

DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS
APPLYING TO COUNTY VIEW ESTATES, PLAT "A"

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, Kent B. Davis, caused to be surveyed and platted the lands hereinafter described under the name of County View Estates, Plat "A", and has caused the same to be subdivided into blocks, lots, streets, avenues, drives and public ways as shown on the accompanying plat. County View Estates, Plat "A" herewith makes the following declaration of protective covenants and restrictions which shall apply to and run with all of the lots located in County View Estates, Plat "A".

DESCRIPTION

ENT 53756 BK 3016 PG 461
NINA B REID UTAH CO RECORDER BY AC
1992 OCT 8 10:51 AM FEE 20.50
RECORDED FOR WESTERN STATES TITLE COMPANY

County View Estates, Plat "A", Lots 1 through 18.

RESERVATIONS, RESTRICTIONS AND COVENANTS

The Owner declares that the aforesaid land shown on the plat above referred to, is held and shall be conveyed subject to the reservations, restrictions and covenants herein set forth.

DEFINITIONS

For the purpose of these restrictions, the word "Street" shall mean any street, road, lane or avenue of whatever name which is shown or indicated on the aforesaid recorded plat of County View Estates, and which has been heretofore dedicated to the public for the purpose of a public street.

The word "Lot" may mean either any lot as platted, or any tract or tracts of land conveyed which may consist of one or more lots, or a part or parts of one or more lots as platted, and upon which a residence may be erected in accordance with the restrictions hereinafter set forth, or as set forth in the individual deeds from County View Estates, or from its successors and assigns.

USE OF LAND

A. No land shall be used, and no building or structure shall be constructed, enlarged, moved, or maintained except in conformity with the use, area, frontage and other regulations as

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set forth by the applicable Zoning Ordinance in which it is located.

B. No trailer, basement, tent, shack, garage, barn or other outbuilding erected in the tract shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

C. No tank for the storage of fuel may be maintained above the surface of the ground without the written consent of the Architectural and Building Committee.

D. No building material of any kind or character shall be placed or stored upon any lot until the owner thereof is ready to commence improvements and then the material shall be placed within the property lines of the plot upon which the improvements are to be erected, and shall not be placed in the streets or between the curb and the property line.

E. No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

F. On-site parking shall be provided on each lot sufficient to accommodate all automobiles owned by persons living on the property. No truck, camper, boat, horse trailer, vacation trailer, trailer, etc., may be parked in front of the minimum building set-back line. Only properly licensed and inspected vehicles that are operational shall be permitted to be kept on any lot. No junk vehicles will be allowed on property.

G. No lot shall be divided or by title description separated, nor shall more than one single family dwelling be erected upon any lot within the subdivision.

H. No owner of any lot within the subdivision shall rent or lease rooms or portions of any structure, less than the whole of said structure including all of the improvements upon any lot within the subdivision, and specifically shall not take in boarders, tenants, or students for hire nor shall any owner lease or rent any lot with improvements thereon for any purpose other than single family residence.

I. Easements for installation and maintenance of utilities 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. The easement area of

each lot 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.

J. 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. All incinerators or other 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 materials or other objects are to be stored in any lot in view of the general public.

K. All buildings to house livestock must be confined to the rear third of the lot. No outbuildings may be higher than 20 feet. Deviation from this standard may be approved by the Architectural Control Committee provided herein. All outbuildings are to be constructed of cinder block or cement block and are to be maintained in good repair and appearance.

L. The following building location restrictions shall apply: (a) No structure may be located nearer than 25 feet to any street property line, or fail to meet minimum requirements on state and city roads; (b) No structure shall be located nearer than 10 feet to any side property line. For the purposes of this restriction, eaves, steps and open porches shall be considered as part of the structure. Where the topography or location of the property lines of any lot prevent reasonable construction of the permitted structures within the specified area, the Architectural Control Committee may, by affirmative action, permit a variation from the requirements of this restriction.

M. The ground floor level of any dwellings, exclusive of basements and one-story open porches, shall be no less than 1500 square feet plus a double garage (22'x24'), (semi-closed car-ports may be approved) except as may be specifically permitted in writing by the Architectural and Building Committee provided herein. Any multi-level home will be no smaller than 1800 square feet. A multi-level home shall be defined as any house with two or more stories (above ground level).

N. Homes will be of twenty five percent (25%) masonry or rock construction with variances having to be approved through the Architectural Control Committee. All blocks of sidewalk and curb broken while a home is being built shall be replaced by the building contractor of that home.

ARCHITECTURAL AND BUILDING COMMITTEE

The Architectural and Building Committee shall consist of five members: Kent B. Davis, Lois Davis, Ryan Davis, Leslie Fillmore and Mark Johnson, who are hereby appointed by the Owner. The majority of the Committee shall constitute a quorum and the concurrence of at least three members shall be necessary to carry out the provisions applicable to this Committee. In the event of death, removal or resignation of any of the members and upon failure of the Owner to appoint a replacement within thirty (30) days, then the surviving members of the Committee shall have full authority to appoint another person to fill the vacancy. Except for members appointed by the Owner, all members of the Committee must be residents of the subdivision at the time of their appointment. Should any member move his residence outside of the subdivision, he shall be disqualified to serve and the Committee shall declare a vacancy.

NEW BUILDING AND PROCEDURE

To maintain a degree of protection to the investment which house owners in this area may make, homes of superior design are requisite. Designs shall be limited to those prepared by architects licensed to practice in the State of Utah or by designers who in the opinion of the Committee possess outstanding ability and whose previous work may be reviewed as part of the approval process.

A. Preliminary drawings shall be filed for approval and accepted before working drawings will be reviewed. Drawings shall include, as a minimum, the following:

1. Plot plan to scale of entire site with buildings located and elevations of floors shown above or below a designated point on the street.
2. Floor plans of each floor level to scale.
3. Elevations to scale of all sides of the house.
4. One major section through house.
5. A perspective (optional).

Outline specifications shall give basic structure system and include all materials to be used on the exterior of the residence.

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B. Final Plans shall be filed for approval and accepted before construction is begun. Drawings shall include, as a minimum, the following:

1. Plot plans to scale showing the entire site, building, garages, walks, drives, and retaining walls, with elevations of floors from a designated point on the street.
2. Detailed floor plans.
3. Detailed elevations, indicating all materials and showing existing and finished grades.
4. Detailed sections - cross and longitudinal.
5. Details of cornices, porches, windows, doors, garages or car-ports, garden walls, steps, patios, etc.

Specifications shall give complete descriptions of materials to be used supplemented with a notation of the colors of all materials to be used on the exterior of the residence.

COMMITTEE PROCEDURE

Any three members in agreement shall constitute the Committee to act on Committee business, and at least three members shall affix their signatures to any plans in approval or rejection as indicated or any correspondence pertaining to the subject upon which they have taken action.

The Committee shall accept or reject:

- A. Preliminary Plans of proposed residences (as defined herein).
- B. Final Plans of proposed residences (as defined herein).
- C. Planning Problems or complaints by property owners.

The Committee shall act within fifteen (15) days on any of the above, and place its action in writing to be held as a permanent record, with copies to the parties concerned. If the Committee fails to accept or reject any of the above within fifteen (15) days, the same shall be automatically accepted.

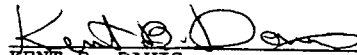
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An owner whose plans are rejected shall meet with the Committee at the Committee's invitation where he shall be informed of the reason for the action so that he can take the steps necessary to obtain approval of his plans.

The Committee has the authority to judge building materials, fences, etc., on whatever basis available to it with the aim of preserving what it feels are the best interest of the Property Owners. The criteria shall include aesthetics, reasonable protection of view, permanence of materials, etc. All decisions of the Committee shall be final.


IN WITNESS WHEREOF, the Owner, Kent B. Davis, has executed the above instrument this 23 day of September, 1992.


KENT B. DAVIS

STATE OF UTAH)

COUNTY OF UTAH)

On the 23 day of September, 1992, personally appeared before me, Kent B. Davis, the signer of the foregoing, who duly acknowledged to me that he executed the same.


NOTARY PUBLIC

