

Entry No. 437180
Recorded 7-11-96 134PM
Bk. 489 Pg. 261 Fee 13.00
262
Melanie Mosher
Recorder of Grand County

DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF ORCHARD VILLA TOWNHOMES, PHASE TWO

THIS DECLARATION is made on the date hereinafter set forth by PORTAL DEVELOPMENT L.L.C., a Utah limited liability company, hereinafter referred to as "Declarant."

WITNESSETH:

WHEREAS, Declarant is the owner of certain property in Moab, County of Grand, State of Utah, which is more particularly described as follows, to-wit:

Orchard Villa Townhomes, Phase Two, according to the plat thereof recorded 7-11-96, 1996, as Entry Number 437179 in Book 489 at Page 260; and

WHEREAS, Declarant adopted, executed and published Declaration of Covenants, Conditions and Restrictions of Orchard Villa Townhomes, Phase One, which is recorded as Entry Number 430211 in Book 459 at Page 511-531 ("Phase One Declaration") dated 1/14/94; and

WHEREAS, pursuant to Article VIII of the Phase One Declaration, the Declarant reserved the right to expand the Project to include additional lots denominated "Orchard Villa Townhomes, Phase Two" by the filing for record in the office of the Clerk and Recorder of Grand County, Utah a supplemental declaration setting forth the real property to be included in the expansion; and

WHEREAS, Declarant now desires to expand the Project to include Orchard Villa Townhomes, Phase Two as provided in the Phase One Declaration;

NOW, THEREFORE, Declarant hereby declares that all of the properties described above shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions of the Phase One Declaration.

Declarant further declares that the above-described property shall not be subject to any easements, restrictions, covenants and conditions other than those set forth in the Phase One Declaration and no additional easements, restrictions, covenants and conditions are herein imposed.

This Declaration shall take effect upon recording hereof.

