

MAP

NAME: Condominiums At Red Mountain Phase II Amended

UNITS: 48 MAP # 2249 FILE: 11

Pivotal Mark II, L C

BOUNDARY DESCRIPTION:

Beginning at an angle point in the boundary of The Condominiums at Red Mountain, Phase I, said point lies South $88^{\circ}43'01''$ East 677.77 feet along the section line and North $00^{\circ}00'00''$ East 151.85 feet from the north quarter corner of Section 4, Township 42 South, Range 16 West of the Salt Lake Base and Meridian and running thence coincident with said boundary in the following four (4) courses: North $01^{\circ}09'20''$ West 136.34 feet; thence North $14^{\circ}23'16''$ West 97.83 feet; thence South $75^{\circ}36'44''$ West 106.14 feet; thence South $71^{\circ}17'25''$ West 30.00 feet to the northwest corner of said Phase I; thence leaving said Phase I North $18^{\circ}42'35''$ West 4.34 feet to the point of curvature of a 1,414.00 foot radius curve concave westerly; thence northerly 67.24 feet along the arc of said curve through a central angle of $02^{\circ}43'28''$ to the point of reverse curvature of a 402.24 foot radius curve concave easterly; thence northerly 195.86 feet along the arc of said curve through a central angle of $27^{\circ}53'53''$ to a point on a radial line; thence along said radial line South $83^{\circ}32'09''$ East 135.73 feet; thence North $77^{\circ}28'56''$ East 141.13 feet; thence North $43^{\circ}53'57''$ East 134.43 feet; thence South $88^{\circ}47'01''$ East 294.62 feet; thence South $40^{\circ}00'00''$ East 499.17 feet; thence South $01^{\circ}13'26''$ West 194.51 feet; thence North $88^{\circ}47'01''$ West 769.28 feet to said angle point and the point of beginning. Contains 9.546 acres.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS that the undersigned owners of all the above described land have caused the same to be subdivided into hereinafter described parcels (including private roads), to be

"THE CONDOMINIUMS AT RED MOUNTAIN, PHASE II AMENDED"

do hereby dedicate to the common use of the property owners, but not to the use of the general public, all common and limited common areas (including private roads) shown on this plat, in accordance with the terms and conditions of dedication of said common and limited common areas as more fully provided in the Declaration of Condominium for the Condominiums at Red Mountain, Phase II, and recorded with the plat of "THE CONDOMINIUMS AT RED MOUNTAIN, PHASE II AMENDED" in the Office of the County Clerk, Salt Lake County, Utah, on July 30, 2004, and incorporated and made part of this plat. Reference is made to said Declaration for details concerning the right and obligations of parties having or acquiring an interest in this development. For good and valuable consideration received, the undersigned owners hereby dedicate and convey to the City of Ivins, easements over, on, under and across all common and limited common areas and private roadways for the installation and maintenance of public utilities and drainage. The undersigned owners do hereby warrant to the City of Ivins and its successors and assigns, the right to use all easements granted herein against all claims of all persons.

In witness whereof we have hereunto set our hands this 30th day of Sept. 2004

PIVOTAL MARK II, L.L.C., an Arizona limited liability company

By: PIVOTAL SPA I, L.L.C., an Arizona limited liability company

Its: Manager

By: PIVOTAL GROUP X, L.L.C., an Arizona limited liability company

Its: Managing Member

By: F. FRANCIS NAJAFI, Trustee of the F. Francis Najafi Trust dated July 30, 1994

Its: Administrative Member

By: Francis Najafi

Its: Trustee

ACKNOWLEDGMENT

State of Arizona, County of Mohave, } 55.

On the 30th day of Sept., 2004, personally appeared before me 5, Francis Najafi, who being by me duly sworn did say that he is the trustee of the F. Francis Najafi Trust, dated July 30, 1994, the administrative member of the Pivotal Group X, L.L.C., an Arizona limited liability company, which is the managing member of Pivotal Mark II, L.L.C., an Arizona limited liability company, and that he executed the foregoing Owner's dedication in behalf of said limited liability companies being authorized and empowered to do so by the operating agreements of said limited liability companies, and he did acknowledge to me that such limited liability companies executed the same for the uses and purposes stated herein.

My commission expires 6-15-07. Notary Public, Residing in Mohave County



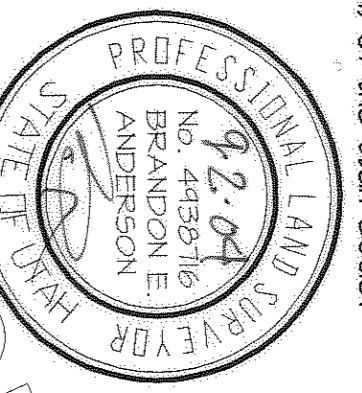
WATER NOTE

The Developer and future owners of property within this subdivision acknowledge that there exists a limited culinary water source within Ivins City and that the production of property in this subdivision may require additional water. The Developer and future owners acknowledge and agree that the City has the right to refuse to issue building permits in the Project, unless and until the City determines that there is sufficient culinary water available, and make claims against the City for the City's inability to provide culinary water due to water shortages or unavailability.

AMENDMENT NOTE

The purpose of Amending this plat is to shift one of the interior buildings to be located in a position that will allow it to have more of a view towards Snow Canyon. In doing this, Buildings R, S, T, & U have been shifted to accommodate this change.

SURVEYOR'S CERTIFICATE
I, Brandon E. Anderson, St. George, Utah do hereby certify that I am a Registered Land Surveyor as prescribed by the laws of the State of Utah and that I hold certificate of registration (license) number 143876. I further certify that by authority of the herein owner, I have made a survey of the tract of land shown on this plat and have subdivided some tract into private streets, private roads, common areas, limited common areas and public easements to be hereinafter shown as:
"THE CONDOMINIUMS AT RED MOUNTAIN, PHASE II AMENDED"
That the same has been correctly surveyed and points established on the ground in accordance with the hereon legal description. This survey plat complies with the provisions of 57-8-13(1) of the Utah Code.



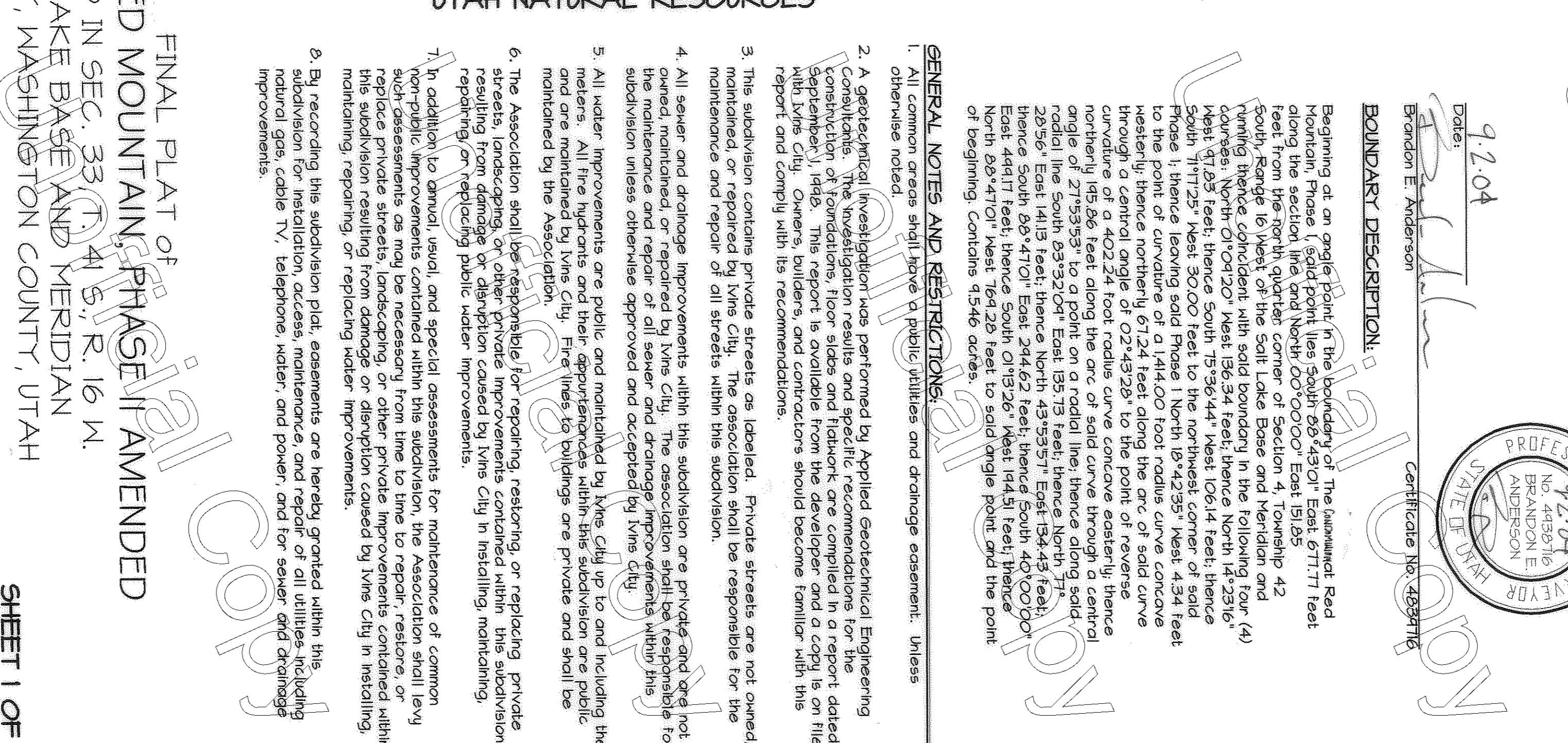
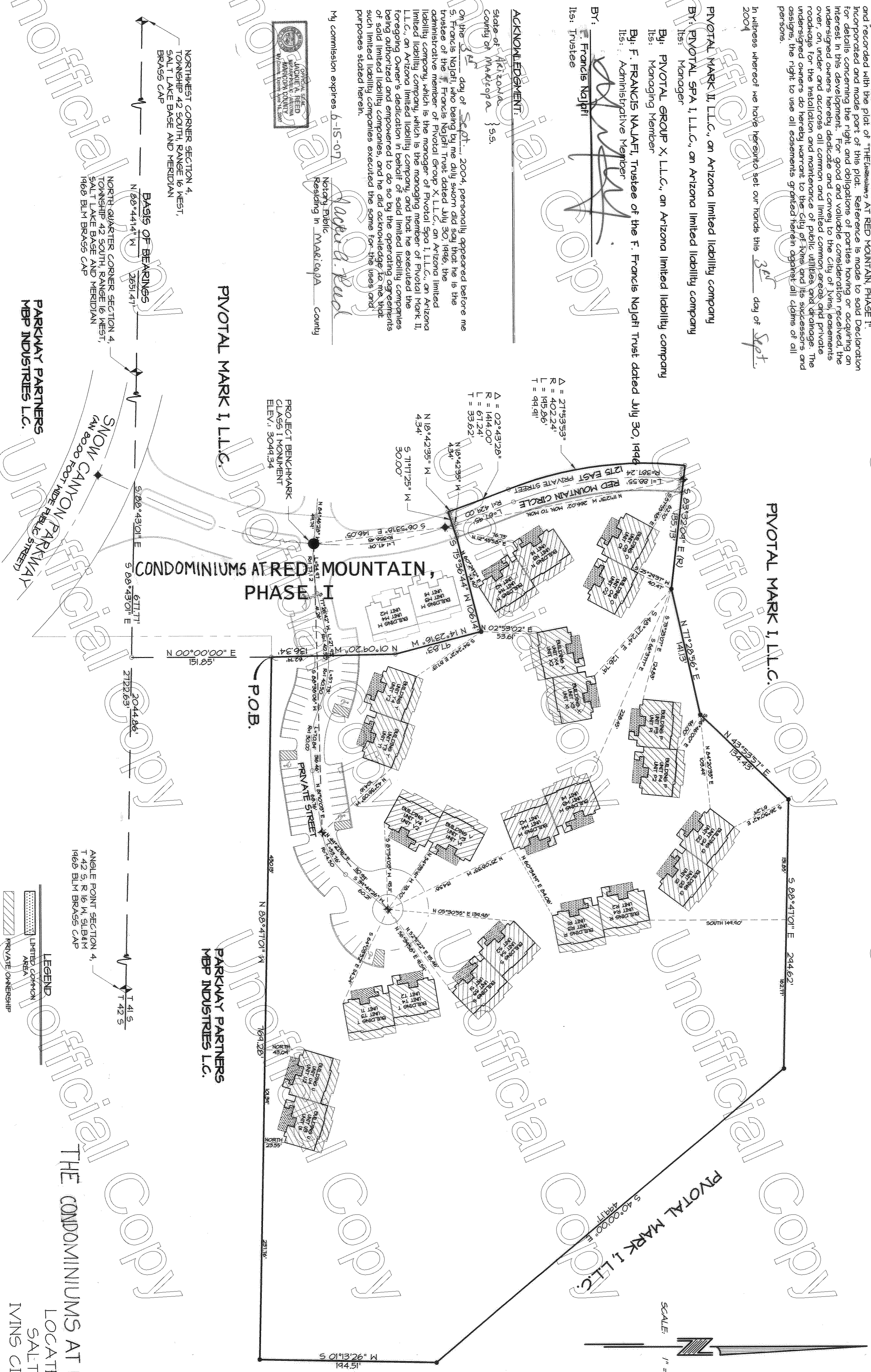
Date: 9-20-04
Signature: Brandon E. Anderson
Certificate No. 143876

BOUNDARY DESCRIPTION:

Beginning at an angle point in the boundary of the unamended Red Mountain, Phase I, said point lies South 56°43'01" East 6717.11 feet along the section line and North 00°00'00" East 151.25 feet from the north quarter corner of section 4, Township 42 South, Range 16 West of the Salt Lake Base and Meridian and (4) remaining thence (clockwise) with said 54' bearing the North 11°42'31" West 107.25 feet, thence South 75°36'44" West 1061.14 feet, thence South 11°17'25" West 30.00 feet to the northwest corner of said Phase I, thence leaving said Phase I North 18°42'35" West 434.34 feet to the point of curvature of a 1414.00 foot radius curve concave westerly; thence northerly 67.24 feet along the arc of said curve through a central angle of 02°43'28" to the point of reverse curvature of a 402.24 foot radius curve concave easterly; thence northerly 185.56 feet along the arc of said curve through a central angle of 27°53'53" to a point on a radial line; thence along said radial line South 83°52'04" East 153.73 feet; thence North 22°56' East 185.47 feet; thence North 42°52' East 144.62 feet; thence South 40°00'00" East 441.11 feet; thence South 07°13'26" West 144.51 feet; thence North 85°47'10" West 769.25 feet to said angle point and the point of beginning. Contains 1546 acres.

GENERAL NOTES AND RESTRICTIONS:

1. All common areas shall have a public utilities and drainage easement, unless otherwise noted.
2. A geotechnical investigation was performed by Applied Geotechnical Engineering Consultants. The investigation results and specific recommendations for the construction of foundations, floor slabs and footwork are compiled in a report dated September 1, 1998. This report is available from the developer and a copy is on file with Ivins City. Owners, builders, and contractors should become familiar with this report and comply with its recommendations.
3. This subdivision contains private streets as labeled. Private streets are not owned, maintained, or repaired by Ivins City. The association shall be responsible for the maintenance and repair of all streets within this subdivision.
4. All sewer and drainage improvements within this subdivision are private and are not owned, maintained, or repaired by Ivins City. The association shall be responsible for the maintenance and repair of all sewer and drainage improvements within this subdivision unless otherwise approved and accepted by Ivins City.
5. All water improvements are public and maintained by Ivins City up to and including the point of connection to the public water main. Fire lines to buildings are private and shall be maintained by the Association.
6. The Association shall be responsible for repairing, restoring or replacing private streets, landscaping, or other private improvements contained within this subdivision resulting from damage or disruption caused by Ivins City in installing, maintaining, or replacing public water improvements.
7. In addition to annual, visual and special assessments for maintenance of common areas, the Association shall be responsible for the maintenance of common areas. Such assessments may be necessary from time to time to repair, restore, or replace private streets, landscaping, or other private improvements contained within this subdivision resulting from damage or disruption caused by Ivins City in installing, maintaining, repairing or replacing water improvements.
8. By recording this subdivision plat, easements are hereby granted within this subdivision for installation, access, maintenance, and repair of all utilities including natural gas, cable TV, telephone, water, and power, and for sewer and drainage improvements.



CITY ENGINEERS CERTIFICATE:

The Engineer subdivision has been reviewed and is approved in accordance with information on file in this office this 30th day of Sept. 2004.

APPROVAL of the PLANNING COMMISSION:

On this the 5th day of October, A.D. 2004, the Planning Commission of Ivins City reviewed the above subdivision and recommended the same for acceptance by the City.

APPROVAL and ACCEPTANCE by the CITY OF IVINS, UTAH:

I, Mayor [Signature], do hereby certify that I am a duly elected Mayor of the City of Ivins, Utah and that I have caused the above subdivision to be recorded in the Office of the County Clerk, Salt Lake County, Utah, on this 30th day of Sept. 2004, and all obligations pertaining to this approval are hereby accepted.

APPROVAL as to FORM:

APPROVED AS TO FORM, THIS 11th DAY OF October, A.D. 2004.

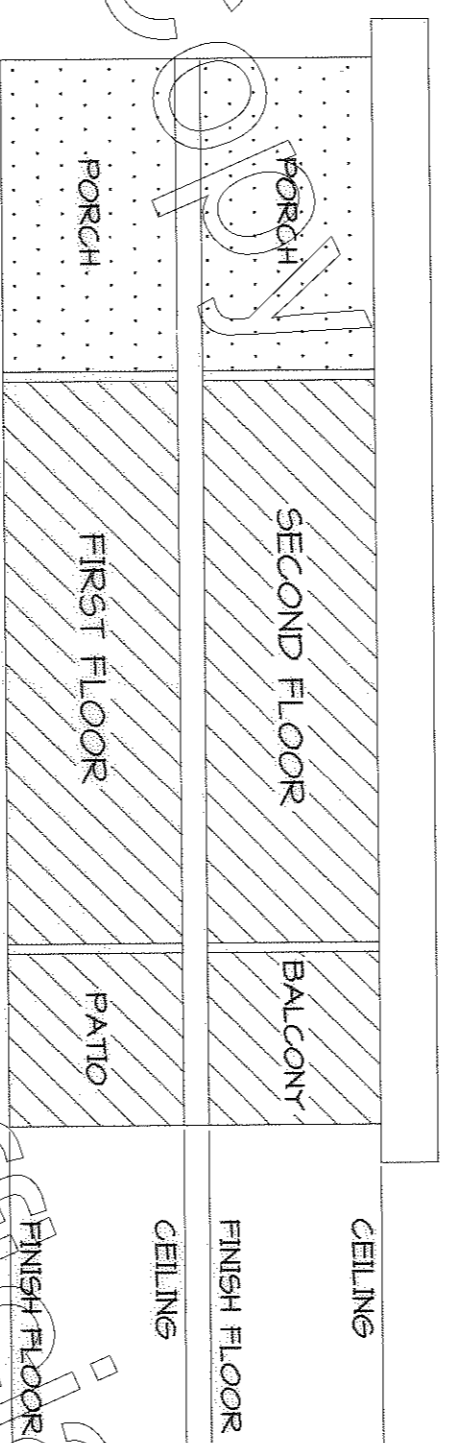
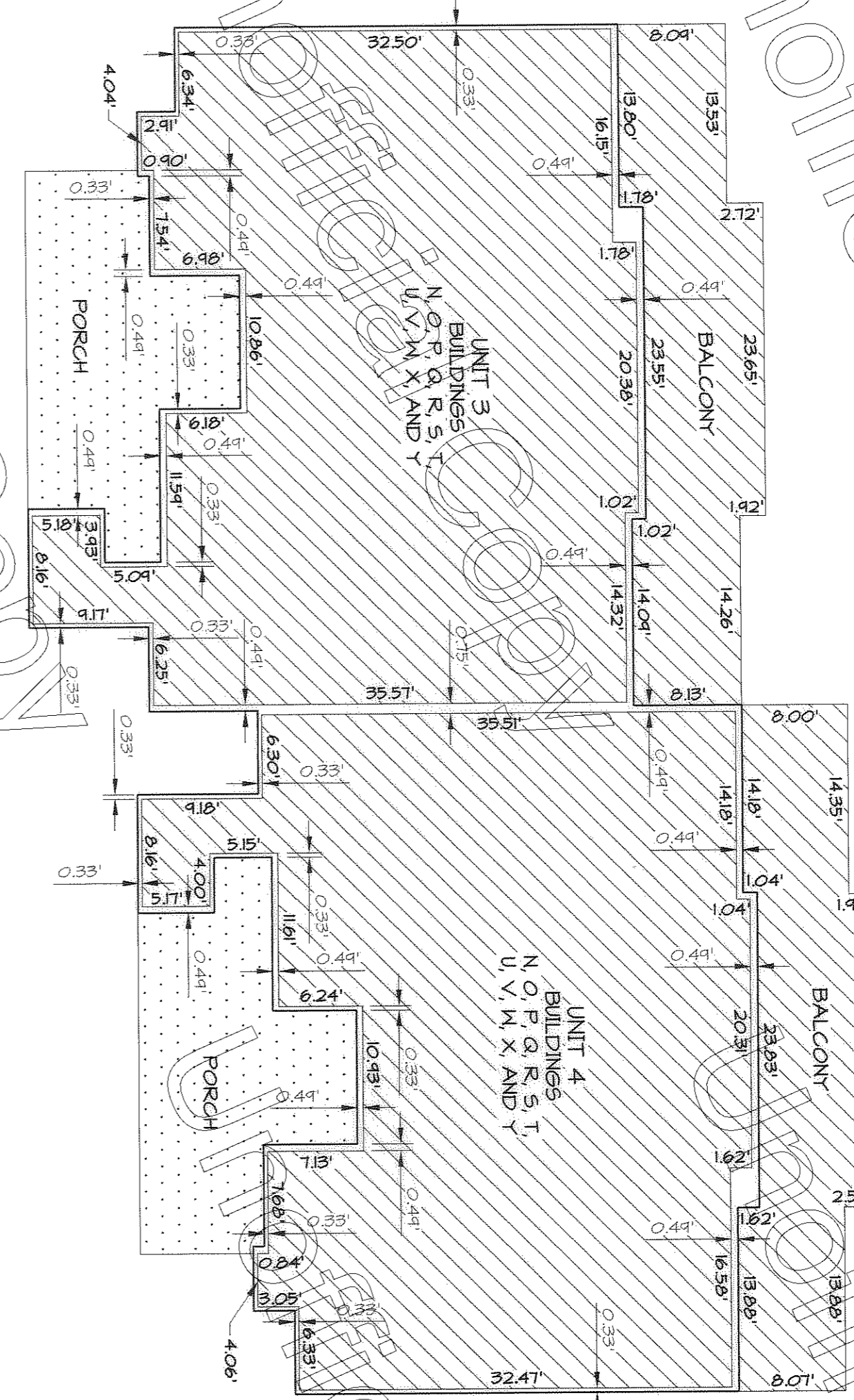
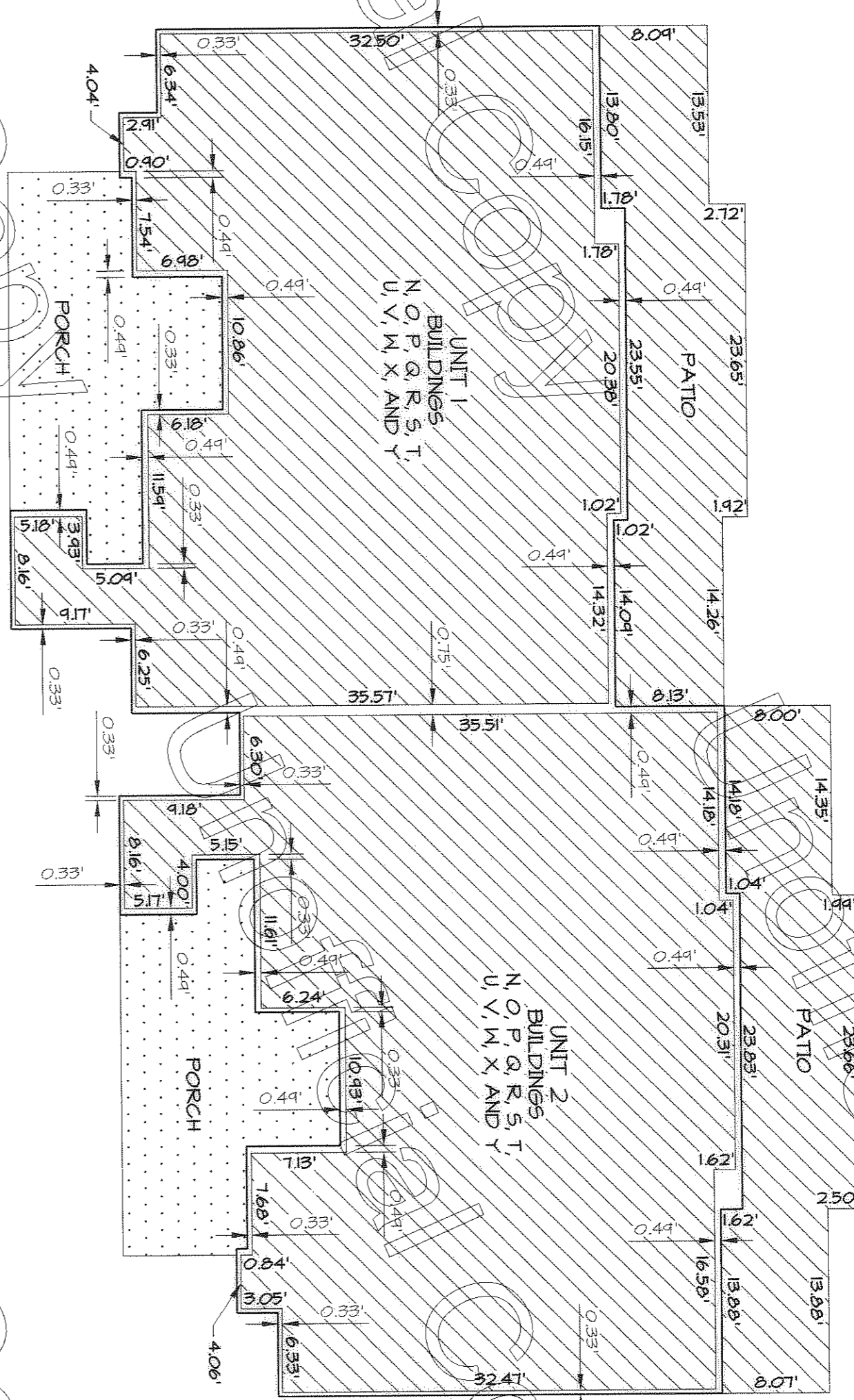
RECORDED No. 911209

STATE OF UTAH, COUNTY OF WASHINGTON, RECORDED AND FILED AT THE REQUEST OF: SOUTHERN UTAH TITLE CO. DATE: 9-07-04 TIME: 1:58 PM PAER: 0193

SHEET 1 OF 2

108.00 FEE: WASHINGTON COUNTY RECORDER

ROSENBERG ASSOCIATES CONSULTING ENGINEERS AND LAND SURVEYORS
3489 N. 11th St., Suite 102, Provo, UT 84601
3489-021-4
3489-021-4
11-11-02
11-11-02
1" = 60'
A.N.H.
D.M.W.
E.L.T.
CITY ENGINEER: [Signature]
CITY OF IVINS, UTAH
PLANNING COMMISSION: [Signature]
CITY OF IVINS, UTAH
MAYOR: [Signature]
CITY OF IVINS, UTAH
CITY ATTORNEY: [Signature]
CITY OF IVINS, UTAH
RECORDED AND FILED AT THE REQUEST OF: SOUTHERN UTAH TITLE CO. DATE: 9-07-04 TIME: 1:58 PM PAER: 0193



ELEVATION TABLE * (SEE NOTE BELOW)

| | BLDG N | BLDG O | BLDG P | BLDG Q | BLDG R | BLDG S | BLDG T | BLDG U | BLDG V | BLDG W | BLDG X | BLDG Y |
|----------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| FIRST FLOOR | 3044.00 | 3044.00 | 3056.75 | 3055.25 | 3051.75 | 3050.75 | 3044.00 | 3044.00 | 3044.75 | 3051.75 | 3049.00 | 3048.75 |
| FIRST FLOOR CEILING | 3058.00 | 3058.00 | 3065.75 | 3064.25 | 3060.75 | 3059.75 | 3058.00 | 3058.00 | 3058.75 | 3060.75 | 3058.00 | 3057.75 |
| SECOND FLOOR | 3054.33 | 3054.33 | 3067.08 | 3065.58 | 3062.08 | 3061.08 | 3054.33 | 3054.33 | 3062.08 | 3062.08 | 3054.33 | 3054.08 |
| SECOND FLOOR CEILING | 3068.33 | 3068.33 | 3076.08 | 3074.58 | 3071.08 | 3070.08 | 3068.33 | 3068.33 | 3069.08 | 3071.08 | 3068.33 | 3068.08 |

LEGEND
 LIMITED COMMON AREA
 PRIVATE OWNERSHIP

FINAL PLAT OF THE CONDOMINIUMS AT RED MOUNTAIN, PHASE II AMENDED LOCATED IN SEC. 33, T. 41 S., R. 16 W. & SEC. 4, T. 42 S., R. 16 W., SALT LAKE BASE AND MERIDIAN IVINS CITY, WASHINGTON COUNTY, UTAH

ROSENBERG ASSOCIATES
 CONSULTING ENGINEERS AND LAND SURVEYORS
 300 East Broadway Blvd., Suite 402
 Salt Lake City, Utah 84102 - (801) 973-8888

3448-9911
 FILE NUMBER: 3448-0224
 DATE: 11-1-10
 SCALE: 1" = 10'
 AMH
 DRAWN:
 B.E.T.
 CHECKED:

ELEVATION TABLE NOTE

* Finish floor elevations shown are design elevations. As each building permit is issued the surveyor will need to check finish floor elevations and file an appropriate affidavit approved by Ivins City with the Washington County Recorder if any elevation is different than shown herein.

FINAL PLAT OF THE CONDOMINIUMS AT RED MOUNTAIN, PHASE II AMENDED LOCATED IN SEC. 33, T. 41 S., R. 16 W. & SEC. 4, T. 42 S., R. 16 W., SALT LAKE BASE AND MERIDIAN IVINS CITY, WASHINGTON COUNTY, UTAH