

**AMENDMENT OF DECLARATION OF CONDOMINIUM
OF LA MIRAGE CONDOMINIUMS, PHASE I**

RAN CO, Inc. a Utah corporation, successor in interest to La Mirage Development Company, a Utah corporation, the Declarant under that certain Record of Survey Map and Declaration of Condominium of La Mirage Condominiums, Phase I, (hereafter "Original Declaration") filed of record on December 23, 1986, as Entry No. 307080, Book 436, Pages 396 - 447 of the Official Washington County Records, State of Utah, as amended by

a. the Supplemental Declaration La Mirage Condominiums, Phase I, dated April 7, 1987, and recorded April 8, 1987, as Entry No. 313115 in Book 448, Pages 51 - 52 of the Official Records of Washington County, State of Utah, and

b. the Second Supplemental Declaration of Condominium of La Mirage Condominiums, Phase I, dated January 28, 1988, and recorded February 1, 1988, as Entry No. 327355 in Book 476, Pages 462 - 464 of the Official Records of Washington County, State of Utah,

which Declarations and Amendments affect the land described in Exhibit A attached hereto, located in Washington County, State of Utah, hereby exercises its right and privilege according to Section 35(o) of the Declaration, to facilitate the practical, technical, administrative or functional integration of an additional tract or subdivision into the development contemplated by Declarant, by amending the Declaration by declaring that the Supplementary Declaration of Condominium dated April 30, 1989, and recorded May 26, 1989, as Entry Number 349345, at Book 524, Page 197 et. seq. is ineffective, void and of no effect, and by adding the following as Section 35.5:

35.5 INTERACTION BETWEEN CONDOMINIUM AND PUD DEVELOPMENTS

(a) **Interpretation of This Section in Relation to Other Sections**

The Declaration shall be construed to give effect to this Section 35.5 and if any provision of the original Declaration, Supplemental Declaration or Second Supplemental Declaration conflicts with this Section, this Section shall govern.

(b) **Joint Use Agreement**

The Joint Use Agreement entered into concurrently, by and between Mirage Estates Owners Association, a Utah non-profit corporation established for the administration of *Mirage Estates, a Planned Unit Development*; LaMirage Owners Association, a non-profit corporation (hereafter the "Condominium Association") established for the administration of La Mirage Condominiums, Phase I; and RANCO, Inc., is authorized by the Declaration and consistent with the intent of the Declaration.

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(c) **Easements**

The Declarant hereby declares that Mirage Estates Owners Association, its members and owners of land within subdivisions proximate to the Condominium Project developed by RANCO and public utility services,

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FOR: SNOW NUFFER ENGSTROM & DRAKE

and their heirs, successors, grantees and assigns, shall have nonexclusive and irrevocable easements

(i) for ingress and egress, across all roadways in the Condominium Project, and across the strip of land described in Exhibit B attached hereto and incorporated herein by this reference.

(ii) for all utility and drainage purposes (including, without limitation, excavation and construction, installation, enlargement maintenance and replacement) in the existing and future drainage and utility systems, wires, lines, pipes, conduits and ways, and under the common and limited common areas within the Condominium Project, as the same may be constituted from time to time. To the extent that existing mains, lines, laterals, ways, and courses within the Condominium Project are found to be inadequate for service of the additional load or usage represented by the PUD Project or subdivisions in initial construction, the Declarant shall bear the cost of redesign, enlargement and construction of additional necessary capacity.

Further, RANCO shall have easements for placement of a lighted sign (with flags) not larger than 8' by 8' on the condominium common areas and facilities in front of the parking on 2025 South Circle, and directional signs as the Declarant reasonably determines to be desirable, to promote the marketing of the townhome and subdivision developments and which shall not unreasonably interfere with the Condominium Project.

(d) Declarant's Rights to Amend

The Declarant shall make no further amendments under Section 35 of the Declaration.

DATED THIS 18th day of May, 1993

Declarant
RAN CO, Inc.

By Richard A. Nelson
Richard A. Nelson
President

STATE OF UTAH

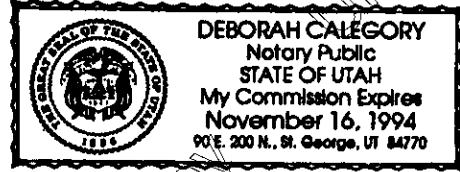
COUNTY OF WASHINGTON) ss.

On this 18th day of May, 1993, before me personally appeared Richard A. Nelson, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that he/she is the president [or other officer or agent, as the case may be] of RAN CO, Inc., a corporation, and that the foregoing document was signed by him/her on behalf of that corporation by authority of its bylaws or of a resolution of its board of

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directors, and he/she acknowledged before me that the corporation executed the document and the document was the act of the corporation for its stated purpose.

Deborah Category
NOTARY PUBLIC
Address: 90 E. 200 N. St. George
My Commission Expires: 11-16-94
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EXHIBIT A

LEGAL DESCRIPTION OF
LA MIRAGE CONDOMINIUMS, PHASE I

Beginning at a point N 80°00' E 670.72 feet along the South boundary line and South 203.63 feet from the most Southerly and Westerly corner of Tonaquint-Indian Hills, a planned residential development located in Section 1, Township 43 South, Range 16 West, Salt Lake Base and Meridian and recorded in the Washington County Recorder's office and running thence N 21°10' E 11.98 feet; thence N 11°40' E 145.50 feet; thence N 25°10' E 64.36 feet to the South line of 2025 South Circle Street and a point on a curve whose radius is 280.00 feet and bears N 25°10' E; thence left 45.67 feet along the arc of said curve to the point of tangency and a 307.11 foot radius curve; thence left 280.33 feet along the arc of said curve; thence S 47°30' E 222.59 feet; thence West 139.00 feet; thence South 118.13 feet; thence West 243.93 feet; thence N 12°13'40" W 25.00 feet; thence West 145.50 feet to the point of beginning. Containing 2.058 acres.

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EXHIBIT B

LEGAL DESCRIPTION
OF THE EASEMENT NEEDED ON THE SOUTH PORTION
OF LA MIRAGE PHASE No. 1

BEGINNING AT A POINT N90°00'00"E 145.48 FEET ALONG THE BOUNDARY LINE AND S12°13'40"E 25.00 FEET ALONG THE BOUNDARY LINE FROM THE SOUTHWEST CORNER OF THE LA MIRAGE PHASE No. 1 CONDOMINIUM PROJECT LOCATED IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 16 WEST, SALT LAKE BASE & MERIDIAN AND AS RECORDED IN THE WASHINGTON COUNTY RECORDERS OFFICE; AND RUNNING ALONG THE EDGE OF A 25.00 FOOT PRIVATE ROAD AS FOLLOWS; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 250.00 FEET, ARC LENGTH OF 53.35 FEET, AND A CENTRAL ANGLE OF 12°13'40"; THENCE N90°00'00"E, 120.00 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 67.00 FEET, ARC LENGTH OF 43.51 FEET, AND A CENTRAL ANGLE OF 37°12'33"; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 5.00 FEET, ARC LENGTH OF 5.76 FEET, AND A CENTRAL ANGLE OF 65°57'33"; THENCE S61°15'00"E, 5.06 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 5.00 FEET, ARC LENGTH OF 5.35 FEET, AND A CENTRAL ANGLE OF 61°15'00"; THENCE S00°00'00"E, 12.89 FEET TO THE SOUTH LINE OF SAID LA MIRAGE CONDOMINIUMS; THENCE N90°00'00"W, 225.93 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL CONTAINS 1,520 SQUARE FEET OR 0.035 ACRES MORE OR LESS.

LEGAL DESCRIPTION
OF THE EASEMENT NEEDED ON THE EAST PORTION
OF LA MIRAGE PHASE No. 1

BEGINNING AT A POINT N90°00'00"E 145.48 FEET ALONG THE BOUNDARY LINE AND S12°13'40"E 25.00 FEET ALONG THE BOUNDARY LINE AND N90°00'00"E 243.93 FEET ALONG THE BOUNDARY LINE AND N00°00'00"E 43.117 FEET ALONG THE BOUNDARY LINE FROM THE SOUTHWEST CORNER OF THE LA MIRAGE PHASE No. 1 CONDOMINIUM PROJECT LOCATED IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 16 WEST, SALT LAKE BASE & MERIDIAN AND AS RECORDED IN THE WASHINGTON COUNTY RECORDERS OFFICE; AND RUNNING THENCE N00°00'00"E 83.01 FEET ALONG THE BOUNDARY LINE AND ITS EXTENSION TO THE EDGE OF A 25.00 FOOT PRIVATE ROAD THENCE ALONG SAID PRIVATE ROAD AS FOLLOWS; S57°30'00"W, 16.61 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 5.00 FEET, ARC LENGTH OF 7.99 FEET, AND A CENTRAL ANGLE OF 91°32'56"; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 67.00 FEET, ARC LENGTH OF 68.16 FEET, AND A CENTRAL ANGLE OF 58°17'04"; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 5.00 FEET, ARC LENGTH OF 9.97 FEET, AND A CENTRAL ANGLE OF 114°14'08"; THENCE N90°00'00"E, 0.33 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 5.00 FEET, ARC LENGTH OF 7.85 FEET, AND A CENTRAL ANGLE OF 090°00'00", FEET TO THE TRUE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL CONTAINS 685 SQUARE FEET OR 0.016 ACRES MORE OR LESS.

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