

DECLARATION OF RESTRICTIVE COVENANTS

FOR PLAT E LOT 1 ASHLEY PARK SUBDIVISION, OREM, UTAH

This Declaration of Restrictive covenants is promulgated by Jerald W. Jones, hereinafter referred to as Grantor, to govern and be binding upon all who now or hereafter hold any interest in that tract of land situated in Utah County, State of Utah, and described as follows:

PLAT A, ASHLEY PARK SUBDIVISION, Orem, Utah, according to the official plat thereof on file in the office of the Utah County Recorder, State of Utah.

This Declaration consists of covenants intended to run with the land and to be binding upon and for the benefit of all who hold any interest in said land and all persons claiming under them. These covenants have as their purposes the keeping of said subdivision desirable and suitable in architectural and landscape design, preventing nuisances, preventing the impairment of the property's attractiveness and value, and securing to each owner the full enjoyment of his property while imposing no greater restriction on the free and undisturbed use of property than is necessary:

1. No lot shall be used for any purpose other than a site for a residence.
2. Each residence constructed on a lot shall include a two-car garage.
3. Each residence constructed on a lot shall contain no less than 3,500 square feet, excluding the garage, as measured by the outside dimensions of personal living space, 2000 square feet being on the ground level.
4. At least 90% of the exterior surface area of the residence shall consist of brick or stucco construction.
5. All power and telephone lines must be placed underground.
6. Residential construction on any lot shall include a decorative electric front yard light, of a style to be chosen by the owner, but similar in dimensions and location to those found in the adjacent Kenwood Subdivision.
7. Roofing material for any residence shall consist of either split shake shingles, bar tiles, or architectural grade asphalt shingles.
8. Within one year from the time owner begins occupancy of the residence, each lot owner shall have installed principal landscaping features, including sprinkler systems if used, sod, fencing and trees and shrubs.

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9. The Grantor, so long as he holds any interest in the subdivision, and the owners of any lots may seek enforcement of any of these covenants. Grantor reserves the right to release, as to any owner, any restriction in these covenants, or to modify or extinguish any such restrictions, if such release, modification or extinguishment does not materially inhibit fulfillment of the purpose of this covenant. Any such release, modification, or extinguishment shall not affect Grantor's right to enforce such restriction, in law or equity, against any other owner.

10. No waiver of a breach of any of these covenants shall be construed to be a waiver of any other breach, and no failure to enforce any of these covenants shall be construed as such a waiver.

11. Any person who obtains an interest in any lot through foreclosure of a mortgage or deed of trust or similar proceeding shall be bound by all these covenants.

12. If any portion of this declaration is invalid or void, such invalidity or voidance shall not affect any other portion of this dec-

