

RESTRICTIVE COVENANT PRECLUDING THE RESIDENTIAL  
OR OTHER NON-AGRICULTURAL USE OF THE LAND

TO THE PUBLIC:

I, the undersigned owner of real property in Utah County, State of Utah, which property is located as follows (legal description):

SEE ATTACHED EXHIBIT "A"

ENT 31846 BK 3682 PG 9  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
1995 MAY 22 9:02 AM FEE 14.00 BY JD  
RECORDED FOR LEW LEDN CHRISTMAS

M

5488 S River dr.

Spanish 84660

have the intent to qualify for the exemption from filing an approved subdivision plat, which exemption is provided for in Section 17-27-103, UCA 1953 as amended, and Section 3-53-B of the "Utah County Zoning Ordinance" of Utah County, Utah, for the division of agricultural land for agricultural purposes. I hereby covenant that neither I nor my heirs, executors, administrators, or assigns will ever allow residential or other non-agricultural use of this land without properly obtaining an approved subdivision plat as required by law.

This covenant shall run with the land and shall be binding upon all persons owning or leasing the above-described real property. It shall not apply (1) to those portions of the property contained in a properly approved and recorded subdivision plat; (2) those portions of the property placed into an incorporated city or town; (3) upon repeal of the requirements for such a covenant under Section 3-53-B or its successor statute. Further, this covenant shall hereinafter be included in any deed dealing with the above-described property, or portions thereof, in whole or by reference hereto.

Invalidation of any of these covenant provisions by judgement or court order shall not affect any of the other provisions which shall remain in full force and effect.

If the owner or owners of the above-described real property, or any portion thereof, or the owner's heirs or assigns shall violate or attempt to violate any of the covenants above set forth, Utah County, or any other person owning a portion thereof, may enjoin such transfer, sale, or use by action for injunction brought in any court of equity jurisdiction or may pursue any other remedy at law or equity. All costs and all expenses of such proceedings shall be taxed against the offending party or parties and shall be declared by the court to constitute a lien

against the real estate wrongfully deeded, sold, leased, used, or conveyed until paid. Such lien may be enforced in such a manner as the court may order.

ENT 31846 BK 3682 PG 10

Change or amendment of these covenants may be effected only if such is in compliance with the laws and ordinances of the State of Utah and its political subdivisions. This covenant, and any changes or amendments hereto, must first be approved in writing by the Utah County Building Official before recording with the County Recorder. Any change or amendment without such approval is hereby made null and void.

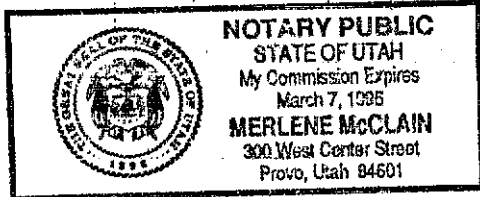
Signed:

*Lawson Christmas*  
*Joy Christmas*

#### ACKNOWLEDGMENT

STATE OF UTAH )  
COUNTY OF UTAH )

On the 19 day of May, 1995,  
personally appeared before me, Lawson Christmas & Joy Christmas,  
the signer(s) of the above instrument, who duly acknowledged to  
me that he/she executed the same.



*Merlene McClain*  
NOTARY PUBLIC

Reviewed prior to recording:

By: Buck Rose for Jeff Mendenhall  
Building Official

Date: May 22, 1995

## E X H I B I T "A"

BEGINNING AT THE WEST ONE QUARTER CORNER OF SECTION 10, TOWNSHIP 8 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 440.88 FEET; THENCE SOUTH 40°10'00" EAST 630.00 FEET; THENCE SOUTH 420.00 FEET; THENCE EAST 22.68 FEET; THENCE SOUTH 01°28'46" WEST 100.48 FEET; THENCE SOUTHEASTERLY 179.82 FEET ALONG THE ARC OF A 1716.00 FOOT RADIUS CURVE TO THE LEFT, THE CHORD BEARS SOUTH 01°31'22" EAST 179.74 FEET; THENCE SOUTH 04°31'29" EAST 472.73 FEET; THENCE SOUTHEASTERLY 122.63 FEET ALONG THE ARC OF A 80.00 FOOT RADIUS CURVE TO THE LEFT, THE CHORD BEARS SOUTH 48°26'21" EAST 110.97 FEET; THENCE NORTH 87°38'47" EAST 133.92 FEET; THENCE SOUTHEASTERLY 118.40 FEET ALONG THE ARC OF A 150.00 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD BEARS SOUTH 69°44'27" EAST 115.35 FEET; THENCE WEST 1463.58 FEET; THENCE NORTH 660.00 FEET; THENCE WEST 200.00 FEET; THENCE NORTH 660.00 FEET; THENCE EAST 870.00 FEET TO THE POINT OF BEGINNING.  
AREA = 38.556 ACRES.