

SUPPLEMENTARY DECLARATION
TAVIAWK SUBDIVISION – PHASES VII

Kayenta Homesites Inc., Declarant under that certain Declaration of Covenants, Conditions and Restrictions of Taviawk Subdivision – Phase I-IV, a Planned Residential Development, filed of record on April 17, 1998, as Entry No. 599234, Book 1202, Pages 628, et seq. of Official Washington County Records, (hereinafter collectively referred to as the “Declaration”) hereby exercises its rights and privileges under said Declaration as follows:

1. Declarant hereby annexes to Taviawk Subdivision Phases I, II, III, IV, V and IV (71 lots) the following described property located in Ivins City, County of Washington, State of Utah, concluding as set forth on that certain Plat filed concurrently herewith:

All of TAVIAWK SUBDIVISION, PHASE VII, more particularly described as follows: (See Exhibit A attached hereto)

2. Lots 101—113 and 127-152, Phase VII are hereby added to the Taviawk Subdivision Project. The number of lots being added is 39 lots. The total number of lots in Taviawk Subdivision Phases I-VII is now 110 lots.

3. All lot owners in new phases described above will become members of the Taviawk Homeowners Association and will be entitled and subject to all rights, powers, privileges, covenants, restrictions, easements, charges, and liens as set forth in the original Declaration of Taviawk Subdivision as supplemented. Where specific clauses are set forth in this Supplementary Declaration, they shall control over the Declaration.

DOC # 20060024025

Supplemental Declaration 1 of 9
Russell Shirts Washington County Recorder
6/6/06 4:05 PM Fee \$ 26.00 by DIXIE TITLE CO



The annexed land is to be held, sold, conveyed, encumbered, occupied, and approved as part of the property, subject to the Declaration, as supplemented by this documents.

4. Declarant continues to reserve all rights to expand, and such other rights as are conferred in the Declaration. Declarant further reserves the right to grant access for ingress and egress for all utilities to any other project in the area where the roads of this Plat may serve other future projects.

5. The same architectural covenants as contained in the Declaration of Taviawk Subdivision – Phases I-VI, shall apply to this subdivision described at Exhibit A, except as modified by this Supplemental Declaration.

6. Due to the sensitive nature of the topography and/or location, or other features, Declarant reserves unto itself or its assigns, the right to architectural approval of any building or landscape plans that may be proposed for any lots. Said right to architectural approval of any building or landscape plans may be withheld by Declarant if in the opinion of Declarant or his architect the proposed plans would be detrimental to the project in any material way. The decision of the Declarant in this regard shall be final.

7. Declarant reserves unto itself, without the right of the Lot Owners in the Taviawk Subdivision, to dedicate to the use of the public any or all private streets currently shown on the Plats filed concurrently herewith. As such, it is the intention of the Declarant that upon making acceptable arrangement with Ivins City in the future, that the same shall become a public road. However, until such arrangements are made, the said road(s) shall be considered common area of the Taviawk Subdivision Project and shall be subject to the maintenance and control of the Association. At such time, however, as a public road dedication map is executed by the Declarant, pursuant to the

rights conferred by this paragraph, the street shall become a public roadway, no longer subject to the jurisdiction and maintenance of the Association.

8. Trail Easement. As set forth on the plat there is a 20' Trail Easement on the North side of Mallow Way and on the East side of Taviawk Drive (Phase VII). The Trail Easement shall be subject to the same terms as our outlined in the Declaration.

9. For the Taviawk Subdivision Phase VII, an area of at least sixty percent (60%) of the total area shall be preserved in its natural state, unaltered by any construction or removal of its natural indigenous vegetation (except for the addition of landscape vegetation as allowed by Declaration and ACC). Improved areas, those areas which are graded and constructed upon, shall occupy no more than forty percent (40%) of the lot. All of the dwelling units, garage, driveway, courtyard areas, and off-street parking shall be contained within the improved area. Exposed driveway cuts shall be revegetated, or retained by plastered or exposed concrete walls, or indigenous rock walls. Declarant reserves the right to modify the requirements of this paragraph to accomplish design layout, and lot topography where, in the sole discretion of Declarant, such modification will result in no material harm to the architectural or landscape integrity of the Taviawk Subdivision.

10. Access to Lot 129 from Agave Way. Adjacent to lot 129 on both its North and East boundaries lies a parcel of land identified as future development area within the boundaries of Taviawk Subdivision Phase VI. This parcel shall be conveyed by declarant to be an addition to lot 129. Said parcel shall remain open and unbuilt except for driveway access off Agave Lane as provided for in paragraph 10 of the Supplementary

Declaration of Taviawk Subdivision Phases V and VI. Maintenance of said parcel shall be the responsibility of the ownership of Lot 129.

11. Drainage Easement/No Build Areas. As shown on the Taviawk Subdivision Phase VII Plat, there exists, running through Lots 106, 107, 112, 113, 138, and 139 a drainage easement which contains pipelines servicing the Ivins Flood Detention Basin. Located within the easement/no-build area is an underground pipe. A manhole is located on Lot 112 which lies immediately adjacent to Agave Way. No disturbance of the pipe or manhole shall occur. No permanent, residential, or storage building, pool or similar structures which would materially impede access to the pipe shall be built within said defined drainage easement/no-build area as defined on the Taviawk Subdivision Phase VII Plat. Uses which are allowed within the easement area are driveways for ingress and egress and for improved court yards including courtyard walls, patio, surfaces and vegetation. In the unlikely event that Ivins City shall require underground access to the pipes for the purpose of repair or reconstruction of the line, Ivins City shall have the rights of reasonable ingress and egress for the purposes of repair or reconstruction of the lines, and Ivins City shall be responsible for the restoration and revegetation of areas of damage or disturbance which they may cause in their repair or reconstruction. Also, located on Lot 112, as shown on the Plat, is a 15' access to the drainage easement which shall also be kept free to allow

access to Ivins City to allow maintenance equipment to access the manhole which is located immediately adjacent to Agave Way.

12. Supplements and modifications to the basic ACC standards as they apply to Taviawk subdivision, Phase VII are as follows:

8.4(b) Supplement. Maximum Height. Modify the maximum height for Lots 103, 104, 107 and 108 to eighteen (18) feet from thirteen (13) feet as measured from adjacent grade to top of roof parapet, exclusive of chimney projections. This height increase allows for a split level configuration made up of an elevated level which is one half level up, and a basement which is one half level down. Additional height allows a portion of dwelling to create transitional architecture which masks out traditional subdivision construction to the south.

8.4(h) Supplement. Lot Coverage. For the Taviawk Subdivision, Phase VII, an area of at least sixty percent (60%) of the total remain unaltered by any construction or removal of its natural indigenous vegetation (except for the addition of landscape vegetation as allowed by Declaration and ACC). Improved areas, those areas which are graded and constructed upon, shall occupy no more than forty percent (40%) of the lot. All of the dwelling units, garage, driveway, courtyard areas, and off-street parking shall be contained in this area. "Lot Coverage" shall mean the actual improved area of the lot, expressed as a percentage of the total area of the lot.

8.4(i) Supplement. The Building Envelope. For the Taviawk Subdivision Phase VII, the building envelope shall establish set-back lines and define that area of the lot in which the actual building structures including living areas, garage areas and

trellis/ramada or portico covered areas are allowed to occupy. Walled courtyard areas, courtyard walls that are less than six feet in height, patio areas and swimming pool areas may extend beyond the boundaries of the building envelope. (In this regard, "building envelope" is a misnomer in that the construction area of the site may extend beyond the envelope boundaries.)

13. Construction Access. It is anticipated that construction will occur for a period through 2007, when actual residential occupancy will be minimal. During that period and until such time as residents substantially begin to occupy homes, construction parking requirement and access will be relaxed. Declarant, Developer and Owners collectively of Taviawk VII properties will proactively cooperate with Taviawk Board to keep construction nuisance to a minimum.
14. Declarant reserves unto itself the right and authority to act as the Architectural Control Committee (ACC) until such time as Declarant sees fit to turn said responsibility to the Taviawk Board and its appointed ACC.
15. Declarant reserves unto itself the right to require lot owners to plant and provide for the maintenance of landscape trees and shrubs in conjunction with the construction of a residence on any given lot in Taviawk VII subdivision. Where trees currently exist, and are being maintained, the maintenance of said trees becomes the responsibility of property owner as set forth in Article IX, paragraph 9.1 of the declaration.

16. Declarant continues to reserve the right to modify as supplements. The basic ACC standards for Taviawk VII Subdivision, if in the sole discretion of the Declarant, said modifications result in no material harm to the architectural and landscape integrity of the Taviawk Subdivision.

DATED this 1 day of June, 2006.

DECLARANT:

KAYENTA HOMESITES, INC.

By: [Signature]
R. T. Marten, President


OWNER

KAYENTA DEVELOPMENT, INC.

By: [Signature]
Lance Anderson, President

STATE OF UTAH)
)ss.
County of Washington)

On the 1 day of June, 2006, personally appeared before me R.T. Marten, President of Kayenta Homesites, Inc., and Lance Anderson, President of Kayenta Development, Inc. the signers of the foregoing document, who acknowledged to me that he executed the same pursuant to authority given by the Board of Directors of Kayenta Homesites, Inc.

 Notary Public
DEIDRE L. BARNEY
388 N. Cedar Ave.
Central, UT 84722
My Commission Expires
November 8, 2008
State of Utah

[Signature]
Notary Public

Exhibit A

I, LLOYD RIED POPE, HEREBY CERTIFY THAT I AM A PROFESSIONAL ENGINEER AND REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE OF REGISTRATION NUMBER 153069 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORIZATION OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, COMMON AREAS AND PRIVATE ROADS HEREAFTER KNOWN AS:

"TAVIAWK SUBDIVISION PHASE VII"

AND THAT THE SAME HAS BEEN CORRECTLY STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

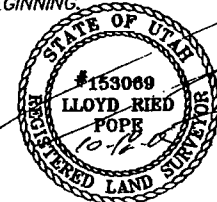
BOUNDARY DESCRIPTION

BEGINNING AT THE NORTH 1/4 CORNER OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG THE CENTER SECTION LINE AND ALONG THE WESTERLY BOUNDARY OF 'TAVIAWK SUBDIVISION PHASE VI' AS RECORDED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER FOR THE FOLLOWING 9 COURSES: S 01°16'51" W 254.825 FEET; THENCE S 88°43'20" E 46.45 FEET; THENCE S 19°55'59" E 165.00 FEET TO A POINT ON A 500.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS N 19°55'59" W); THENCE NORTHEASTERLY THROUGH A CENTRAL ANGLE OF 6°35'49" AND ALONG THE ARC OF SAID CURVE 57.57 FEET TO THE POINT OF TANGENCY; THENCE N 63°28'12" E 79.92 FEET TO THE POINT OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 99°44'07" AND ALONG THE ARC OF SAID CURVE 34.81 FEET TO THE POINT OF A 565.00 FOOT RADIUS COMPOUND CURVE TO THE RIGHT (CENTER BEARS S 73°12'19" W); THENCE SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 1°57'54" AND ALONG THE ARC OF SAID CURVE 19.38 FEET TO THE POINT OF TANGENCY; THENCE S 14°49'47" E 122.48 FEET; THENCE N 68°44'20" E 184.38 FEET; THENCE S 22°38'42" E 122.28 FEET; THENCE S 27°13'24" E 579.37 FEET TO A POINT ON A 784.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS S 15°12'44" W); THENCE NORTHWESTERLY THROUGH A CENTRAL ANGLE OF 15°10'43" AND ALONG THE ARC OF SAID CURVE 207.69 FEET TO THE POINT OF A 20.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT; THENCE NORTHWESTERLY THROUGH A CENTRAL ANGLE OF 84°11'04" AND ALONG THE ARC OF SAID CURVE 29.39 FEET TO THE POINT OF CUSP, SAID POINT ALSO BEING ON A 486.50 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS S 84°13'05" W); THENCE SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 4°12'08" AND ALONG THE ARC OF SAID CURVE 35.68 FEET TO THE POINT OF TANGENCY; THENCE S 01°34'47" E 40.96 FEET TO A POINT ON A 20.00 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS N 88°25'13" E), SAID POINT BEING THE POINT OF CUSP; THENCE NORTHEASTERLY THROUGH A CENTRAL ANGLE OF 91°53'40" AND ALONG THE ARC OF SAID CURVE 32.08 FEET TO THE POINT OF A 746.00 FOOT RADIUS COMPOUND CURVE TO THE RIGHT (CENTER BEARS S 00°18'53" W); THENCE SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 12°42'02" AND ALONG THE ARC OF SAID CURVE 165.36 FEET; THENCE S 13°00'55" W 79.18 FEET; THENCE S 53°01'51" W 60.48 FEET; THENCE S 01°34'47" E 128.33 FEET TO A POINT ON THE 1/16TH LINE; THENCE ALONG SAID 1/16TH LINE N 88°46'25" W 924.02 FEET, A PORTION OF WHICH FOLLOWS ALONG THE NORTH BOUNDARY LINE OF 'SUMMIT RIDGE ESTATES SUBDIVISION PHASE 2' AS RECORDED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER, TO A POINT ON THE EAST RIGHT OF WAY LINE OF 400 WEST STREET - A 60.00 FOOT PUBLIC STREET; THENCE ALONG THE EASTERLY RIGHT OF WAY OF SAID STREET N 00°32'49" E 1143.59 FEET TO THE POINT OF A 530.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY THROUGH A CENTRAL ANGLE OF 10°06'06" AND ALONG THE ARC OF SAID CURVE 93.44 FEET TO THE POINT OF A 470.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT; THENCE NORTHWESTERLY THROUGH A CENTRAL ANGLE OF 7°40'07" AND ALONG THE ARC OF SAID CURVE 62.92 FEET TO THE POINT OF A 20.00 FOOT RADIUS COMPOUND CURVE TO THE RIGHT (CENTER BEARS N 88°06'50" E); THENCE NORTHEASTERLY THROUGH A CENTRAL ANGLE OF 93°08'47" AND ALONG THE ARC OF SAID CURVE 32.51 FEET TO THE POINT OF TANGENCY, SAID POINT BEING ON THE SECTION LINE; THENCE ALONG SAID SECTION LINE S 88°44'23" E 236.40 FEET TO THE POINT OF BEGINNING.

CONTAINING: 20.721 ACRES

Lloyd Ried Pope

LLOYD RIED POPE, PROFESSIONAL ENGINEER &
REGISTERED LAND SURVEYOR NO. 153069



OWNER'S DEDICATION

RECORD

FOR R.T.
PAGE 7, HEREBY
AND HEREBY
SHOWN.

NOT

BY ME, THE
SAID
I SAY THAT
THE
COMPANY
HOLD THE

THIS IS TO BE FILED

00970968 Bk 1789 Pg 14
RUSSELL SHIRTS & WASHINGTON CO RECO
2005 SEP 13 10:33 AM FEE \$24.00 B
FOR: DIXIE TITLE CO

**SUPPLEMENTARY DECLARATION
TAVIAWK SUBDIVISION – PHASE X**

Kayenta Homes, Inc., Declarant under that certain Declaration of Covenants, Conditions, and Restrictions of Taviawk Subdivision – Phase I-IV, a Planned Residential Development, filed of record on April 17, 1998, as Entry No. 599234, Book 1202, Pages 628, et seq. of Official Washington County Records, (hereinafter collectively referred to as the “Declaration”) hereby exercises its rights and privileges under said Declaration as follows:

1. Declarant hereby annexes to Taviawk Subdivision Phases I, II, III, IV, V, and IV (71 lots) the following described property located in Ivins City, County of Washington, State of Utah, concluding as set forth on that certain Plat filed concurrently herewith:

All of TAVIAWK SUBDIVISION, PHASE X, more particularly described as follows: (See Exhibit A attached hereto)

2. Lots 153-170, Phase X are hereby added to the Taviawk Subdivision Project. The number of lots being added is 18 lots. The total number of lots in Taviawk Subdivision Phases I-VI, and X is now 89 lots.

3. All lot owners in the new phase described above will become members of the Taviawk Home Owners Association and will be entitled and subject to all rights, powers, privileges, covenants, restrictions, easements, charges, and liens as set forth in the original Declaration of Taviawk Subdivision as supplemented. Where specific clauses are set forth in this Supplementary Declaration, they shall control over the Declaration. The annexed land is to be held, sold, conveyed, encumbered, occupied, and approved as part of the property, subject to the Declaration, as supplemented by these documents.

4. Declarant continues to reserve all rights to expand, and such other rights as are conferred in the Declaration. Declarant further reserves the right to grant access for ingress and egress for all utilities to any other project in the area where the roads of this Plat may serve other future projects.

5. The same architectural covenants as contained in the Declaration of Taviawk Subdivision – Phases I-VI, shall apply to this subdivision described at Exhibit A, except as modified by this Supplemental declaration.

6. The de-vegetated condition of the Taviawk Phase X site, and the nature of the adjacent and nearby developed properties (including Indian Shadows subdivision and Summit Ridge subdivision) provides design and development challenges which require an approach which differs from other Taviawk phases. Effective design solutions are difficult to accomplish given the constraints of the Basic ACC Standards set forth in Exhibit "F" of the Declaration.

Latitude given in site coverage, building height and geometry, grading and revegetation will allow for innovation in design which can result in an effortless transition between the existing community of homes to the east with the Kayenta-style architecture and landscape appearance of Taviawk.

Modifications of Exhibit "F," Basic ACC Standards, shall be established specifically and solely for Taviawk Phase X, primarily but not exclusively for Lots 158-170. In order to accomplish this purpose, Declarant reserves the right to modify the requirements of Exhibit "F" wherein at the sole discretion of Declarant such modification will result in no material harm to the architectural integrity of the Taviawk subdivision.

7. Due to the sensitive nature of the topography and/or location, or other features, Declarant reserves unto itself or its assigns, the right to architectural approval of any

building or landscape plans that may be proposed for such lots. Said right to architectural approval of any building or landscape plans may be withheld by Declarant if in the opinion of Declarant or his architect the proposed plans would be detrimental to the project in any material way. The decision of the Declarant in this regard shall be final.

With the annexation of Taviawk subdivision, Phase X, Lots 155, 156, and 157 are added with existing residences. These residences are hereby approved as constructed, and as-built plans of each of these residences shall be provided to Kayenta ACC for its record. Any additions modifications or additions to landscape not shown on as-built plans shall require the approval of the Kayenta ACC as appointed by the Taviawk Home Owners Association.

Declarant reserves the right to approve architectural plans for lots 158-170 independent of consensus or approval or the Taviawk Home Owners Association or its appointed ACC.

8. Modification of Basic ACC Standards. As set forth on the plat, there is a 20' Trail Easement on the East side of Taviawk Parkway (Phase X), and on the North side of 450 North. The trail Easement shall be subject to the same terms as those outlined in the Declaration.

9. Drainage. A drainage easement is established within the boundaries of the twenty foot trail easement for the full western boundary of Taviawk Phase X (along Taviawk Drive). On Lots 156, 157, 158, 159, and 164, the area of the drainage easement is expanded to the east to provide for the construction and operation of storm water detention basins. The trail/detention basin design on Lots 156-159 allow for the integration of trail into and through basin area. Detention basins and associated storm

drain pipe is to be maintained by the Taviawk Home Owners Association, along with the trail and landscape within the trail easement area.

No structures other than trail surface and drainage structure inlets/outlets shall be built in drainage easement areas. Landscaping is permitted. In that portion of the drainage easement located on Lot 164, in which the storm drain pipe is located, a driveway, patios, courtyard walls, and landscape are permitted over the easement.

10. Article VI, Paragraph 6, Date of Commencement of Annual Assessments shall be modified for Taviawk Phase X as follows: Date of commencement of annual assessment on lots 155, 156, and 157 shall commence upon substantial completion of subdivision utility and road construction work which shall be established as the 1st day of the calendar month after asphalt road surface is completed. The annual assessment for all other lots shall commence in accordance to Declaration. "Sale of Lot" shall mean the sale of a lot to a disinterested third party, and shall exclude the transfer of ownership interest through exchange or distribution of property between the current ownership.

Kayenta Homesites, Inc. By: [Signature]
President, R.T. Marten

Kayenta Development, Inc. By: [Signature]
Vice-President, Lance Anderson

Creosote Group, LLC By: [Signature]
Manager, Kerry Erce

Individual By: [Signature]
Maritz Karren

Individual By: [Signature]
Phillip Karren

Individual By: [Signature]
R.T. Marten

Individual

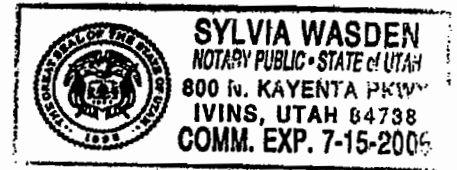
By: Maritza Karren
Maritza Karren

State of Utah
County of Washington) S.S.

On the 1 day of Sept., 2005, personally appeared before me the undersigned Notary Public, in and for said county of Washington in said state of Utah, Maritza Karren, who being by me duly sworn, did acknowledge that she signed the foregoing instrument who duly acknowledged to me that she executed the same.

Commission Expires: 7-15-06

Sylvia Wasden
Notary Public-Washington County
State of Utah



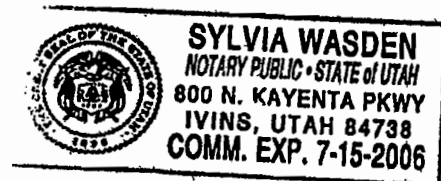
Individual

By: Phillip Karren
Phillip Karren

On the 1 day of Sept., 2005, personally appeared before me the undersigned Notary Public, in and for said county of Washington in said state of Utah, Phillip Karren, who being by me duly sworn, did acknowledge that he signed the foregoing instrument who duly acknowledged to me that he executed the same.

Commission Expires: 7-15-06

Sylvia Wasden
Notary Public-Washington County
State of Utah



DECLARANT

Kayenta Homesites, Inc.

By: [Signature]
R.T. Marten, President

State of Utah
County of Washington) S.S.

On the 1 day of Sept., 2005, personally appeared before me R.T. Marten, who being by me duly sworn did say that he is the President of Kayenta Homesites, Inc. and that said instrument was signed in behalf of said corporation by authority of its bylaws (or of a resolution of its Board of Directors, as the case may be), and he acknowledged to me that said corporation executed the same.

Commission Expires 7-15-06

Sylvia Wasden
Notary Public-Washington County



Vice President

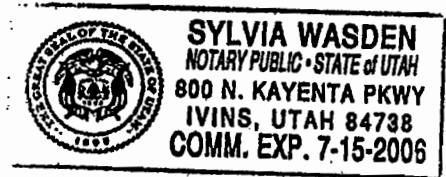
Kayenta Development
By: [Signature]
Lance Anderson, Vice President
Kayenta Development, Inc.

On the 1 day of Sept., 2005, personally appeared before me Lance Anderson, who being by me duly sworn did say that he is the Vice- President of Kayenta Development, Inc. and that said instrument was signed in behalf of said corporation by authority of its bylaws (or of a resolution of its Board of Directors, as the case may be), and he acknowledged to me that said corporation executed the same.

State of Utah
County of Washington) S.S

Commission Expires: 7-15-06

Sylvia Wasden
Notary Public-Washington County



Manager

Creosote Group, LLC

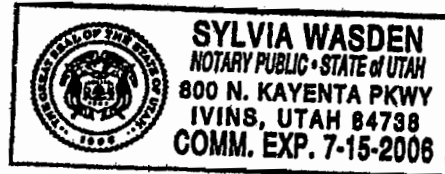
By: Kerry Ence
Kerry Ence, Manager

State of Utah
County of Washington)S.S.

On the 1 day of Sept., 2005, personally appeared before me Kerry Ence, Creosote Group, L.L.C. and that he executed the foregoing owners dedication on behalf of said limited liability company being authorized and empowered to do so by the operating agreement of Creosote Group, L.L.C. and that he executed the foregoing instrument on behalf of said limited liability company being authorized and empowered to do so by the operating agreement of Creosote Group, L.L.C. and he did duly acknowledge to me that such limited liability company executed the same for the uses and purposes stated therein.

Commission Expires: 7-15-06

Sylvia Wasden
Notary Public-Washington County



Individual

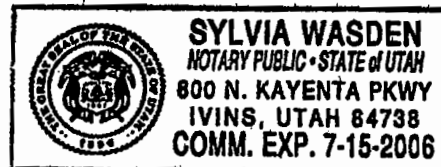
By: R.T. Marten
R.T. Marten

State of Utah
County of Washington) S.S.

On the 1 day of Sept., 2005, personally appeared before me the undersigned Notary Public, in and for said county of Washington in said state of Utah, R.T. Marten who being by me duly sworn, did acknowledge that he signed the foregoing instrument who duly acknowledged to me that he executed the same.

Commission Expires: 7-15-06

Sylvia Wasden
Notary Public-Washington County
State of Utah

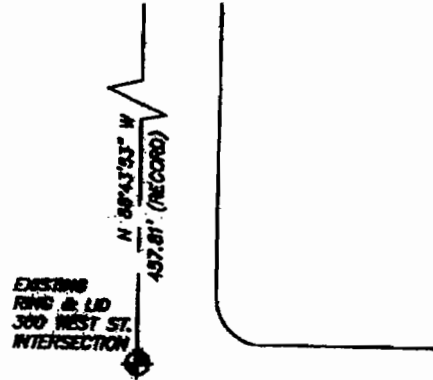


00970968 Bk 1789 Ps 14

UNPROPORTIONED
SEWER LINE AND MANHOLE
ACCESS EASEMENT

UT 1.10

S 01°1
INDIAN SH



EXISTING
RHS & LD
300 WEST ST.
INTERSECTION

LINE TABLE		
LINE	LENGTH	BEARING
L4	79.24'	N 00°32'26\"
L5	88.06'	N 02°03'48\"
L6	205.84'	S 01°15'41\"
L7	115.30'	S 01°15'41\"
L8	32.12'	N 02°03'48\"
L9	68.17'	N 01°15'41\"
L10	35.57'	N 01°15'41\"
L11	47.91'	S 01°15'41\"
L12	198.06'	N 02°03'48\"
L13	297.82'	S 01°15'41\"
L14	0.15'	S 89°07'34\"
L15	57.84'	N 00°32'26\"

CURVE	LENGTH
C1	9.83'
C2	33.88'
C3	9.07'
C4	21.78'
C5	42.17'
C6	11.57'
C7	4.84'
C8	22.43'
C9	44.48'
C10	10.51'
C11	79.38'
C12	13.62'
C13	13.62'
C14	78.33'
C15	2.18'
C16	38.14'
C17	41.01'
C18	8.71'
C19	42.85'
C20	35.82'

SURVEYOR'S CERTIFICATE

I, LLOYD RIED POPE, HEREBY CERTIFY THAT I AM A PROFESSIONAL ENGINEER AND REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE OF REGISTRATION NUMBER 153069 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORIZATION OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, COMMON AREAS, AND PRIVATE ROADS HEREAFTER KNOWN AS:

"TAVIAWK SUBDIVISION PHASE X"

AND THAT THE SAME HAS BEEN CORRECTLY STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT S 01°16'51\" W 1322.37 FEET ALONG THE CENTER SECTION LINE AND S 90°00'00\" E 124.36 FEET FROM THE NORTH 1/4 CORNER OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON THE SOUTH BOUNDARY LINE OF "TAVIAWK SUBDIVISION PHASE VII" AS RECORDED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER AND RUNNING THENCE S 01°15'41\" W 269.15 FEET; THENCE N 88°44'19\" W 140.00 FEET; THENCE S 01°15'41\" W 363.43 FEET TO THE POINT OF A 15.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 90°00'00\" AND ALONG THE ARC OF SAID CURVE 23.36 FEET TO THE POINT OF TANGENCY; THENCE S 88°44'19\" E 125.00 FEET TO THE SOUTHWEST CORNER OF LOT 9 - INDIAN SHADOWS SUBDIVISION PHASE 1\" AS RECORDED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER; THENCE ALONG THE WEST BOUNDARY LINE OF SAID SUBDIVISION S 01°15'41\" W 647.75 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF 450 NORTH STREET; THENCE N 88°44'19\" W 332.82 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF 400 WEST STREET AS RECORDED ON THE ROAD DEDICATION MAP OF SAID STREET IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER ENTRY #841292; THENCE ALONG SAID RIGHT OF WAY LINE N 00°32'49\" E 1285.22 FEET TO THE SOUTHWEST CORNER OF SAID "TAVIAWK SUBDIVISION PHASE VII"; THENCE ALONG THE SOUTH BOUNDARY OF SAID SUBDIVISION S 88°46'25\" E 348.97 FEET TO THE POINT OF BEGINNING.

CONTAINING: 8.921 ACRES



OWNER'S DED.

KNOWN ALL MEN BY THESE PRESENTS THAT THE THE ABOVE DESCRIBED TRACT OF LAND, HAVING SUBDIVIDED INTO LOTS, COMMON AREAS, AND PR HEREAFTER KNOWN AS:

"TAVIAWK SUBDIVISION

AND DOES HEREBY DEDICATE TO THE COMMON U OWNERS IN SAID SUBDIVISION, BUT NOT THE GEN ROADWAYS SHOWN ON THIS PLAT, IN ACCORDANCE OF DEDICATIONS OF SAID COMMON AREAS AS IN THE "DECLARATION OF COVENANTS, CONDITIONS, SUBDIVISION", RECORDED IN THE OFFICE OF THE ON THIS ___ DAY OF ___ 19___, BOOK ___ PAGE ___ THE SUPPLEMENTAL DECLARATION OF TAVIAWK S CONCURRENTLY HEREWITH, SAID DECLARATION OF RESTRICTIONS AND SUPPLEMENTAL DECLARATION MADE PART OF THIS PLAT.

IN WITNESS WHEREOF I HAVE HEREUNTO SET THIS

Larry Enns
LARRY ENNS - MANAGER

[Signature]
MAN