

PAGE INDEX ABSTRACT PLAT CHECK

ENTRY NO. (122078) DATE 1-26-81 TIME 9:30 FEE \$31.00
RECORDED FOR LOTTIFRENSON, INC BOOK 138 PAGE 117-120
RECORDER JOE DEAN HUBER BY KAY VAN WAGONER

OPEN SPACE AGREEMENT

WHEREAS, the County Commission of Wasatch County, Utah, has determined that a greater number of dwelling units can be constructed and maintained upon the tract of land described in Exhibit "A", without causing irreparable harm to the land and its environment, provided the buildings and structures included in such development are clustered, thereby leaving larger tracts of open space within the development, and

WHEREAS, the developer and owners of said land have filed a Master Plan with Wasatch County and desire to develop and construct pursuant thereto a large scale development in stages consistent with the Wasatch County development code, and

WHEREAS, it is necessary to convey to Wasatch County an open space easement covering the minimum area of land that is to be maintained in open space, as a means of insuring that no dwelling or other building or facility, except those approved by the planning commission and County Commission, will be built thereon during the life of said development,

NOW, THEREFORE, in exchange for the right and privilege of clustering said buildings and structures in locations and areas which have been designated on the said Master Plan on file with the intent that such areas and locations be deleted and excluded from this Open Space Agreement.

118

The developer and owners of said land, for themselves and for their successors, lenders and assigns, hereby agree:

1) to transfer to the Homeowners Association any area of the open space which is shown in the Master Plan as Common Area which shall not be less than 50% of the total area described in Exhibit "A" and which is included in any stage of development, such transfer to be made when the final map is recorded on such stage of development; and 2) to refrain from constructing any dwelling, or other building or facility, except those approved by the planning commission and the County Commission upon the land designated in the open space shown in the Master Plan, unless this agreement has been duly terminated by the action of the County Commission and a copy of such termination has been filed in the office of the County Recorder. Accordingly, the undersigned owners of the subject land hereby grant an open space easement as is described in the Development Code of Wasatch County dated June 23, 1979, in and to that certain land described in the attached Exhibit "A" which is shown as Common Area on the Master Plan, excepting therefrom the areas shown to be used for print development and all roads, driveways and rights-of-way now existing or hereafter constructed.

IN WITNESS WHEREOF, the parties to this grant of easement have caused the same to be executed by their duly authorized officers on this 28th day of December, 1988.

ATTEST:

John H Gardner

S2-HM CORPORATION
(The Developer)

By:

John R Hansen
President

ATTEST:

Hidden Meadows Development Company
(The Owner)

John R Hansen

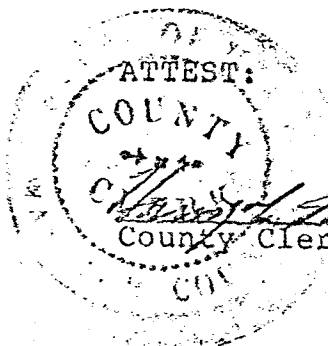
By: Moab Wickenburg Corporation

By:

John H Gardner
President

ATTEST:

Wasatch County
(The County)



County Clerk

[Signature]
Chairman,
County Commission

ATTEST:

Canyon Meadows Home Owners Association (The Association)

Willard H. Gardner

By:

John H Gardner
President

EXHIBIT "A"

All of that certain property located in Wasatch County,
State of Utah, described:

Commencing at the southeast corner, Section 12 T 5 S
R 3 E SL B & M; thence S 0.15 E 443.52'; thence S 62°
43' E 170.9'; thence N 40° 0' E 309.0'; thence S 64°
53' S 118.8'; thence N 64° 13' E 543.8'; thence S 25°
45' E 239.6 to the north right-of-way line of Highway
189; thence north easterly along said right-of-way
line, a distance of 1,370'; thence west 220'; thence
north S0'; thence west 125'; thence north 2,540'; thence
west 1,320'; thence north 380'; thence west 1,320';
thence south 1,320'; thence west 660'; thence south
1,320'; thence east 60'; thence south 1,980'; thence
east 660'; thence north 660'; thence east 660' to the
point of beginning.