

When recorded mail to:
Keith Romney, Jr.
Julie B. Romney
2970 Devonshire Circle
SLC, Ut. 84108

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E 1586532 B 2637 P 455
SHERYL L. WHITE, DAVIS CNTY RECORDER
2000 APR 13 4:12 PM FEE 18.00 DEP JTA
REC'D FOR FIRST AMERICAN TITLE CO OF UTA

1 Aspen lot

Restrictive Covenant

11-364-0001

This Agreement is made and entered into this 12th day of April, 2000, by and between Keith Romney, Jr. and Julie B. Romney, and Doug S. Kimball;

Whereas, Doug S. Kimball is purchasing from Keith Romney, Jr. and Julie B. Romney a parcel of real property located at 368 North Main, Kaysville, Davis County, State of Utah, 84037, which property is described as follows:

See Exhibit "A" attached hereto.

Whereas, the conveyance of this parcel to Doug S. Kimball is subject to this restrictive covenant as to the use of such property;

Now, Therefore, in consideration for the conveyance of this property by Keith Romney, Jr. and Julie B. Romney to Doug S. Kimball and of the mutual covenants contained herein, the parties hereto agree as follows:

1. Doug S. Kimball agrees that he shall not use the property for any vehicle repair or service shop, vehicle wrecking or salvage facility, junk yard, machine shop, auto body repair, manufacturing facility, planing mill or woodworking plant, sheet metal works, animal pound ~~or veterinary hospital~~, for the use or storage of any hazardous materials as defined under federal or state laws or regulations, or for any use that would constitute a nuisance or hazard under state or local laws, ordinances or regulations. KR JRR
JK
2. Keith Romney, Jr, Julie B. Romney and Doug S. Kimball shall mutually approve any and all architectural plans for a period of 10 years from the date of closing, at which time this restrictive

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covenant shall expire. In the event of a dispute, either party may request arbitration.

- 3. The covenants contained herein shall run with the land and this agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

DATED this 12th day of April, 2000.

SELLERS:

Keith Romney, Jr.
 Keith Romney, Jr.

Julie B. Romney
 Julie B. Romney

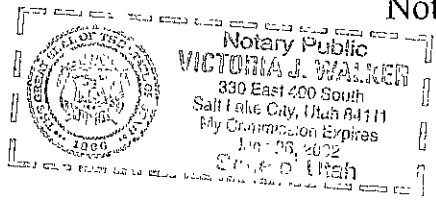
BUYER:

Doug S. Kimball
 Doug S. Kimball

STATE OF UTAH)
) SS
 COUNTY OF SALT LAKE)

On the 12 day of April, 2000, personally appeared before me Keith Romney, Jr. and Julie B. Romney the signers of the within instrument who duly acknowledged to me that they executed the same.

Victoria J. Walker
 Notary Public



STATE OF UTAH

E 1586532 B 2637 457

SS:

COUNTY OF DAVIS

On this day personally appeared before me Doug S. Kimball who being by me duly sworn did acknowledge that he executed the foregoing instrument. this 12 day of April, 2000.

Michelle Kimball

Notary Public

Residing in

310 S. Main

Commission Expires:

10/15/01

[Faint, illegible text, possibly a stamp or additional signature]

Exhibit "A"

All of Lot 1, Avalon Lot , Kaysville City, Davis County, Utah , according to the official plat thereof.

Together with the following described right-of-way and Easement for ingress and egress.

Beginning on the Easterly right-of-way line of State Highway 106 at a point which is North $46^{\circ}25'$ West, 703.50 feet and North $75^{\circ}10'$ West 249.27 feet from the Southwest Corner of Block 17, Plat D, Kaysville Townsite Survey a part of which lies in Section 34, Township 4 North, Range 1 West, Salt Lake Base and Meridian, and running thence North $75^{\circ}10'00''$ West 35.36 feet along said Easterly right-of-way line; thence North $43^{\circ}35'00''$ East 159.67 feet; thence North $75^{\circ}10'00''$ West 478.29 feet to the Southeasterly line of 600 North street; thence North $14^{\circ}12'00''$ East 43.64 feet along said Southeasterly line to a point of curve; thence Northeasterly 21.36 feet along an 1132.00 foot radius curve to the right to a point (radius point bears South $74^{\circ}43'08''$ East) on said curve; thence South $75^{\circ}10'00''$ East 549.83 feet; thence South $43^{\circ}35'00''$ West 233.81 feet to the point of beginning.

Together with the following described right-of-way for access:

Beginning at a point on the Easterly line of State Highway 106 at a point which is North $46^{\circ}25'00''$ West 703.50 feet and North $75^{\circ}10'00''$ West 423.99 feet from the Southwest corner of Block 17, Plat "D", Kaysville Townsite Survey a part of which lies in Section 34, Township 4 North Range 1 West, Salt Lake Base and Meridian, and running thence North $75^{\circ}10'00''$ West 30.00 feet along said Easterly line; thence North $14^{\circ}50'00''$ East 139.99 feet; thence South $75^{\circ}10'00''$ East 30.00 feet, thence South $14^{\circ}50'00''$ West 139.99 feet to the point of beginning.

All Easement and right-of-ways over premises described in exhibit "A" in that certain easement agreement Dated March 1, 1978 and recorded March 22, 1978 in Book 697 Page 366 of records.