

PAGE () INDEX () ABSTRACT () PLAT () CHECK ()

Open Space Agreement

00206173 Ek 00393 Pg 00332-00334
WASATCH CO RECORDER-ELIZABETH N PARCELL
1998 AUG 27 14:31 PM FEE \$37.00 BY MWC
REQUEST: HOLMES DEVELOPMENT LC

WHEREAS, the Board of County Commissioners of Wasatch County, Utah has determined that 24 lots may be developed for the purpose of building 24 homes within Phase 7A of Lake Creek Farms Planned Residential Development, together with open areas described herein, 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,

NOW, THEREFORE, the owners of Lake Creek Farms development described below, for themselves and for their successors and assignees, hereby agree to refrain from constructing any dwelling, convenience establishment or other building, except those approved by the Board of 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.

A description of the land covered by said agreement is shown as follows:

See Attached Legal Description

IN WITNESS WHEREOF, the parties to this agreement have caused the same to be executed by their duly authorized officers on the 4th day of August, 1998.

ATTESTED:

Melanie Young
NOTARY PUBLIC
MELANIE YOUNG
450 N. 200 W.
Heber City, UT 84032
My Commission Expires
April 27, 2002
STATE OF UTAH
By *[Signature]*
Holmes Development, LLC

ATTESTED:

Melanie Young
NOTARY PUBLIC
MELANIE YOUNG
450 N. 200 W.
Heber City, UT 84032
My Commission Expires
April 27, 2002
STATE OF UTAH
By *[Signature]*
Lake Creek Farms Homeowners Assoc. L.C.

ATTESTED:

Brent R. Tamm
County Clerk

Wasatch County
[Signature]
County Commission Chairman

Melanie Young 8-6-98
NOTARY PUBLIC
MELANIE YOUNG
450 N. 200 W.
Heber City, UT 84032
My Commission Expires
April 27, 2002
STATE OF UTAH

SURVEYOR'S CERTIFICATE

I, F. LEWIS PRATT, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 149065 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

BOUNDARY DESCRIPTION

COMMENCING AT A POINT LOCATED SOUTH 89-22-03 WEST ALONG THE SECTION LINE 8.59 FEET FROM THE NORTH WEST CORNER OF SECTION 12 TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE & MERIDIAN; THENCE AS FOLLOWS

BEARING	DISTANCE	REMARKS
N 90-00-00 E	1321.72'	
S 00-00-00 E	1478.00	
S 89-35-00 W	37.91'	
N 38-40-38 W	148.79	
N 32-55-18 W	85.54'	
N 73-42-56 W	143.10'	
S 80-52-32 W	107.32'	
S 80-52-32 W	256.68'	
S 80-52-32 W	115.44'	
S 71-44-51 W	123.60'	
S 65-52-04 W	201.46'	
S 82-52-24 W	219.31'	ALONG THE BOUNDARY OF LAKE CREEK FARMS PLAT "B"
N 90-00-00 W	14.76'	ALONG THE BOUNDARY OF LAKE CREEK FARMS PLAT "A"
N 00-00-00 E	1472.50'	TO THE POINT OF BEGINNING
AREA = 41.03 ACRES		

BASIS OF BEARING = SOUTH 89-22-03 WEST ALONG THE SECTION LINE

7 July 1998
DATE

F. Lewis Pratt
SURVEYOR (See Seal Below)

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC; AND DO HEREBY DEDICATE THE OPEN SPACE AND COMMON AREA AS HEREON INDICATED FOR THE PERPETUAL USE AND MAINTENANCE TO THE LAKE CREEK FARMS HOME OWNERS ASSOCIATION.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 7 DAY OF July, A.D. 1998.

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF WASATCH } S.S.

ON THE 7 DAY OF July, A.D. 1998, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR STATE AND COUNTY OF Wasatch, IN SAID STATE OF UTAH, THE SIGNER() OF THE ABOVE OWNER'S DEDICATION, F. Lewis Pratt IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT F. Lewis Pratt SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES Notary Public



F. Lewis Pratt
NOTARY PUBLIC
RESIDING IN _____ COUNTY.

CORPORATE ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF WASATCH } S.S.

ON THIS THE _____ DAY OF _____ A.D. 19____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY _____, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT _____

A _____ CORPORATION, THAT _____ SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSE THEREIN MENTIONED AND THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES _____

00206173 Bk 00393 Pg 0033

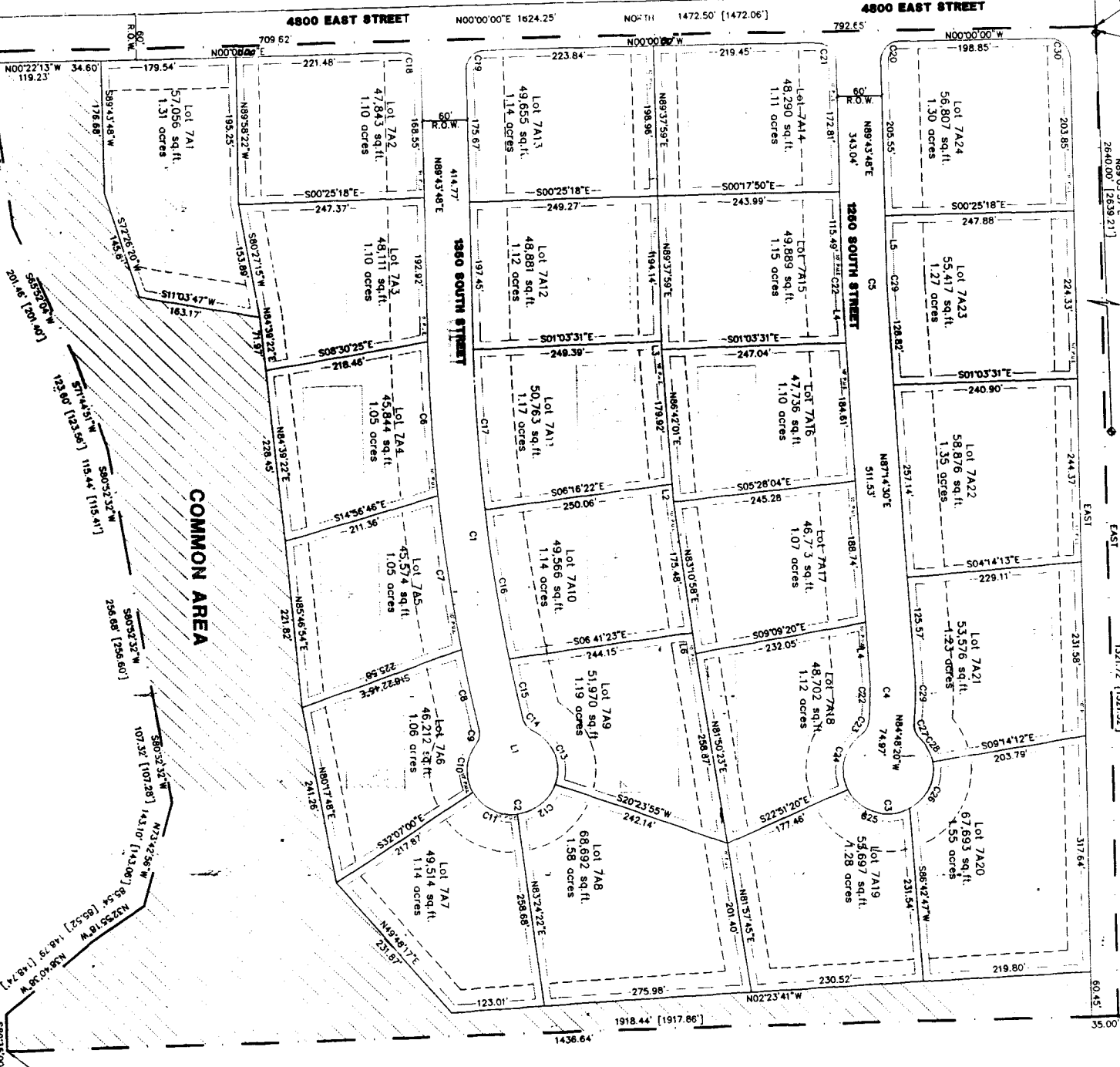
334



NORTH 1/4 COR. SECTION 11
 TOWNSHIP 4 SOUTH
 RANGE 5 EAST & MERIDIAN
 SALT LAKE BASE & MERIDIAN
 5892201'W
 2651.36' [2850.98']

NORTH COR. SECTION 12
 TOWNSHIP 4 SOUTH
 RANGE 5 EAST
 SALT LAKE BASE & MERIDIAN
 5892201'W
 2640.00' [2839.21']

1231.72' [1321.32']



00206173 Blk 00393 Pg 00334