

Recorded at the request of:
Tawa Development, L.L.C.

After Recording Mail to:
Jenkins Jensen & Bayles, LLP
1240 E. 100 S., Ste. 9
St. George, UT 84790

**RESTATED AND AMENDED
SUPPLEMENT TO DECLARATION OF CONDOMINIUMS
OF
LAS PALMAS RESORT CONDOMINIUMS II
Phase VI - (A Utah Expandable Condominium Community)**

TAWA DEVELOPMENT, L.L.C., as Declarant by assignment hereby files this Restated and Amended Supplement to Declaration of Las Palmas Resort Condominiums II, Phase VI (the "Restated and Amended Supplement"), which Restated and Amended Supplement replaces and supercedes that certain Supplement to Declaration of Condominiums of Las Palmas Resort Condominiums II, Phase VI, recorded in the records of the Washington County Recorder on May 21, 2003 on May 21, 2003, in Book 1548, at Pages 248 - 259 (the "first Supplement for Phase VI").

Declarant hereby adds the Additional Land located in Washington County, State of Utah, and described below, to the Las Palmas Resort Condominium II (the Additional Land contains lands in addition to those identified the first Supplement for Phase VI):

See Exhibit A attached hereto and incorporated herein.

Building 18 of the Project will be constructed upon the above-described property, unless prior to construction of the Building this Supplemental Declaration is voided, set aside or terminated by the Unit Owners of Building 18 and the Survey Map for Building 18 is vacated by the Unit Owners of Building 18. Said property shall include such Common Areas and Limited Common Areas as shown on the Survey Map recorded concurrently herewith. Building 18 shall consist of a three-story condominium building, without basement, and containing enclosed garages located across the street from the Units. The location and configuration of said improvements are shown on the Survey Map. The Property may also contain other improvements such as, without limitation, outdoor lighting, walkways, landscaping, and fencing. The Survey Map shows the number of the Building, the number of Units which are included in the Building, and the general parking areas. Building 18 when constructed will be composed of the following building materials: exterior walls consisting of stucco; tile roof; interior walls of stick lumber construction with walls finished with sheet rock according to applicable building codes. The Survey Map shows each Unit number, its location, dimensions from which the Size may be determined, the Common Areas to which it has immediate access, and the Limited Common Areas, if any, reserved for each Unit. The content of Exhibit B establishes the Unit number and its Size for Building 18. The content of Exhibit C contains the following information with respect to each Unit contained in the Project: (i) Unit Number, (ii) its Size; (iii) the Percentage Interest which is assigned to and appurtenant to the Unit; and (iv) the Number of votes of the Owner of the Unit as a Member of the Association. (*Exhibit C*

has been revised and corrected from the information provided in the first Supplement for Phase VI.)

Until such time as Building 18 has been constructed and the Units in Building 18 have been certified for occupancy by the City of St. George, the following shall apply to the Properties affected by this Supplemental Declaration and the Survey Map recorded in connection herewith: (i) the Association shall have no jurisdiction over the Common Area (as defined in the Declaration and the Utah Condominium Ownership Act, Utah Code Ann. Sections 57-1-1, et. seq.) identified on the Survey Map; (ii) the Common Area shall not be deemed to have been established for the benefit of the Members of the Association; (iii) no voting rights in the Association shall accrue to the Owners of Units; (iv) Owners of Units shall not be subject to assessment under the Declaration; (v) neither the Association nor its Members shall have a right to access, utilize or control the Common Areas, the Units or the Property identified on the Survey Map; (vi) the Owners of Units in Building 18 shall own and hold legal title to the Units and the appurtenant Common Area; and (vii) the Owners of Units shall be subject to and receive the benefit of the Declaration, except as otherwise provided for herein. Without limiting the foregoing, upon recording of this Supplemental Declaration and the Survey Map, the property described in Exhibit A hereto shall be deemed to be annexed into and made a part of the Project.

Upon completion of construction of Building 18 and issuance of certificates of occupancy for the Units therein by the City of St. George, the foregoing shall not longer apply and the Association, its Members and Owner of Units in Building 18 shall specifically have the following rights in addition to all others provided for in the Declaration, as the same is amended and supplemented from time to time: (i) the Association shall have jurisdiction over the Common Area (as defined in the Declaration and the Utah Condominium Ownership Act, Utah Code Ann. Sections 57-1-1, et. seq.) identified on the Survey Map; (ii) the Common Area shall be deemed to have been established for the benefit of the Members of the Association; (iii) voting rights in the Association shall accrue to the Owners of Units; (iv) Owners of Units shall be subject to assessment under the Declaration; (v) the Association and its Members shall have the right to access, utilize and manage the Common Areas, the Units or the Property, as provided for in the Declaration.

Capitalized terms in this Supplemental Declaration are defined and shall have such meaning as given to them in the Declaration, unless the context requires otherwise

Declarant hereby reserves all rights, powers and authority granted to it in the Declaration of Condominium of Las Palmas Resort Condominiums II dated March 20, 1996, and recorded May 23, 1996, as Entry No. 533360, in Book 1004, at Pages 1-46, as amended and supplemented. Subject to the terms of this Supplemental Declaration, all property subject to this Supplemental Declaration shall be subject to the terms and conditions of the Declaration of Condominium of Las Palmas Resort Condominiums II, together with that certain amendment to the Declaration of Las Palmas Resort Condominiums dated October 7, 1996, and all other amendments and supplements to the Declaration.

(Signatures on following page)

EXHIBIT B
PHASE VI

| <u>UNIT NUMBER</u> | <u>UNIT SIZE</u> |
|--------------------|------------------|
| 1801 | 1636 |
| 1802 | 1487 |
| 1803 | 1896 |
| 1804 | 1349 |
| 1805 | 1668 |
| 1806 | 1519 |
| 1807 | 1931 |
| 1808 | 1377 |
| 1809 | 1668 |
| 1810 | 1519 |
| 1811 | 1931 |
| 1812 | 1377 |

EXHIBIT C

(This Exhibit C amends and replaces Exhibit B to the
Declaration of Condominium at Las Palmas Resort II)

| <u>UNITS</u> | <u>SIZE</u> | <u>PERCENTAGE INTEREST</u> | <u>VOTES</u> |
|--------------|-------------|--------------------------------|--------------|
| 601 | 1375 | .555 | 555 |
| 602 | 1910 | .772 | 772 |
| 603 | 1684 | .680 | 680 |
| 604 | 1451 | .586 | 586 |
| 605 | 1375 | .555 | 555 |
| 606 | 1910 | .772 | 772 |
| 607 | 1684 | .680 | 680 |
| 608 | 1451 | .586 | 586 |
| 609 | 1375 | .555 | 555 |
| 610 | 1910 | .772 | 772 |
| 611 | 1684 | .680 | 680 |
| 612 | 1451 | .586 | 586 |
| | 19260 | 7.779 | 7779 |
| 701 | 1375 | .555 | 555 |
| 702 | 1910 | .772 | 772 |
| 703 | 1684 | .680 | 680 |
| 704 | 1451 | .586 | 586 |
| 705 | 1375 | .555 | 555 |
| 706 | 1910 | .772 | 772 |
| 707 | 1684 | .680 | 680 |
| 708 | 1451 | .586 | 586 |
| 709 | 1375 | .555 | 555 |

| | | | |
|-----|-------|-------|------|
| 710 | 1910 | .772 | 772 |
| 711 | 1684 | .680 | 680 |
| 712 | 1451 | .586 | 586 |
| | 19260 | 7.779 | 7779 |
| | | | |
| 801 | 2311 | .934 | 934 |
| 802 | 1971 | .796 | 796 |
| 803 | 2311 | .934 | 934 |
| 804 | 2347 | .949 | 949 |
| 805 | 2003 | .809 | 809 |
| 806 | 2347 | .949 | 949 |
| 807 | 2347 | .949 | 949 |
| 808 | 2003 | .809 | 809 |
| 809 | 2347 | .949 | 949 |
| | 19987 | 8.078 | 8078 |
| | | | |
| 901 | 1375 | .555 | 555 |
| 902 | 1910 | .772 | 772 |
| 903 | 1684 | .680 | 680 |
| 904 | 1451 | .586 | 586 |
| 905 | 1375 | .555 | 555 |
| 906 | 1910 | .772 | 772 |
| 907 | 1684 | .680 | 680 |
| 908 | 1451 | .586 | 586 |
| 909 | 1375 | .555 | 555 |
| 910 | 1910 | .772 | 772 |
| 911 | 1684 | .680 | 680 |

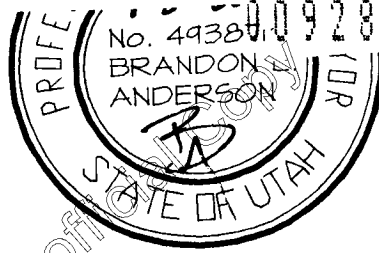
| | | | |
|------|-------|--------|-------|
| 912 | 1451 | .586 | 586 |
| | 19260 | 7.779 | 7779 |
| 1001 | 868 | .351 | 351 |
| 1002 | 1440 | .582 | 582 |
| 1003 | 1915 | .774 | 774 |
| 1004 | 1685 | .681 | 681 |
| 1005 | 1346 | .544 | 544 |
| 1006 | 1362 | .550 | 550 |
| 1007 | 868 | .351 | 351 |
| 1008 | 1440 | .582 | 582 |
| 1009 | 1915 | .774 | 774 |
| 1010 | 1685 | .681 | 681 |
| 1011 | 1346 | .544 | 544 |
| 1012 | 1362 | .550 | 550 |
| 1013 | 868 | .351 | 351 |
| 1014 | 1440 | .582 | 582 |
| 1015 | 1915 | .774 | 774 |
| 1016 | 1685 | .681 | 681 |
| 1017 | 1346 | .544 | 544 |
| 1018 | 1362 | .550 | 550 |
| | 25848 | 10.446 | 10446 |
| 1201 | 1147 | .463 | 463 |
| 1202 | 1147 | .463 | 463 |
| 1203 | 1147 | .463 | 463 |
| 1204 | 1147 | .463 | 463 |

| | | | |
|------|-------|-------|------|
| 1205 | 1147 | .463 | 463 |
| 1206 | 1147 | .463 | 463 |
| 1207 | 1147 | .463 | 463 |
| 1208 | 1147 | .463 | 463 |
| 1209 | 1147 | .463 | 463 |
| 1210 | 1147 | .463 | 463 |
| 1211 | 1147 | .463 | 463 |
| 1212 | 1147 | .463 | 463 |
| 1213 | 1147 | .463 | 463 |
| 1214 | 1147 | .463 | 463 |
| 1215 | 1147 | .463 | 463 |
| 1216 | 1147 | .463 | 463 |
| 1217 | 1147 | .463 | 463 |
| 1218 | 1147 | .463 | 463 |
| 1219 | 1147 | .463 | 463 |
| 1220 | 1147 | .463 | 463 |
| 1221 | 1147 | .463 | 463 |
| | 24087 | 9.723 | 9723 |
| | | | |
| 1701 | 1346 | .544 | 544 |
| 1702 | 1578 | .638 | 638 |
| 1703 | 2000 | .808 | 808 |
| 1704 | 1578 | .638 | 638 |
| 1705 | 1735 | .701 | 701 |
| 1706 | 1346 | .544 | 544 |
| 1707 | 1578 | .638 | 638 |
| 1708 | 2000 | .808 | 808 |

| | | | |
|------|-------|-------|------|
| 1709 | 1578 | .638 | 638 |
| 1710 | 1735 | .701 | 701 |
| 1711 | 1346 | .544 | 544 |
| 1712 | 1578 | .638 | 638 |
| 1713 | 2000 | .808 | 808 |
| 1714 | 1578 | .638 | 638 |
| 1715 | 1735 | .701 | 701 |
| | 24711 | 9.987 | 9987 |
| | | | |
| 1801 | 1636 | .661 | 661 |
| 1802 | 1487 | .602 | 602 |
| 1803 | 1896 | .765 | 765 |
| 1804 | 1349 | .545 | 545 |
| 1805 | 1668 | .674 | 674 |
| 1806 | 1519 | .614 | 614 |
| 1807 | 1931 | .780 | 780 |
| 1808 | 1377 | .555 | 555 |
| 1809 | 1668 | .674 | 674 |
| 1810 | 1519 | .614 | 614 |
| 1811 | 1931 | .780 | 780 |
| 1812 | 1377 | .555 | 555 |
| | 19358 | 7.819 | 7819 |
| | | | |
| 1901 | 1735 | .701 | 701 |
| 1902 | 2000 | .808 | 808 |
| 1903 | 1578 | .638 | 638 |
| 1904 | 1346 | .544 | 544 |

| | | | |
|------|-------|-------|------|
| 1905 | 1735 | .701 | 701 |
| 1906 | 2000 | .808 | 808 |
| 1907 | 1578 | .638 | 638 |
| 1908 | 1346 | .544 | 544 |
| 1909 | 1735 | .701 | 701 |
| 1910 | 2000 | .808 | 808 |
| 1911 | 1578 | .638 | 638 |
| 1912 | 1346 | .544 | 544 |
| | 19977 | 8.073 | 8073 |
| | | | |
| 2001 | 1253 | .506 | 506 |
| 2002 | 1261 | .509 | 509 |
| 2003 | 1575 | .636 | 636 |
| 2004 | 1817 | .734 | 734 |
| 2005 | 1330 | .537 | 537 |
| 2006 | 1260 | .509 | 509 |
| 2007 | 1278 | .516 | 516 |
| 2008 | 1286 | .520 | 520 |
| 2009 | 1606 | .649 | 649 |
| 2010 | 1848 | .747 | 747 |
| 2011 | 1358 | .549 | 549 |
| 2012 | 1286 | .520 | 520 |
| 2013 | 1278 | .516 | 516 |
| 2014 | 1286 | .520 | 520 |
| 2015 | 1606 | .649 | 649 |
| 2016 | 1848 | .747 | 747 |
| 2017 | 1358 | .549 | 549 |

| | | | |
|----------|--------|--------|--------|
| 2018 | 1286 | .520 | 520 |
| | 25820 | 10.433 | 10433 |
| | | | |
| 2101 | 1261 | .509 | 509 |
| 2102 | 1253 | .506 | 506 |
| 2103 | 1561 | .631 | 631 |
| 2104 | 1575 | .636 | 636 |
| 2105 | 1817 | .734 | 734 |
| 2106 | 1330 | .537 | 537 |
| 2107 | 1261 | .509 | 509 |
| 2108 | 1286 | .520 | 520 |
| 2109 | 1278 | .516 | 516 |
| 2110 | 1286 | .520 | 520 |
| 2111 | 1606 | .649 | 649 |
| 2112 | 1848 | .747 | 747 |
| 2113 | 1358 | .549 | 549 |
| 2114 | 1286 | .520 | 520 |
| 2115 | 1286 | .520 | 520 |
| 2116 | 1278 | .516 | 516 |
| 2117 | 1286 | .520 | 520 |
| 2118 | 1606 | .649 | 649 |
| 2119 | 1848 | .747 | 747 |
| 2120 | 1358 | .549 | 549 |
| 2121 | 1286 | .520 | 520 |
| | 29954 | 12.104 | 12104 |
| | | | |
| 162Units | 247522 | 100% | 100000 |



Brandon E. Anderson

Brandon E. Anderson

Certificate No. 493816

LEGAL DESCRIPTION:

Beginning at the southeast corner of Las Palmas Resort Condominiums II, Phase IV, said point being North 46°06'52" East 55.68 feet along the basis of bearing which is the line between the West Quarter Corner and the North Quarter Corner, bearing is calculated from the City of St. George Horizontal Control Network (HCN) Map Coordinates with a distance of 3,734.19 feet on the ground) and East 1,031.35 feet from the West Quarter Corner of Section 35, Township 42 South, Range 16 West, Salt Lake Base & Meridian, said point also being South 88°45'00" East 1071.74 feet along the center section line and North 61.91 feet from said West Quarter Corner and running;

thence Northeasterly, Southeasterly, Northeasterly, and Northwesterly the following (6) courses along the east and the northeasterly line of said Las Palmas Resort Condominiums II, Phase IV;

thence North 01°17'20" East 73.00 feet;

thence South 88°42'40" East 28.92 feet;

thence North 01°10'05" East 58.71 feet ;

thence North 48°42'22" West 166.05 feet;

thence North 81°36'43" West 30.87 feet;

thence North 55°13'52" West 18.00 feet to the southeasterly line of Las Palmas Resort Condominiums

II, Phase II;

thence Northeasterly 35.94 feet along an arc of a 115.00 foot radius curve to the left (center bears

North 55°13'52" West long chord bears North 25°48'55" East 35.80 feet with a central angle of 17°54'26")

along the southeasterly line of said Las Palmas Resort Condominiums II, Phase II;

thence North 16°51'42" East 20.45 feet along the southeasterly line of said Las Palmas Resort

Condominiums II, Phase II to the southwesterly line of Las Palmas Resort Condominiums II, Phase III;

thence southeasterly and northeasterly the following (5) descriptions along the line of said Las Palmas

Resort Condominiums II, Phase III;

thence South 73°08'18" East 276.30 feet;

thence North 16°51'42" East 103.60 feet;

thence northeasterly 86.22 feet along an arc of a 65.00 feet radius curve to the left (center bears

North 02°51'59" East long chord bears North 54°51'51" East 80.04 feet with a central angle of 76°00'17");

thence North 16°51'42" East 17.00 feet;

thence northeasterly 15.71 feet along an arc of a 10.00 feet radius curve to the right (center bears

South 73°08'18" East long chord bears North 61°51'42" East 14.14 feet with a central angle of 90°00'00");

thence South 73°08'18" East 11.34 feet;

thence South 00°32'25" West 407.16 feet;

thence North 88°42'40" West 54.18 feet;

thence North 01°17'20" East 9.17 feet;

thence North 88°42'40" West 213.62 feet to the Point of Beginning.

Containing 86,643 square feet or 1.989 acres.

BASIS OF BEARING NARRATIVE

Considering the Basis of Bearing of this description is a calculated line between the West Quarter Corner of Section 35 and the North Quarter Corner of Section 35, which is North 46°06'52" East.

OWNER'S DEDICATION:

KNOW ALL MEN BY THESE PRESENTS that the undersigned owners of all the above described tract of land having caused the same to be subdivided into private, common and limited common areas (including private streets), to be hereafter known as:

LAS PALMAS RESORT CONDOMINIUMS II - PHASE VI, AMENDED & EXTENDED

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 streets) 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 Covenants, Conditions and Restrictions" applicable to Entry No. 533360, Book 1004, Pages 1-46 Dated October 07, 1996 and recorded concurrently with the plat of Las