

9079236
06/02/2004 03:28 PM 175.00
Book - 8996 Pg - 2893-2906
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
MERIDIAN TITLE
BY: SBM, DEPUTY - WI 14 P.

**DECLARATION OF
COVENANTS, CONDITIONS & RESTRICTIONS
OF THE CANYONVIEW PARK SUBDIVISION AND THE VILLAGE AT
CANYONVIEW PARK**

THIS DECLARATION is made this 26th day of April, 2004 by Bach Builders & Developers L.L.C., hereinafter referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant is the owner of certain property (hereinafter referred to as the "Lot(s)") in Riverton City, Salt Lake County, State of Utah, more particularly described as follows:

All of the 82 Lots in the Village at Canyonview Park Phase 1 and 2 and the 229 lots of the Canyonview Park Subdivision according to the official plat inclusive of Phases 1, 2, 3, and 4, to be filed with the Salt Lake County Recorder in Salt Lake City, Utah.

WHEREAS, Declarant intends that the Lots, and each of them, together with the Common Easements as specified herein, shall hereafter be subject to the covenants, conditions, restrictions, reservations, assessments, charges and liens herein set forth.

WHEREAS, THEREFORE, Declarant hereby declares, for the purpose of protecting the value and desirability of the Lots, that all of the Lots shall be held, sold and conveyed subject to the following easements, restrictions, covenants, and conditions, which shall run with the Lots, and be binding on all parties having any right, title and interest in the Lots or any part thereof, their heirs, successors and assigns, and shall insure to the benefit of each Owner thereof.

**ARTICLE I
ARCHITECTURAL CONTROL**

SECTION 1. The Architectural Control Committee shall be composed of the Architectural Control staff of Bach Builders & Developers L.L.C. A majority of the committee may designate a representative to act for it. In the event of death or resignation of any member of the committee, the remaining members of the committee shall have full authority to select a successor. Neither members of the committee, nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. In addition to the Architectural Control Committee, the City of Riverton shall also review and approve the plans and specifications.

SECTION 2. Riverton City and the Committee's approval or disapproval as required in these covenants shall be in writing and shall be in conformance to the Design Elements Master Plan, Section 6 of the Canyonview Park Specific Development Plan as approved by Riverton City June 17, 2003, and shown by Exhibit A. The Owner must submit a set of formal plans, specifications, and site plan to the Committee before the review process can commence.

ARTICLE II RESIDENTIAL AREA COVENANTS

SECTION 1. Easements.

Easements for all installations and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow of drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels in the easements.

SECTION 2. Nuisances.

No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. No rubbish or debris of any kind shall be placed or permitted to accumulate upon the Property and no odors shall be permitted to arise there from so as to render any part of the Property unsanitary or unsightly or which would be offensive or detrimental to any other part of the Property or to the occupants thereof. No metals, bulk materials, scrap, refuse, trash or non-operable vehicles shall be kept, stored or allowed to accumulate on any Lot except within an enclosed structure or when appropriately screened from view.

SECTION 3. Temporary Structures.

No structures of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuildings shall be used on any Lot at any time as a residence, either temporarily or permanently.

SECTION 4. Garbage and Refuse Disposal.

No Lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers.

SECTION 5. Recreational Vehicles.

Boats, trailers, and campers shall be parked only within the Lot of the Owner concerned. When parked within a lot, such boats, trailers, campers, and similar vehicles shall be kept in an enclosed structure or screened from view from the street and behind the front setback of the home.

SECTION 6. Animals.

No animals other than small household pets (dogs, cats, birds, hamster, fish, etc.) shall be kept or allowed on any Lot. Dog kennels, runs, and houses shall be restricted to the rear yards of all houses. Whenever a permitted animal is allowed to leave a Lot it shall be either on a leash or in a cage.

SECTION 7. Weed Control.

After a Lot is initially sold, each Lot Owner shall, to the extent reasonably feasible, control the growth and proliferation of noxious weeds and other flammable materials on his Lot so as to minimize fire and other hazards to surrounding Lots, Living Units, and surrounding properties, and shall otherwise comply with any applicable ordinances, laws, and regulations pertaining to the removal and/or control of noxious weeds.

Section 8. Landscaping

Each lot home owner will be responsible to meet the landscape requirements outlined in Exhibit A. Front yard landscaping, including an automatic sprinkler system, is to be installed prior to occupancy including street trees in the park strip which are to be a minimum of 1 ½" caliper in size and the species indicated in Exhibit A. Back yards are to be landscaped within 180 days of occupancy. In the event that homeowner is unable to install landscaping due to inclement weather, Riverton City will require bonding of sufficient funds to insure landscape installation when weather permits.

**ARTICLE III
GENERAL PROVISIONS**

SECTION 1. Enforcement.

Any owner shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by any Owner to enforce any covenants or restrictions herein contained shall in no event be deemed a waiver of the right to do so thereafter.

SECTION 2. Severability.

Invalidation of any of these covenants or restrictions by judgment or court order shall in no wise affect any other provision which shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand this 26th day of April, 2004.

DECLARANT:

Bach Builders & Developers, L.L.C.

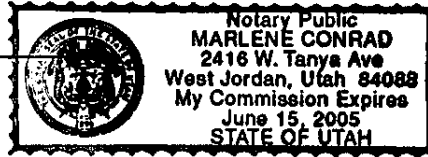


by: Dale L. Rindlisbacher, Managing Member

State of Utah)
)
 :ss
County of Salt Lake)

The foregoing instrument was acknowledged before me this 26th day of April,
2004 by Dale Rindlisbacher representing Bach Builders + Developers, LLC
in capacity of Managing Member.

Marlene Conrad
Notary



DESIGN ELEMENTS MASTER PLAN

SECTION 6

A. ARCHITECTURE

A "Craftsman" architectural style has been created for Canyonview Park through building massing, details and color. The project will broaden market appeal and increase visual diversity by creating different massing, garage placement, street setbacks, and one-story and two-story elements within each product line.

With respect to elevations, porches, entry doors, windows, living areas, and courtyards will relate to the adjacent street(s) to create a welcoming appearance and promote individuality. Building forms will have integrity and will respect the architectural style. Building forms will vary from house to house to create an attractive street appearance and to be sensitive to adjacent lots and streets. Single-story elements, plane breaks, balconies, arcades, and three-sided courtyards will occur on elevations visible to a street.

The structures at Canyonview Park will have plans that are well thought-out and well composed for economical construction and to be consistent with the quality of neighboring homes. Roof forms will be consistent on all sides of the house and will vary from house to house to avoid the repetition of identical gables or hipped roofs along a street. The roof design, materials, shapes, and colors will be appropriate to the architectural style.

B. NEIGHBORHOOD-ORIENTED COMMUNITY

The SP-R8 zone will include a well-planned, gated, single-family development of approximately 5,000 sq. ft. lots (average). All of the homes will be owner-occupied and will be governed by a Homeowners Association that will care for the private roads, front yard landscape of each lot, the playground within the development and the open space trail along Canyonview Lane. The development concept places an emphasis on pedestrian movement within the development, promotes the interaction between neighbors and de-emphasizes the vehicle. The community will be gated with a security entrance gate at Anasazi Drive. The Shawnee Drive and Seminole Road entrances will be equipped with automated exit gates. The residential units will be constructed with a stucco exterior. Garages and parking areas will be located to the rear of the structures to allow for front porches and sitting areas on the street side of all the units. (See Figure 6-2a.) Carports are not allowed in this zone. The individual units may or may not share a common wall with an adjacent unit and may or may not share a common driveway with an adjacent unit to reduce the number of curb cuts required along the streetscape. (See Figures 6-2b and 6-8.) At the buyer's option, the unit may be constructed entirely within a single lot.

C. LANDSCAPING

1. Entry Feature

The Canyonview Park entry feature will be visually appealing. It will denote the main entrance to the project. The entrance will be broad and will lend a sense of welcome. The walls comprising the entry feature will be constructed of stone and stucco. The architectural elements found in the entry feature will mirror those found in the architectural style throughout the project. Figure 6-3 displays a conceptual elevation for the entry feature and will be constructed in the center island at the main entrance to the project on 12600 South.

2. Fencing

Approved June 17, 2003

Two types of fencing will be used in Canyonview Park: a precast concrete wall and a vinyl fence. A schematic drawing of each of these fences is found on Figure 6-3. Approximate dimensions of the fence components are also included. The figure also locates the various fence types throughout the project. Existing vinyl fences at existing subdivisions will be left in place.

3. Landscaping

a. *Street Side Treatments*

Side treatments are shown in Figures 6-4 through 6-9. The figures display the types of side treatments that will be found in Canyonview Park. The first side treatment is shown on 12600 South. Riverton City requires 18.5 feet for side treatments on 12600 South (including curb and gutter). At Canyonview Park that will be expanded by 16 feet for a total of 34.5 feet of landscape side treatments. The sidewalk will be 6 feet in width and will meander through the corridor. Japanese Zelkova and Littleleaf Linden will be planted in a grouped pattern this section.

The second type of side treatment will be used on collector roads. A ten-foot wide open space trail system will be constructed on each side of the right-of-way as depicted in Figures 6-5a and 6-5b. The developer will install 5 feet of grass with a 5-foot sidewalk. The sidewalk will not meander. Sycamore Maples and Littleleaf Lindens will be planted in this section.

The third type of side treatment will be found on minor interior roads. It will also be 12.5 feet wide with the curb and gutter. Again, 5 feet of park strip will separate the curb and gutter from the 5-foot sidewalk. The sidewalk will not meander. Street trees selected by the homeowner from the Riverton City Street Tree List will be planted by the homeowner in a straight line at 25-30 feet on center through this section.

The last type of the side treatments are those found on cul-de-sacs. This section is 12.5 feet in width. Five feet of park strip will separate the curb and gutter from a 5-foot sidewalk. The section terminates at the back of sidewalk. Callery Pear will be planted in a straight line at 25 feet on center through this section.

Plan and profile views of all four sections are located on Figures. The figure also locates the sections on a street tree schematics drawing. Additionally, the figure plans for accent points found at various intersections throughout Canyonview Park. Crabapple trees will be planted according to the figure in these areas of the development. (See Figure 6-9.)

b. *Individual Lot Landscape*

Each Lot must be properly and completely landscaped according to Riverton City Standards. Front yard landscaping must be installed prior to occupancy. Each new homeowner will plant a minimum of two trees in the park strip fronting the lot as shown in Figures 6-4 through 6-8. An automatic sprinkler system is required on each lot.

Approved June 17, 2003

4. Street Lighting

Figure 6-5 displays the conceptual design for street lighting within Canyonview Park. The figure shows lighting for 12600 South, collector roads, interior roads, and bollards (where necessary). Lights will be ultimately located on the Utility Plan during the design phase of Canyonview Park.

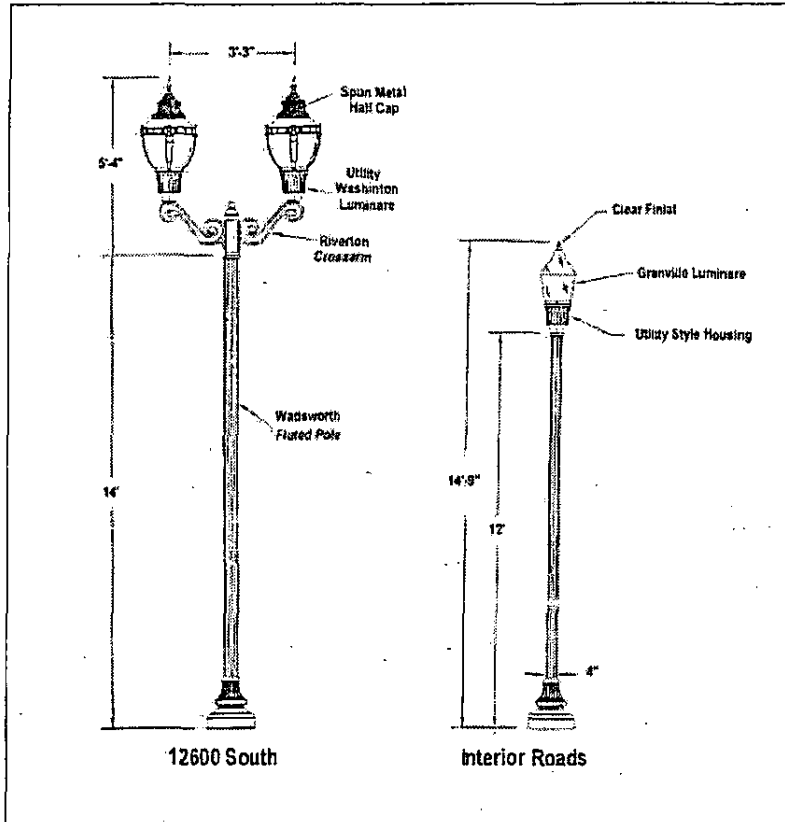


Figure 6-1. Street Lighting.

Approved June 17, 2003

Canyonview Park Specific Plan
J & J Development, LLC

6-3

Riverton City, Utah
Allred Soffe Wilkinson & Nichols, Inc.

BK 8996 PG 2899

D. LAND USE ZONING DESIGNATIONS

1. Zoning Summary

The Canyonview Park project has been designed with five different zones. These are listed below:

1. SP-R5 (Single-Family Detached Residential - 5 Dwelling Units Per Acre)
2. SP-R7 (Single-Family Detached Residential - 7 Dwelling Units Per Acre)
3. SP-R8 (Single-Family Attached & Detached Residential - 8 Dwelling Units Per Acre)
4. Open Space

Table 6-1 lists each of these zones accompanied by their respective zoning restrictions in summary form. Following the table, each zone is described in further detail.

Table 6-1: Zoning Summary

Zoning Designations	SP-R5	SP-R7	SP-R8
Minimum Lot Area	8,000 SF	6,000 SF	4,500 SF
Minimum Lot Width	68'	60'	45'
Minimum Lot Depth	90'	80'	80'
Minimum Front Yard Setbacks	22'	20'	10'
Minimum Side Yard Setbacks	Main Bldg: 7' / Combined Min: 15' Accessory Bldg: 5'	Main Bldg: 5' / Combined Min: 12' Accessory Bldg: 5'	Varies 0-5'
Minimum Corner Lot Side Yard Setbacks	20'	15'	10'
Minimum Rear Yard Setbacks	Main Bldg: 20' Accessory Bldg: 5'	Main Bldg: 15' Accessory Bldg: 5'	10'
Minimum Living Area	1,400 SF above grade	1,400 SF above grade	1,200 SF
Maximum Building Height	35'	35'	35'
Minimum Distance Between Buildings	N/A	N/A	N/A
Maximum Fencing Height	Rear Yard: 6' Front Yard Setback: 3'	Rear Yard: 6' Front Yard Setback: 3'	Rear Yard: 6'

Note: The City of Riverton measures setback to the closest point of the structure.

Approved June 17, 2003

2. SP-R5 (Single Family Detached Residential - 5 Dwelling Units Per Acre)

The SP-R5 (Single Family Detached Residential - 5 Dwelling Units Per Acre) designation is designed to permit the development of typical single-family detached neighborhoods on lots with at least 8,000 square feet in area. The following zoning regulations shall apply to areas designated on the Land Use Plan as R5. (Note: The City of Riverton measures setback to the closest point of the structure.)

- City Zoning Ordinances requirements shall apply.*
- a. Permitted uses.
 - *Single family dwelling.*
 - *Accessory uses and buildings customarily incidental to a permitted use.*
 - b. Conditional Uses.
 - *Home Occupations.*
 - c. Lot area
The minimum lot area shall be 8,000 square feet.
 - d. Lot width
The minimum lot width shall be 68 feet measured at the front yard setback line, except at cul-de-sacs or road bends where lot width shall be measured at a point 30' back from front property line.
 - e. Lot Depth
The min. lot depth shall be 90 feet.
 - f. Front yard
The minimum front yard setback shall be 22 feet.
 - g. Side yards
 - *Main Building: Seven (7) feet minimum with a combined ^{15'} minimum of ~~eighteen (18)~~ feet.*
 - *On corner lots, the street side yard setback shall be fifteen (15) feet from the right-of-way.*
 - *Accessory Buildings: The minimum side yard shall be five (5) feet. All other standard City Zoning Ordinance requirements shall apply.*
 - *On corner lots, the street side yard setback shall be twenty (20) feet from any right of way dedication. All other standard*
 - h. Rear yard.
 - *Main Building: The min. rear yard setback shall be 20 feet.*
 - *Accessory Building: The minimum rear yard setback shall be five (5) feet. All other standard City Zoning Ordinance requirements shall apply.*
 - i. Min. Living Area Square Footage
The minimum finished living area square footage shall be 1,400 square feet above grade.
 - j. Maximum building height
Main Buildings: 35 feet. No dwelling shall contain less than one story. No dwelling units may contain more than two stories. Accessory buildings: 25 feet.
 - k. Fencing
Fencing for all residential lots shall be based upon the following criteria:
 - *Rear yard fencing height shall be a maximum of six (6) feet.*
 - *Fencing constructed within the front yard setback shall a maximum of three (3) feet in height.*
 - *Fencing materials shall consist of stone, brick, stucco, textured concrete, vinyl and/or similar materials.*
 - *Fencing along collector and/or arterial streets shall be constructed to Riverton City standards.*

Approved June 17, 2003

3. SP-R7 (Single Family Detached Residential - 7 Dwelling Units Per Acre)

The SP-R7 (Single Family Detached Residential - 7 Dwelling Units Per Acre) is designed to permit the development of typical single-family detached neighborhoods on lots ranging from 6,000 to 8,000 square feet in area. The following zoning regulations shall apply to areas designated on the Land Use Plan as R7. (Note: The City of Riverton measures setback to the closest point of the structure.)

d. Permitted uses.

- Single family dwelling.
- Accessory uses and buildings customarily incidental to a permitted use.

e. Conditional Uses.

- Home Occupations.

f. Lot area

The minimum lot area shall be 6,000 square feet.

d. Lot width

The minimum lot width shall be 60 feet measured at the front yard setback line, except at cul-de-sacs or road bends where lot width shall be measured at a point 30' back from front property line.

e. Lot Depth

The min. lot depth shall be 80 feet.

f. Front yard

The minimum front yard setback shall be 20 feet.

g. Side yards

- Main Building: Five (5) feet minimum with a combined minimum of twelve (12) feet.
- On corner lots, the street side yard setback shall be fifteen (15) feet from the right-of-way.
- Accessory Buildings: The min. side yard shall be five (5) feet. All other standard City Zoning Ordinance requirements shall apply.
- On corner lots, the street side yard setback shall be fifteen (15) feet from any right of way

dedication. All other standard City Zoning Ordinances requirements shall apply.

h. Rear yard.

- Main Building: The min. rear yard setback shall be 15 feet.
- Accessory Building: The minimum rear yard setback shall be five (5) feet. All other standard City Zoning Ordinance requirements shall apply.

i. Min. Living Area Square Footage

The minimum finished living area square footage shall be 1,400 square feet above grade.

j. Maximum building height

Main Buildings: 35 feet. No dwelling shall contain less than one story. No dwelling units may contain more than two stories. Accessory buildings: 25 feet.

l. Fencing

- Fencing for all residential lots shall be based upon the following criteria:
- Rear yard fencing height shall be a maximum of six (6) feet.
 - Fencing constructed within the front yard setback shall a maximum of three (3) feet in height.
 - Fencing materials shall consist of stone, brick, stucco, textured concrete, vinyl and/or similar materials.
 - Fencing along collector and/or arterial streets shall be constructed to Riverton City standards.

Approved June 17, 2003

4. SP-R8 (Single-Family Attached & Detached Residential - 8 Dwelling Units Per Acre)

The SP-R8 (Single-Family Attached & Detached Residential - 8 Dwelling Units Per Acre) is designed to permit the development of single-family attached and detached unit types on lots ranging from approximately 4,500 to 6,000 square feet in area. The units are sited on each lot with garages at the rear of the units in order to incorporate new urbanism concepts that encourage pedestrian and neighborhood relationships. The following zoning regulations shall apply to areas designated on the Land Use Plan as R8. (Note: The City of Riverton measures setback to the closest point of the structure.)

- a. Permitted uses.
 - Single-family dwelling.
 - Accessory uses and buildings customarily incidental to a permitted use.
- b. Conditional Uses.
 - Home Occupations.
- c. Lot area
The minimum lot area shall be 4,500 square feet.
- d. Lot width
The minimum lot width shall be 45 feet measured at the front yard setback line, except at cul-de-sacs or road curves where lot width shall be measured at a point 30 feet back from front property line.
- e. Lot Depth
The minimum lot depth shall be 75 feet.
- f. Front yard
The minimum front yard setback shall be 10 feet as measured from the right-of-way line. Refer to Figure 6-8.
- g. Side yards
 - *Varies- Zero (0) feet when attached to an adjacent building on an adjoining lot, to a minimum of Five (5) feet when detached.*
- h. Rear yard.
 - *Main Building: The min. rear yard setback shall be ten (10) feet with a minimum of twenty (20) feet rear separation between main buildings on rear adjoining lots.*
 - *Accessory Building: The minimum rear yard setback shall be five (5) feet with a minimum of ten (10) feet of separation between accessory buildings on rear adjoining lots.*
- i. Min. Living Area Square Footage
The minimum finished living area square footage shall be 1,200 square feet.
- j. Maximum building height
Main Buildings: 35 feet. No dwelling shall contain less than one story. No dwelling units may contain more than two stories. Accessory buildings: 25 feet.
- d. Fencing
Fencing for all residential lots shall be based upon the following criteria:
 - *Rear yard fencing shall be a maximum of six (6) feet in height.*
 - *Fencing constructed within the front yard setback shall a maximum of three (3) feet in height.*
 - *Fencing materials shall consist of stone, brick, stucco, textured concrete, vinyl and/or similar materials.*
 - *Fencing along collector and/or arterial streets shall be constructed to Riverton City standards.*

Approved June 17, 2003

5. OS (Open Space Zone)

A large percentage, 20%, of the Canyonview Park development will remain in either permanent open space in the form of parks, clubhouses, schools, and churches. The Open Space zoning area will also include recreational facilities that will be privately owned and maintained. Zoning regulations within the public areas should allow the development of recreational elements and features that contribute to not only the lifestyle of community residents, but the residents of Riverton City as well.

a. Permitted uses

- *Public schools*
- *Churches.*
- *Parks and accessory buildings associated with park improvements.*

b. Lot area, width and depth

There are no minimum lot area, width or depth requirements.

The remainder of the zoning requirements for the open space zone shall follow the regulations set forth under the Riverton City zoning ordinance neighborhood commercial zone.

Approved June 17, 2003

E. ARCHITECTURAL STANDARDS

All building construction within the area of the Canyonview Park Specific Plan shall be required to conform to the following architectural standards:

1. Architectural Review Committee

Developer may, at any time, establish an Architectural Review and Control Committee consisting of one or more property owners within the Subdivision, in which case, said persons as an Architectural Committee shall have all of the rights and authorities pertaining to the architectural specifications and control as provided herein to the Developer. Said Architectural Review and Control Committee (hereinafter "Architectural Committee" or "Committee") shall be established in writing and the same may (but is not required to) be recorded. The members of the Committee may be changed at any time by majority vote of the property owners within the Subdivision. It is anticipated that over time, the Developer shall phase itself out of majority control of the Subdivision. Continuing governance of the Subdivision as it relates to the interpretation and enforcement of these restrictions shall be assumed by the Lot Owners in the Subdivision, acting by a majority vote. The authority of the Developer / Architectural Review Committee shall be limited to the enforcement of those standards set forth in this specific plan. Any changes or approvals outside this Specific Plan must be approved by Riverton City in writing.

2. Requirements

- a. No building, fence, wall, hedge or structure or permanent improvement of any type, shall be constructed on any Lot until the plans and specifications, including design, location, description of materials, color scheme and a grading plan showing the location of the proposed structure or improvement, with all necessary supporting details associated therewith, have been approved in writing by the Developer, or such Architectural Committee as Developer may establish as provided hereunder, and approved by the City. No later changes or additions after initial approval thereof or remodeling or reconstruction shall commence until such has also been approved in writing by the Developer or its assignee or the Architectural Committee, as the case may be, and approved the City. Before commencement of any such construction, the Owners of Lots shall present their plans and specifications to the Developer. Plans and specifications must be acted on by the Developer within thirty (30) days after submission. If the Developer fails to act on said plans and specifications within said thirty (30) day period after submission, the plans and specifications shall automatically be approved by the Developer. The City of Riverton shall also review and approve the plans and specifications.
- b. The Developer or the City shall have the right to refuse to approve any plans and/or specifications which are not suitable or desirable, in its opinion, for aesthetic or other reasons, and in so passing upon such plans and/or specifications, shall have the right to take into consideration the suitability of the proposed building or other structure or improvements, the materials of which it is built, the site upon which it shall be erected, the harmony thereof with the surroundings and the effect of the building or other structure on the roadways as planned and the view from the adjacent or neighboring properties. In the event of the failure of the purchaser or purchases of lots in the development to obtain or to comply with the required prior written approval of plans under this paragraph, said purchaser hereby agree to reimburse the Developer or its assigns for all costs and expenses to which it may be put as a result of said failure, including but not limited to, court costs and any improvements required

Approved June 17, 2003

Canyonview Park Specific Plan
J & J Development, LLC

6-9

Riverton City, Utah
Alfred Softe Wilkinson & Nichols, Inc.

BK 8996 PG 2905

to correct the situation including costs of demolition and reconstruction, if necessary. To whatever extent consent, approval or authorization from Developer or the Architectural Committee may be required hereunder, such consent, approvals and authorizations shall not be unreasonably withheld, nor shall these Covenants and Restrictions be arbitrarily or capriciously interpreted or applied.

3. Exterior Materials

All exterior materials utilized on dwellings or other structures in the R5 and R7 zone shall consist of natural materials including stone, brick, stucco, HardiPlank, etc. All exterior materials utilized on dwellings or other structures in the R8 zone shall exclude the use of HardiPlank. Aluminum and steel are to be used only as soffit and fascia unless otherwise approved by the Architectural Committee in writing. (If approved by Developer or the Architectural Committee, steel framing and vinyl windows are an exception thereto and may be permitted.) The roofing material on all homes or other structures built on any Lot shall be either cedar, tile or high grade architectural asphalt shingles, all as approved by Developer or the Architectural Committee as to material, style and color.

Unless otherwise approved by the Developer or the Architectural Committee, and the City, the exterior materials utilized on the front and sides of the Dwellings and structures shall generally consist (combined) of at least twenty-five percent (25%) brick or stone and the balance may be stucco or high quality siding if and to such extent as the same are approved by Developer and/or the Architectural Committee. Aluminum and vinyl siding are not permitted.

Approved June 17, 2003