

FIRST AMERICAN TITLE
205- 26th STREET
OGEEN, UT. 84401

W 71868

Mountain Waters Subdivision
Restrictive Covenants

WHEREAS, Mountain Waters Subdivision, a partnership, the owner of lots 1 through 15, both inclusive, in Mountain Waters Subdivision, Weber County, Utah, is desirous of placing restrictive covenants upon said lots for the mutual benefit and protection of future owners thereof, and

NOW, THEREFORE, the following restrictive covenants are placed upon said lots for the mutual benefit and protection of future owners, and the premises to which said restrictive covenants shall attach are specifically described as follows:

All of lots 1 to 15, both inclusive, Mountain Waters Subdivision, in Weber County, Utah.

- 20-059-0001 THROUGH AND INCLUDING 20-059-0015
1. All said lots with in a two year period of time after the closing date from the first sale of each lot, the land owner will be required to plant 5 (five) trees on each property line with street frontage. Each land owner will be able to choose their 5 or 10 trees from the list (exhibit A). The land owners will also be required to replace any trees that die for a period of 5 years from their closing date. These trees must be placed in line approximately 30 feet apart. The purpose of this covenant is to tree line the streets within the subdivision.
 2. All said lots with in a two year period of time after the completion date of their home will be required to fully landscape their property from the rear line of their home to the front property line which is inclusive of all property between these two points. In addition each land owner will be required to plant an additional 10 trees on their property. Each land owner will be able to choose and plant their 10 trees as they see fit. A list of recommended trees that have proven themselves in the Valley will also be listed on Exhibit A. Each land owner will be required to replace any of these trees that may die for a period of 5 years from the date of the completion of their home. Fruit trees can be planted, however they will not be counted as part of this requirement. This covenant is in place to add variety, beauty, and shade to the subdivision.
 3. All said lots will be required before starting construction on their home must submit a copy of their plans and specifications with a materials list showing location of the structure within the lot they are building for approval to the Mountain Waters Subdivision Committee. This committee will be three persons, Dale T. Johnson, Morrie C. Mau, and Larel Parkinson. The committee will remain intact until all said lots are fully improved and homes have been constructed on each lot. At any time one or more of the committee members should die or resign a consenting replacement must be unanimously voted in by the committee. Approval of house plans must be by majority vote by the committee before construction begins. The purpose of this committee is to insure the quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation.
 4. All homes to be constructed must have a minimum of a two car attached garage
 5. All proposed fencing must be approved by the Mountain Waters Subdivision Committee with regards to its location, construction, and appearance.
 6. All said lot owner will be required to follow the Huntsville Town Ordinances and these ordinances override any approvals from the Mountain Waters Subdivision Committee. It is advised that all land owners become familiar with the Town Ordinances.

E# 1321441 BK1738 PG176
DOUG CROFTS, WEBER COUNTY RECORDER
15-NOV-94 436 PM FEE \$28.00 DEP MH
REC FOR: FIRST.AMERICAN.TITLE

PLATTED ☐ VERIFIED ☐
ENTERED ☒ MICROFILMED ☐

Exhibit A

Frontage Trees:

Patmore or Marshal Seedless Ash

Autum Blaze or Red Sunset Maple

Emerald Queen Norway Maple

Silver Maple

Bonfire Sugar Maple

All frontage trees must have a caliper deminsion of a minimum of two inches. Trees picked from this list must be planted in groups of two or groups of three of the same kind of tree. Example, 3 Bonfire Sugar Maples and 2 Marshal Seedless Ash could be a combination for a frontage row of trees for one lot.

Recomended Decorative Trees:

Lodge Pole Pine

Austrian Pine

Scotch Pine

Colorado Blue Spruce

Any Crab Apple

Canadian Choke Cherry

Mt St. Helens Plum

Cottonless Cottonwood

Moutain Ash

Trees not to be planted, proven to be a nuisance:

Any Willows

Cottonwoods

Box Elders

Chinese Elms

Common Green Ash

This list of recomended trees should be combined with the frontage list to give a complete scope of tree that will beautify each lot

[Signature]

Christine T. Mau

Larel Parkinson

Kim Parkinson

[Signature]

State of Utah

County of Weber

On the 14th day of November, 1994, personally appeared before me Dale T. Johnson, Morrie C. Mau, Christine T. Mau, Larel Parkinson and Kim Parkinson the signers of the within instrument who duly acknowledged to me that they executed the same.

L. T. Sigler

