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ENTRY NO. 120376 DATE 7-29-80 TIME 2:50 FEE 13.50
RECORDED FOR UTAH COMMISSIONERS BOOK 134 PAGE 311-317
RECORDER JOE DEAN HUBER BY KAYVAN WABDANIK

OPEN SPACE AGREEMENT

WHEREAS, Timber Lakes Corporation desires to construct a large scale development of the following described tract of land in conformity with the Development Code of Wasatch County, to wit;

Timber Lakes Estates Plat 16, more particularly described on Exhibit "A" Attached hereto,

WHEREAS, the Board of County Commissioners of Wasatch County, Utah, has approved development of the above described tract of land; and

WHEREAS, it is necessary to convey to Wasatch County an open space easement covering the land that is to be maintained in open space as a means of insuring that no dwelling or convenience establishment or other building, except those approved by the Board of County Commissioners, will be built thereon during the life of said development; and

WHEREAS, Timber Lakes Corporation has given its deed to the Timber Lakes Property Owners Association whereby it has conveyed and warranted to said Association its interest in the common area more particularly described below;

NOW, THEREFORE, in exchange for the right and privilege of developing said tract of land as shown on plans for the Timber Lakes Estates Plat 16 Development described above, and in consideration of the transfer by Timber Lakes Corporation to the Timber Lakes Property Owners Association of the land more particularly described below, Timber Lakes Corporation and the Timber Lakes Property Owners Association for themselves and for their successors and assigns, hereby agree to refrain from constructing any dwelling, convenience establishment

or other building, except those approved by the Board of County Commissioners, upon the following described land until this agreement has been duly terminated by the Board of County Commissioners and a copy of such termination has been filed in the Office of the County Recorder.

The land covered by said easement is described as follows to-wit:

Parcels 4 and 5: (Common Area)

(See Exhibits "C" and "D" attached)

Subject to any and all easements of record to the Declaration of Protective Covenants, Conditions, Restrictions and Management Policies for Timber Lakes Estates.

IN WITNESS WHEREOF, the parties to this grant of easement have caused the same to be executed by their authorized officers on this 8th day of July, 1980.

Attest:

Nancy Cummings
Nancy Cummings

TIMBER LAKES CORPORATION
(the Developer)

By Veigh Cummings
Veigh Cummings, President

Attest:


TIMBER LAKES PROPERTY OWNERS ASSOCIATION
(the Association)

Ronald L. Lambson

By Eldon B. Romney
President

Attest:

WASATCH COUNTY

Ronald Shields, Deputy
County Clerk


[Signature]
Chairman of the Board of County Commissioners

STATE OF UTAH)
COUNTY OF Salt Lake :ss.

On the 8th day of July, 1980, personally appeared before me Veigh Cummings and Nancy Lee Cummings who, being by me duly sworn, did say, each for himself, that he, the said Veigh Cummings, is the President and she, the said Nancy Lee Cummings, is the Secretary of Timber Lakes Corporation and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors; and said Veigh Cummings and Nancy Lee Cummings each duly acknowledged to me that said corporation executed the same.

My Commission Expires:
11/29/80
STATE OF UTAH

Jacek R. Sadowski
NOTARY PUBLIC
Residing at: Salt Lake County, Utah

STATE OF UTAH)
COUNTY OF Salt Lake :ss.

On the 8th day of July, 1980, personally appeared before me Eldon B. Romney and Ronald L. Lambson who, being by me duly sworn, did say, each for himself, that he, the said Eldon B. Romney, is the President and he, the said Ronald L. Lambson, is the Secretary of Timber Lakes Property Owners Association and that the within and foregoing instrument was signed in behalf of said Association by authority of a resolution of its board of directors; and said Eldon B. Romney and Ronald L. Lambson each duly acknowledged to me that said Association executed the same.

My Commission Expires:
11/29/80
PUBLIC
STATE OF UTAH

Jacek R. Sadowski
NOTARY PUBLIC
Residing at: Salt Lake County, Utah

EXHIBIT "A"

Timber Lakes Estates Plat 16:

PARCEL 1: (Plat 16-A)

COMMENCING at the Southwest corner of Lot 1027, TIMBER LAKES SUBDIVISION, PLAT 10, Amended, a subdivision being part of Section 15, Township 4 South, Range 6 East, Salt Lake Base and Meridian, and running thence South 12°00'00" East 61.70 feet; thence North 82°56'21" West 350.53 feet; thence South 09°49'37" West 243.00 feet; thence North 82°56'21" West 309.61 feet; thence North 63°06'27" West 125.62 feet; thence North 50°00'00" West 528.08 feet; thence North 47°00'00" West 900.00 feet; thence North 40°00'00" East 272.33 feet; thence South 47°00'00" East 933.76 feet; thence North 43°00'00" East 376.152 feet; thence South 52°00'00" East 396.043 feet; thence South 48°00'00" East 204.79 feet; thence North 78°00'00" East 220.146 feet; thence South 12°00'00" East 310.00 feet to the point of beginning.

PARCEL 2: (Plat 16-B)

COMMENCING at the Southwest corner of TIMBER LAKES SUBDIVISION, PLAT 1, Amended and running thence South 32°00' West 260.00 feet; thence North 47°00'00" West 490.00 feet; thence North 62°00'00" West 300.00 feet; thence North 42°00'00" West 360.00 feet; thence North 27°00'00" West 570.00 feet; thence North 58°00'00" West 791.93 feet; thence North 34°00'00" East 264.84 feet; thence South 58°00'00" East 824.87 feet; thence Southeasterly along the arc of 348.205 foot radius curve to the right 194.48 feet (the chord of which bears South 42°00' East 191.96 feet); thence South 26°00'00" East 407.44 feet to the point of a curve; thence Southeasterly along the arc of 164.207 foot radius curve to the left 93.44 feet, (the chord of which bears South 43°00'00" East 96.02 feet) to the point of reversing curve; thence Southeasterly along the arc of 194.004 foot radius curve to the right 74.49 feet, (the chord of which bears South 49°00'00" East 74.04 feet); thence South 38°00'00" East 437.43 feet to the point of curve; thence Southeasterly along the arc of 251.851 foot radius curve to the left 87.91 feet (the chord of which bears South 48°00'00" East 87.47 feet); thence South 58°00'00" East 379.61 feet to the point of beginning.

PARCEL 3: (Plat 16-C)

COMMENCING at the Southwest corner of Lot 416, TIMBER LAKES PLAT 4, a subdivision, in Section 14, Township 4 South, Range 6 East, Salt Lake Base and Meridian; thence North 45°30'00" East 4.43 feet; thence South 32°49'48" East 137.17 feet; thence South 37°53'02" East 123.37 feet; thence South 10°00'52"

EXHIBIT A... continued
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East 65.91 feet; thence South 18°24'56" West 142.61 feet; thence South 60°36'57" West 35.29 feet; thence South 20°49'22" East 129.62 feet; thence South 37°33'55" East 366.84 feet; thence South 30°17'43" East 102.26 feet to the point of a curve; thence Southeasterly along the arc of 112.00 foot radius curve to the right 53.17 feet (the chord of which bears South 16°41'41" East 52.67 feet); thence South 03°05'38" East 144.09 feet to the point of curve; thence Southeasterly along the arc of 96.01 foot radius curve to the right 50.43 feet (the chord of which bears South 11°57'11" West 49.85 feet); thence South 27°00'00" West 220.00 feet; thence South 34°30'00" West 288.29 feet; thence North 88° 04'14" West 526.23 feet; thence North 84°19'11" West 122.02 feet; thence Southwesterly along the arc of 270.57 foot curve to the left 68.68 feet (the chord which bears South 88°24'30" West 68.50 feet); thence South 81°08'11" West 566.06 feet; thence North 52°31'05" West 92.27 feet; thence North 45°31'55" West 355.65 feet; thence North 49°59'33" West 423.37 feet; thence North 54°57'54" West 414.33 feet; thence North 58°36' West 196.29 feet; thence North 61°00' West 200.73 feet; thence North 32°00' East 186.81 feet; thence South 76°00' East 388.94 feet; thence North 74°00' East 923.17 feet; thence North 16°00' West 71.55 feet; thence North 50°00'00" East 250.97 feet; thence South 40°00'00" East 163.66 feet; thence North 50°00'00" East 383.86 feet; thence North 30°00'00" West 484.94 feet; thence North 551.84 feet; thence North 77°23'06" East 271.58 feet to a point on curve; thence Southeasterly along the arc of 495.718 foot radius curve to the left 103.82 feet (the chord of which bears South 27°00'00" East 103.63 feet); thence South 33°00'00" East 153.70 feet to the point of a curve; thence Southeasterly along the arc of 335.688 foot radius curve to the left 105.46 feet, (the chord of which bears South 42°00'00" East 103.03 feet); thence South 33°00'00" West 107.225 feet; thence South 18°00'00" East 298.892 feet; thence South 34°00'00" East 457.665 feet to the point of beginning.

EXHIBIT "C"

Plat 16 Common Area

Commencing at the Northwest corner of Lot 1270 of TIMBER LAKES, PLAT 12 AMENDED; Thence S 32° W 541.725' along the northeasterly boundaries of Plats 12 and 13; thence S 83° W 548.076' along the northerly boundary of PLAT 13; thence N 77° W 345.00' along the northerly boundary of PLAT 13; thence S 14° 46' 27" W 352.840' along the northerly boundary of PLAT 13; thence S 80° 00' 49" W 522.781' along the northerly boundary of PLAT 14; thence North 866.71'; thence N 89° 33' 24" E 1772.11' to the point of beginning.
(Area = 22.30 acres).

Subject to any and all easements of record, to the Declaration of Protective Covenants, Conditions, Restrictions and Management Policies for Timber Lakes Estates and to the Open Space Easement between Wasatch County and Timber Lakes Corporation dated July 8, 1980.

EXHIBIT "D"

Timber Lakes Estate Plat 16, Common Area

All areas designated as "Streets" on Timber Lakes Estate Plat 16 as recorded on the official plat thereof in the Recorders Office of Wasatch County, State of Utah.