

When Recorded mail to:  
KFP Corporation  
225 South 200 East #300  
Salt Lake City, UT 84111

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09/03/2003 04:29 PM 28.00  
Book - 8875 Pg - 6275-6277  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
KFP CORPORATION  
225 S 200 E #300  
SLC UT 84111  
BY: ZJM, DEPUTY - WI 3 P.

**ISLAND PARK SUBDIVISION PHASE 4  
RESTRICTIVE COVENANTS**

**PART A: PREAMBLE**

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, the undersigned, being the majority owners of the following described real property located in the City of West Jordan, Salt Lake County, State of Utah, to wit:

All of Lots #401 through #414 inclusive, ISLAND PARK SUBDIVISION PHASE 4, according to the official plat thereof:

Formerly Parcel #20-36-100-013 and Parcel # 20-36-176-002

Do hereby establish the nature of the use and enjoyment of all lots in said subdivision and do declare that all conveyances of said lots shall be made subject to the following conditions, restrictions and stipulations:

**PART B: RESIDENTIAL AREA COVENANTS**

1. Land Use and Building Type

No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling not to exceed two stories in height and private garages for at least two vehicles attached to the house. All construction to be of new materials, except that used brick may be used with prior written approval of the Architectural Review Committee and the West Jordan City Building Department. Rear detached garages in addition to those on the home are acceptable if approved by the Architectural Review Committee and the City Building Department and have the same exterior material requirements as the home.

2. Architectural Control

No building shall be erected, placed, or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevations. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback line unless similarly approved. Approval shall be as provided in Part C.

3. Dwelling Size & Quality, etc.

All house plans, including exterior colors and materials, must be approved by the Architectural Review Committee. The above grade area, exclusive of one-story open

porches and garages, shall be not less than 1400 square feet for ramblers and multi-levels unless approved by the Architectural Review Committee. Two-story homes must be 1800 square feet minimum above-grade unless approved by the Architectural Review Committee. Exterior materials must include only brick, stone, or stucco. Any exceptions must be approved by the Architectural Review Committee. Siding may be used only on soffit and fascia. The roof must have a minimum 6/12 pitch with minimum 25 year architectural shingles. The home must rest on a permanent, pre-poured concrete foundation. All other requirements regarding setbacks, side yards and other related items to be per West Jordan City building requirements and per the Island Park Final Development Plan (See Part D for details) as approved by West Jordan City.

Front landscaping must be fully completed within one year of occupancy of the home. Landscape on interior lots must include at least two trees, to be located in the park strip. Corner lots must include at least four trees to be located in the park strip. Landscape must also include a minimum of two large boulders. All landscaping must conform to all of the requirements listed in the Island Park Final Development Plan. (See Part D for details). Fences may only be constructed of vinyl, masonry (except basic gray cinderblock), tongue and groove double-sided wood fence, or other material approved by the committee.

#### **PART C: ARCHITECTURAL REVIEW COMMITTEE**

##### **1. Membership**

The Architectural Review Committee shall consist of three members and shall be selected by the Developer. After 50% of the lots are built on the Developer may elect to select members of the Architectural Review Committee from home owners and the review process will become the responsibility of the home owners. 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 the members of the committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant.

##### **2. Procedure**

Construction plans and specifications and a site plan showing the location of the structure on the lot must be submitted to the Committee prior to the beginning of construction. The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Committee, or its designated representative, fails to approve or disapprove within (30) thirty days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required, and the related covenants shall be deemed to have been fully complied with.

#### **PART D: ISLAND PARK FINAL DEVELOPMENT PLAN**

##### **1. Master-Planned Community Restrictions**

All lots and homes are subject to the requirements placed on the subdivision as part of the Island Park Final Development Plan as approved by West Jordan City.

**PART E: GENERAL PROVISIONS**

1. Term

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of forty years from the date these covenants are recorded, after which time, said covenants shall be automatically extended for successive periods of ten years unless an instrument signed by the majority of the owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

2. Zoning Restrictions

All lots are subject to the requirements placed on the subdivision as part of the Stone Creek Master Development Plan, the P-C Zone and the Island Park Final Development Plan.


3. Enforcement

Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

4. Severability

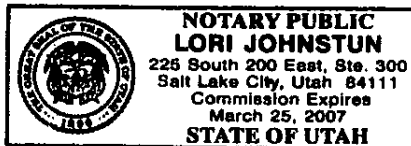
Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

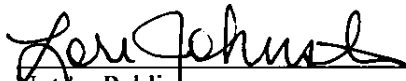
Island Park Development, LLC

  
Justin V. Peterson, Managing Member

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF SALT LAKE        )

The foregoing instrument was executed before me this 3<sup>rd</sup> day of September 2003, by JUSTIN V. PETERSON, MANAGING MEMBER ISLAND PARK DEVELOPMENT LLC, who duly acknowledged that he executed the same by authority.



  
Notary Public