

7592609

**DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTION  
OF  
TARA WOODS SUBDIVISION**

THIS DECLARATION is made this 1st day of February, 2000 by Bach Development, Incorporated, hereinafter referred to as "Declarant".

**WITNESSETH:**

WHEREAS, Declarant is the Owner of certain property (herein the "Lots") in South Jordan City, Salt Lake County, State of Utah, more particularly described as follows:

**All of Lots 1-15, of the Tara Woods Subdivision according to the official plat thereof filed with the Salt Lake County recorder in Salt Lake County, Utah.**

WHEREAS, Declarant intends that the Lots, and each of them, together with the Common Easements as specified herein, shall hereafter be subject to the covenants, conditions, restrictions, reservations, assessments, charges and liens herein set forth.

NOW, THEREFORE, Declarant hereby declares, for the purpose of protecting the value and desirability of the Lots, that all of the Lots shall be held, sold, conveyed, subject to the following easements, restrictions, covenants and conditions, which shall run with the Lots, and be binding on all parties having any right, title and/or interest in the Lots or any part thereof, their heirs, successors and assigns, and shall insure to the benefit of each Owner thereof.

**ARTICLE I  
ARCHITECTURAL CONTROL**

**SECTION 1.** The Architectural Control Committee shall be composed of the Board of Directors of Bach Development, Incorporated. A majority of the committee may designate a representative to act for it. In the event of death or resignation of any member of the committee, the remaining members of the committee shall have full authority to select a successor. Neither members of the committee, nor its designated representatives shall be entitled to any compensation for services performed pursuant to this covenant.

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**SECTION 2.** The Committee's approval or disapproval as required in these covenants shall be in writing on the set of plans or in letter form. The Owner must submit a set of formal plans, specifications, and site plan to the Committee before the review process can commence.

**SECTION 3.** No building, fence, wall or other structure shall be commenced, erected or maintained upon the Project, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, exterior color combinations and location of the same shall have been submitted to and approved in writing as to the harmony of the exterior design and location in relations to the surrounding structures and topography by the Architectural Control Committee.

## **ARTICLE II RESIDENTIAL AREA COVENANTS**

### **SECTION 1. Quality.**

1. No Lot shall be used except for residential structures.
2. Each dwelling must have an attached garage for a minimum of three cars or a two car minimum if a separate garage is constructed on the lot using the same masonry materials on the garage as on the house.
3. No building shall exceed two stories in height.
4. Each dwelling must have a masonry exterior with all brick, or a combination of either brick or rock and stucco. If stucco is used, a minimum of a 3' wainscot of rock or brick shall be used on the front and two sides of the home unless otherwise approved by the Architectural Control Committee. All materials must have the approval of the Architectural Control Committee.
5. All construction is to be comprised of new materials, except that used brick may be used with the prior written consent of the Architectural Control Committee.
6. Each dwelling must use as standard a minimum 25 year Architectural shingles.
7. All roofs must have a minimum 6/12 pitch unless approved in writing by the Architectural Control Committee. All front facing gables must have a minimum pitch of 7/12.

### **SECTION 2. Dwelling size.**

The requirements below are exclusive of open porches and garages.

**Rambler:** 2000 Square Feet minimum on the main level on all lots except 101, 110, 111 and 115.

1800 Square Feet minimum on the main level on lots 101, 110, 111 and 115.

**Multi-level:** 2400 Square Feet minimum finished square feet above the ground.

**Two Story:** 2400 Square Feet minimum on the 1st and 2nd floor combined.

**Exterior: Design, style, and color must be approved by the architectural control committee.**

**SECTION 3. City Ordinances.** All improvements on a Lot shall be made, constructed and maintained, and all activities on a Lot shall be undertaken, in conformity with all laws and ordinances of the City of South Jordan, Salt Lake County, and the State of Utah which may apply, including without limiting the generality of the foregoing, all zoning and land use ordinances.

**SECTION 4. Easements.** Easements for all installations and maintenance of irrigation and drainage facilities are reserved as shown on the recorded plat. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of the flow of drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels in the easements.

**SECTION 5. Nuisances.** No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

**SECTION 6. Temporary Structures.** No structures of a temporary character, ie.; trailer, basement, tent, shack, garage, barn or other outbuildings shall be used on any Lot at any time as a residence, either temporarily or permanently.

**SECTION 7. Garbage and Refuse Disposal.** No Lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers.

**SECTION 8. Landscaping.** The entire yard must be landscaped within 1 year after dwelling is occupied. All park strips must be planted in grass and lined with Bradford Flowering Pear Tree planted approx. 30' apart. The trees shall be 1½" to 2" caliper in size.

**SECTION 9. Fencing.** All exterior fencing will be 6' solid white vinyl fence in the back and side yards. Front yards are not allowed to have fence unless it is of a decorative type and must be approved by the Architectural Control Committee.

**SECTION 10.** All mailboxes are to be of wrought iron and to be painted black. The mailbox will be selected by the Architectural Control Committee. All lot owners will have an identical mailbox. The committee will designate where this particular mailbox can be purchased.

### **ARTICLE III GENERAL PROVISION**

**SECTION 1. Enforcement.** Any Owner shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by any Owner to enforce any

covenants or restrictions herein contained shall in no event be deemed a waiver of the right to do so thereafter.

**SECTION 2. Severability.** Invalidation of any of these covenants or restrictions by judgement or court order shall in no wise affect any other provision which shall remain in full force and effect.

**SECTION 3. Amendment.** The covenants and restrictions of this Declaration shall run with and bind the land, for a term of forty (40) years from the date this Declaration is recorded, after which time they shall be automatically extended for successive periods of ten (10) years. This Declaration may be amended or terminated by a vote of at least eighty-five percent (85%) of the total votes of all Owners, which vote shall be taken at a duly called meeting. Any amendment approval shall be reduced to writing, signed, and recorded against the Lots.

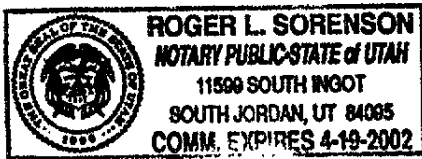
**IN WITNESS WHEREOF,** the undersigned, being the Declarant herein, has hereunto set its hand the 16th day August, 1994.

**DECLARANT:**

Bach Development, Inc.

By Dale L. Rindlisbacher  
Dale L. Rindlisbacher  
President

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03/10/2000 08:45 AM 30.00  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
BACH DEVELOPMENT CO  
2785 W 900 S  
W JORDAN UT 84088  
BY: ZJM, DEPUTY - WI 4 P.



*Roger L. Sorenson*