

Recorded at the Request of:

Matthew J. Ence, Esq.
Snow Jensen & Reece, PC
P.O. Box 2747
St. George, Utah 84771-2747

DOC # 20060015222

Declaration Page 1 of 4
Russell Shirts Washington County Recorder
4/19/06 10:31 AM Fee \$ 37.00 By SOUTHERN UTAH TITLE CO

**DECLARATION OF ANNEXATION
FOR NORTHBRIDGE ESTATES – PHASE 2**

A Planned Unit Development

THIS DECLARATION OF ANNEXATION FOR NORTHBRIDGE ESTATES – PHASE 2 (hereinafter “Annexation”) is made by Northbridge Development, LLC, the owner of the Annexed Property (described below), hereinafter referred to as “Declarant.”

PREAMBLE

A. Declarant is the owner and developer of certain real property located in the City of St. George, County of Washington, State of Utah, which is particularly described as follows:

See legal description attached as Exhibit “A” and incorporated herein with this reference.

(hereinafter the “Annexed Property”).

**ALL OF LOTS 228 THROUGH 248, NORTHBRIDGE ESTATES – PHASE 2,
ACCORDING TO THE OFFICAL PLAT ON FILE IN THE OFFICE OF THE
WASHINGTON COUNTY RECORDER.**

B. The Annexed Property is part of the Additional Land as defined in Article 1, section 1.1 of that Declaration of Covenants, Conditions, and Restrictions for Northbridge Estates and Subdivision recorded February 25, 2005, as Entry No. 928986, beginning at Book 1716, Page 2132, in the Official Records of the Washington County Recorder’s Office (hereinafter referred to as “Declaration”).

C. Declarant is the “Declarant” as defined in Article 11, section 11.2 of the Declaration, and now desires to add and include the above-described Annexed Property to hereafter become part of the Northbridge Estates development, and thereafter subject to the Declaration thereof.

THEREFORE, the Association and Declarant hereby declare, and submit the Annexed Property to such declaration, and impose thereon the provisions of the Declaration as follows:

1. The Declarant hereby declares that the Annexed Property is added to and made a part of the properties subject to the 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 Annexation and the Declaration.

2. The covenants, conditions and restrictions of this Annexation and the Declaration are hereby imposed as equitable servitudes upon each lot within the Annexed Property, as a servient

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tenement, for the benefit of each and every other lot within the Property as defined in the Declaration, as the dominant tenements.

3. The covenants, conditions and restrictions of this 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.

4. This Annexation is recorded pursuant to Article 11, Section 11.2 of the Declaration, and each of the provisions hereof shall be deemed a part of the Declaration, and they may be enforced as therein provided for the enforcement of any other provisions thereof.

5. The rights and obligations of all Owners of lots in the Annexed Property shall be the same as the rights and obligations of the Owners of lots in Northbridge Estates currently affected by the Declaration.

6. Declarant agrees to convey by Quit Claim Deed to the Association, at or prior to the time it first conveys to an Owner a Lot located on the Annexed Property, good and marketable title to all Common Areas situated in the Annexed 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).

7. In addition to all provisions of the Declaration, the Annexed Property is made subject to the following:


All restrictions, notices and geotechnical notes included on the official plat of NORTHBRIDGE ESTATES PHASE 2 SUBDIVISION and recorded in the office of the Washington County Recorder.

Declarant has executed this Annexation on the date set forth below, but this Annexation shall not be effective until recorded in the office of the Washington County Recorder.

Declarant:

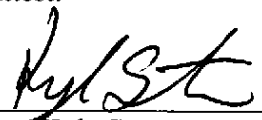
NORTHBRIDGE DEVELOPMENT, LLC

By: Cindy Taylor Trucking & Construction, Inc., Member



By: Cindy Stewart
Its: President

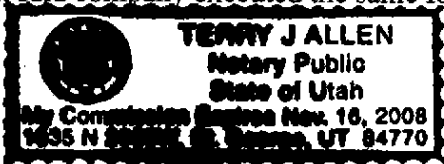
Attest:



By: Kyle Stewart
Its: Secretary

STATE OF UTAH)
 : ss.
COUNTY OF WASHINGTON)

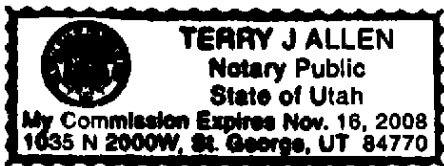
On the 21 day of March, 2006, personally appeared before me Cindy Stewart, who being by me duly sworn did say that she is the President of Cindy Taylor Trucking & Construction, Inc., which is the sole member of Declarant, and that she executed the foregoing Annexation on behalf of said company by authority duly granted her by the same, and she did acknowledge to me that said company executed the same for the uses and purposes stated therein.



Terry J. Allen
Notary Public

STATE OF UTAH)
 : ss.
COUNTY OF WASHINGTON)

On the 21 day of March, 2006, personally appeared before me Kyle Stewart, who being by me duly sworn did say that he is the Secretary of Cindy Taylor Trucking & Construction, Inc., which is the sole member of Declarant, and that he executed the foregoing Annexation on behalf of said company by authority duly granted him by the same, and he did acknowledge to me that said company executed the same for the uses and purposes stated therein.



Terry J. Allen
Notary Public

EXHIBIT "A"

Legal Description of the Annexed Property

Beginning at the Most Northwestern Corner of Northbridge Estates Phase 1 Amended and Extended, according to the Official Plat thereof, filed with the Washington County Recorder's Office;

Said point also being located South 00°49'54" West along the Section line ~~998.98~~ feet, and West ~~665.87~~ feet from the Northeast Corner of Section 9, Township 42 South, Range 15 West, Salt Lake Base and Meridian;

Thence North 33°00'03" West, a distance of ~~623.03~~ feet;

Thence North 31°50'52" East, a distance of ~~579.46~~ feet, to a point on the north line of Section 9, Township 42 South, Range 15 West, Salt Lake Base and Meridian;

Thence South 88°43'36" East, along said line a distance of 692.96 feet;

Thence South 00°37'15" West, a distance of 74.01 feet;

Thence South 45°50'51" West, a distance of 57.62 feet;

Thence South 08°37'10" West, a distance of 89.71 feet; to the point of curvature to the right having a radius of 255.00 feet, thence southerly along the arc of said curve, a distance of 97.95 feet, through a central angle of 22°00'32";

Thence South 30°37'42" West, a distance of 163.28 feet; to the point of curvature to the left having a radius of 195.00 feet, thence southerly along the arc of said curve, a distance of 196.73 feet, through a central angle of 57°48'18";

Thence South 27°10'37" East, a distance of 284.87 feet; to the point of curvature to the right having a radius of 130.00 feet, thence southerly along the arc of said curve, a distance of 39.20 feet, through a central angle of 17°16'37";

Thence South 09°54'00" East, a distance of 220.16 feet, to the Northeast Corner of Lot 210, said Phase 1 Plat, the following nine (9) courses along the Northerly boundary line of said Phase 1 Plat;

Thence South 77°58'33" West, a distance of 222.40 feet;

Thence South 00°01'13" East, a distance of 47.25 feet;

Thence North 78°28'00" West, a distance of 160.04 feet; to the point of curvature of a non tangent curve to the right, of which the radius point lies South 78°28'00" East, a radial distance of 266.00 feet; thence northerly along the arc of said curve, a distance of 25.37 feet, through a central angle of 05°25'26";

Thence North 73°02'33" West, a distance of 32.00 feet; to the point of curvature of a non tangent curve to the left, of which the radius point lies North 73°02'33" West, a radial distance of 234.00 feet; thence northerly along the arc of said curve, a distance of 194.20 feet, through a central angle of 47°33'01";

Thence North 30°35'34" West, a distance of 106.96 feet;

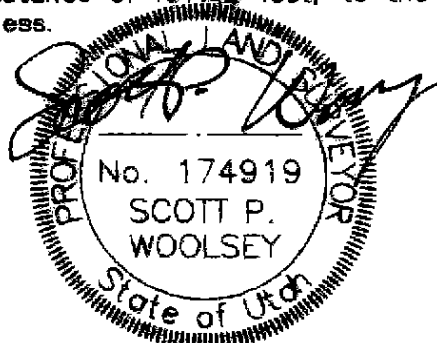
Thence South 59°00'48" West, a distance of 25.00 feet;

Thence South 57°00'34" West, a distance of 197.32 feet; to the Point of Beginning;

Containing: 18.33 acres, more or less.

1/25/06

DATE



SCOTT P. WOOLSEY

PLS# 174919