have been given.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set his hand this 22nd day of December, 2003.

DECLARANT:

K&K CONSTRUCTION and DEVELOPMENT, INC.
A Utah Corporation



By: **Linda Kirkpatrick, President**

STATE OF UTAH

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County of **Washington**

On the 22nd day of December, **A.D. 2003**, personally appeared before me **LINDA KIRKPATRICK**, who being by me duly sworn did say, that she, the said **LINDA KIRKPATRICK**, is the President of **K&K CONSTRUCTION and DEVELOPMENT, INC.**, a **Utah Corporation**, and that the within and foregoing instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors, and said **LINDA KIRKPATRICK** acknowledged to me that said corporation executed the same.


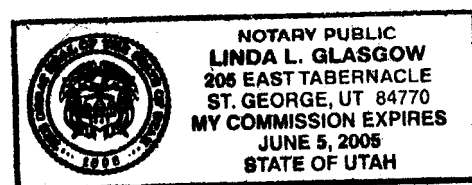

Notary Public

Exhibit A

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE BOUNDARY OF "SOUTH POINTE PHASE 4", WASHINGTON COUNTY RECORDS, SAID POINT BEING THE NORTHWEST CORNER OF LOT 95 OF SAID SUBDIVISION AND BEING LOCATED $S0^{\circ}33'14''W$ 714.81 FEET ALONG THE CENTER SECTION LINE AND $N89^{\circ}26'46''W$ 559.44 FEET FROM THE CENTER OF SECTION 22, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE $S0^{\circ}33'15''W$ 216.00 FEET ALONG THE BOUNDARY LINE OF SAID SUBDIVISION TO THE NORTHEAST CORNER OF LOT 816, "SOUTH POINTE PHASE 8", WASHINGTON COUNTY RECORDS AND RUNNING THENCE ALONG SAID BOUNDARY LINE THE FOLLOWING FIVE (5) COURSES: $N89^{\circ}26'45''W$ 103.04 FEET; THENCE $S59^{\circ}56'20''W$ 58.10 FEET; THENCE $N89^{\circ}08'08''W$ 582.97 FEET; THENCE $S73^{\circ}38'12''W$ 52.30 FEET; THENCE $N89^{\circ}19'00''W$ 90.00 FEET TO A POINT ON THE EASTERLY BOUNDARY OF "SOUTH POINTE PHASE 9", WASHINGTON COUNTY RECORDS; THENCE $N0^{\circ}41'00''E$ 234.00 FEET ALONG SAID BOUNDARY LINE TO THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE LEAVING SAID SUBDIVISION BOUNDARY $S89^{\circ}19'00''E$ 90.00 FEET; THENCE $N71^{\circ}07'32''E$ 53.06 FEET; THENCE $S89^{\circ}26'45''E$ 582.43 FEET; THENCE $N83^{\circ}42'41''E$ 50.36 FEET; THENCE $S89^{\circ}26'45''E$ 103.04 FEET TO THE POINT OF BEGINNING. CONTAINS 4.71 ACRES.