

## DECLARATION OF PROTECTIVE COVENANTS FOR DISCOVERY, PHASES 1 & 2

KNOW ALL MEN BY THESE PRESENTS:

That WHEREAS the undersigned (Declarant) being the developer of the following described real property situated in West Jordan City, Salt Lake County, State of Utah, know as Discovery Phase 1 & 2, Lots 101-111 and 2001-2104.

In consideration of the premises and as part of the general plan of improvement of the property comprising Discovery Phases 1 & 2 we do hereby declare the property herein above described and all lots located therein, subject to the restrictions and covenants herein recited.

### ARTICLE 1 RESIDENTIAL AREA COVENANTS

1. Planned Use and Building Type

No lot shall be used except for single family residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than detached single family dwellings not to exceed two stories in height with a private garage for not less than two vehicles and for not more than five vehicles. Mobile homes, manufactured homes or modular homes are not allowed. All components of all dwellings must be substantially built on-site and all dwellings must be secured to a permanent concrete foundation.

2. Dwelling Quality and Size

The single family dwelling shall meet or surpass the minimum requirements and codes of structural integrity and size of the West Jordan City and the State of Utah. The zoning is R-1-8, C home size, which provides for: One level dwelling (rambler or split-entry) 2,400 sq ft.; Split-level dwelling (tri-level) 2,100 sq ft.; Multistory dwelling (two or more) 2,400 sq ft.

Exterior Materials shall be stone, rock, fiber cement siding, stucco, wood siding, finished lumber, brick, or other similar materials. No cinder block, aluminum siding, or vinyl siding shall be allowed.

**NOTICE: All builders and/or owners are hereby notified that all homes built within Discovery, Phases 1 & 2 must conform to a point list of architectural features. Said point list may be obtained from any Seller of lots within the subdivision or from the Declarant.**

3. Building Location

a.) Building location must conform to the requirements of West Jordan City.

b.) The building set backs are: front yard 30 feet, rear yard 25 feet, side yards 8 feet and 8 feet, and side corner yard 20 feet.

4. Antennas

All antennas are restricted to the attic or interior of the residence. Satellite dish antennas shall be allowed, provided they are screened from view. Satellite dish antennas greater than 18 inches in diameter shall not be permitted on roofs.

5. Easements

Public Utility and Drainage Easements for the installation of utilities and drainage facilities are reserved as shown on the recorded plat. Within these easements, no structure, planting or other materials 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 in the easements, or which may obstruct or retard the flow of water in or through the easements. The easement area of each of the lots and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.

6. Nuisances

No noxious or offensive activity shall be carried out upon any lot, nor shall anything be done thereon which may be or may become an annoyance or a nuisance to the neighborhood. No clothesline or storage of any articles which are unsightly will be permitted unless located in enclosed area built and designed for such purposes. No automobiles or other vehicles are to be stored on streets or in front or sides of homes unless they are in running condition, properly licensed, and are being regularly used or behind privacy fences. No trailers, campers, boats, or other recreational vehicles shall be stored on the streets. No motor vehicle of any kind shall be repaired, constructed or reconstructed upon any public street, except that these restrictions shall not apply to emergency repairs to vehicles.

7. Temporary Structures

No structure of a temporary character, trailer, basement, tent, shack garage, barn, or other out building shall be used on any lot at any time as a residence either temporarily or permanently.

8. Garbage and Refuse Disposal

No lot shall be used or maintained as a dumping ground for rubbish, trash, or other waste and all such items must be kept in sanitary containers. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. Each lot and its abutting street are to be kept free of trash, weeds, and other refuse by the lot owner. No unsightly material or objects are to be stored on any lot in view of the general public.

9. Animals and Pets

Dogs, cats, or other household pets may be kept permissible within current zoning regulations provided that they are not kept, bred, or maintained for any commercial purpose and are restricted to the owner's premises and under the owner's control. Whenever a pet is allowed to leave a lot, it shall be kept on a leash or in a cage. Any droppings from household pets in any outside area shall be cleaned up immediately by the owner or owners of said household pet.

10. Fences and Walls

All fences or walls that an owner may elect to install upon a lot shall be masonry, stucco, stone, vinyl, or wrought iron. Chain link fencing may not be used except for sport facilities and pet enclosures. Fences and/or walls are to be color coordinated with the colors of the home on the lot. Fences in front yards are to comply with the zoning regulations of West Jordan City, except that no chain link fencing is allowed.

11. Recreation and Commercial Vehicles and Boats

No campers, trailers, boats, large trucks and commercial vehicles belonging to owners or the residents of a lot or guests shall be parked on street within the property or in the front yard, except for temporary parking not to exceed forty-eight (48) hours. Campers, trailers, boats or other recreational vehicles (but not large trucks or commercial vehicles) may be stored in the side or rear yard of a lot provided they are screened from view from the public street behind a solid privacy fence.

12. Trash Cans. Trash cans must be stored inside garages or behind solid privacy fences in the side yard, except on garbage pick-up day.

ARTICLE 11  
DURATION, ENFORCEMENT AND AMENDMENT

1. Term.

This Declaration as the same, may be amended from time to time hereafter, including all of the Covenants, Conditions and Restrictions hereof, and shall run until December 31, 2020. This Declaration, including all such Covenants, Conditions and Restrictions shall be automatically extended for successive periods of ten years each, unless amended or extinguished by a written instrument executed by the owners of at least seventy-five percent (75%) of the Lots then in Discovery, Phases 1 & 2 and recorded in the Salt Lake County real property records.

2. Enforcement

The owner or owners of any portion of the subject property shall be entitled to prosecute any proceeding, at law or equity, against any person, firm, corporation or party violating or attempting or threatening to violate any of the covenants and restrictions contained herein and to enforce, restrain, enjoin and/or collect damages for such violation or attempted or threatened violation.

IN WITNESS HEREOF, the undersigned has executed these covenants and restrictions the 3 day of Dec., 2007.

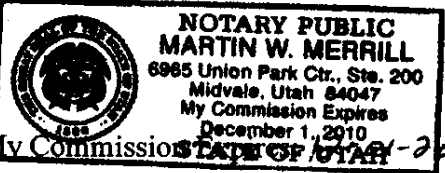
Discovery Hills, Inc.

[Signature]  
Managing Member

[Signature]  
Managing Member

STATE OF UTAH )  
  ): SS.  
COUNTY OF SALT LAKE )

On the 3<sup>rd</sup> day of December, 2007, personally appeared before me MICHAEL L. JONES and DAVID C. CLARK, who being duly sworn, did say that they are both Officers for Discovery Hills, Inc. and that the foregoing instrument was signed on behalf of said Corporation and they are duly authorized officers of said Company.

  
NOTARY PUBLIC  
MARTIN W. MERRILL  
6965 Union Park Ctr., Ste. 200  
Midvale, Utah 84047  
My Commission Expires  
December 1, 2010  
STATE OF UTAH  
My Commission Expires 12-01-2010

[Signature]  
NOTARY PUBLIC  
Residing At: Midvale, Utah

**Tax Parcel Identification information**

<b>Lot:</b>	<b>Tax ID #:</b>	<b>Lot:</b>	<b>Tax ID #:</b>	<b>Lot:</b>	<b>Tax ID #:</b>
101	20-34-327-001	102	20-34-327-002	103	20-34-327-003
104	20-34-327-004	105	20-34-327-005	106	20-34-327-006
107	20-34-327-007	108	20-34-380-014	109	20-34-380-015
110	20-34-380-016	111	20-34-380-017	2001	20-34-383-001
2002	20-34-382-005	2003	20-34-382-004	2004	20-34-382-003
2005	20-34-382-002	2006	20-34-382-001	2007	20-34-381-003
2008	20-34-381-002	2009	20-34-381-001	2010	20-34-376-011
2011	20-34-376-010	2012	20-34-376-009	2013	20-34-376-008
2014	20-34-376-007	2015	20-34-376-006	2016	20-34-376-005
2017	20-34-376-004	2018	20-34-376-003	2019	20-34-376-002
2020	20-34-326-003	2021	20-34-326-004	2022	20-34-326-005
2023	20-34-326-006	2024	20-34-326-007	2025	20-34-326-008
2026	20-34-326-009	2027	20-34-326-010	2028	20-34-326-011
2029	20-34-326-012	2030	20-34-380-018	2031	20-34-380-019
2032	20-34-380-020	2033	20-34-380-021	2034	20-34-380-022
2035	20-34-380-023	2036	20-34-380-024	2037	20-34-380-025
2038	20-34-380-026	2039	20-34-380-027	2040	20-34-380-028
2041	20-34-380-011	2042	20-34-380-010	2043	20-34-380-009
2044	20-34-380-008	2045	20-34-380-007	2046	20-34-379-008
2047	20-34-379-007	2048	20-34-379-006	2049	20-34-379-005
2050	20-34-379-001	2051	20-34-379-002	2052	20-34-379-003
2053	20-34-379-004	2054	20-34-380-001	2055	20-34-380-002
2056	20-34-380-003	2057	20-34-380-004	2058	20-34-380-005
2059	20-34-380-006	2060	20-34-380-012	2061	20-34-380-013
2062	20-34-380-029	2063	20-34-378-023	2064	20-34-378-034
2065	20-34-378-033	2066	20-34-378-032	2067	20-34-378-031
2068	20-34-378-030	2069	20-34-378-029	2070	20-34-378-028
2071	20-34-378-027	2072	20-34-378-026	2073	20-34-378-025
2074	20-34-378-024	2075	20-34-378-014	2076	20-34-378-015
2077	20-34-378-016	2078	20-34-378-017	2079	20-34-378-018
2080	20-34-378-019	2081	20-34-378-020	2082	20-34-378-021
2083	20-34-378-022	2084	20-34-378-011	2085	20-34-378-010
2086	20-34-378-009	2087	20-34-378-008	2088	20-34-378-007
2089	20-34-377-008	2090	20-34-377-007	2091	20-34-377-006
2092	20-34-377-005	2093	20-34-377-001	2094	20-34-377-002
2095	20-34-377-003	2096	20-34-377-004	2097	20-34-378-001
2098	20-34-378-002	2099	20-34-378-003	2100	20-34-378-004
2101	20-34-378-005	2102	20-34-378-006	2103	20-34-378-012
2104	20-34-378-013				