

DECLARATION OF ANNEXATION
(South Pointe Subdivision Phase 10)

00972648 Bk 1792 Pg 1155
KINGSELL SHIRTS & WASHINGTON CO RECORDER
2005 SEP 20 16:13 PM FEE \$10.00 BY SW
FOR: FIRST AMERICAN TITLE CO

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:

All of South Pointe Subdivision Phase 10

This declaration is given to replace and supersede that certain declaration of annexation recorded September 9, 2005 as Entry No. 97039, in Book 1788, at Page 1540 et.seq. records of the Washington County Recorder.

Amended Article I - General Instructions, paragraph 3.

MINIMUM AREA: The minimum total square footage of living area on the first level above ground and located within the area of a foundation for any residential dwelling constructed on any lot within the subdivision, exclusive of porches, balconies, patios and garages, shall be not less than 1,400 square feet. The architectural Control Committee may, in its discretion, waive this requirement for homes having three stories, containing at least 1,800 square feet of finishable living space.

Any required approvals have been given.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set his hand this 20th day of September, 2005.

DECLARANT:

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

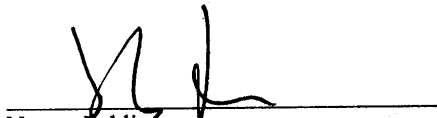

By: Linda Kirkpatrick, President

STATE OF UTAH

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County of Washington

On the 20th day of September, A.D. 2005, 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

