

8913687

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12/02/2003 01:08 PM 16.00  
Book - 8919 Pg - 1225-1228  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
US TITLE OF UTAH  
308 E 4500 S STE.270  
MURRAY UT 84107  
BY: ZJM, DEPUTY - WI 4 P.

WHEN RECORDED MAIL TO:  
U.S. ARMY CORPS OF ENGINEERS  
INTERMOUNTAIN REGULATORY SECTION  
UTAH REGULATORY OFFICE  
533 WEST 2600 SOUTH, SUITE 150  
BOUNTIFUL, UTAH 84010

DECLARATION OF ESTABLISHMENT OF CONDITIONS, COVENANTS AND RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS, that whereas under section 1344 of Title 33 of the United States Code, the Sacramento District Engineer, U.S. Army Corps of Engineers, has authorized certain improvements on and/or adjacent to a 6.41 acre portion of my certain piece of real property at Assessor's Parcel No. 2112151001, 2112151005, 2112151006 in the County of Salt Lake, State of Utah described in that certain deed recorded as Instrument No. 8279103 of Book 8615 on Page 65 of the official records of Salt Lake County, I, the owner of said real property, in consideration of such authorization, certify and declare that the following covenants, conditions, and restrictions are placed on Parcel One of said property as described in Attachment A and incorporated herein for the protection of the owner and the public at large:

- a. All conditions in that authorization document known as Department of the Army Permit Number 199450610 in the official records of the US Army Corps of Engineers, Sacramento District, will be observed.
- b. That the above described property will be maintained and managed in perpetuity, for the purpose of wetland mitigation; and that no alterations or changes in wetland designation to the above described property will be made unless expressly authorized by the U. S. Army Corps of Engineers.
- c. No Discharge of dredged or fill material or excavation shall be allowed, including construction of buildings or other structures, placement of topsoil, unless prior authorization is obtained from the U.S. Army Corps of Engineers.
- d. No grazing of animals is allowed;
- e. No cutting of trees or mowing of the mitigation area shall be allowed unless necessary for safety reasons, authorization from the Corps must be obtained prior to cutting or mowing;
- f. Any additional plantings shall be limited to native vegetation, including grasses, forbs, shrubs and trees.

These covenants are to run with the land and shall be binding on all successors and assigns of the owners.


IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed on December 1, 2003.

OWNER(S) OF RECORD

COURTESY RECORDING  
DOCUMENT IS BEING RECORDED  
AS A COURTESY TO THE PARTIES.  
ASSUMES NO RESPONSIBILITY  
FOR THE CONTENTS HEREOF AND MAKES  
NO WARRANTIES AS TO THE EFFECT  
OF THIS DOCUMENT.

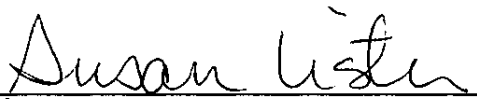
BK 8919 PG 1225

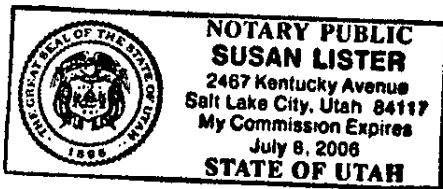
**Aberdeen Moors, LLC**

By:   
Michael M. Brodsky, Managing Member

State of, Utah            }  
                                  : ss.  
County of                }

On the 1<sup>st</sup> day of December, 2003, Michael Brodsky personally appeared before me and duly acknowledges that he, acting in his capacity as the Managing member of Aberdeen Moors, LLC, executed the foregoing instrument for the purposes stated therein.

  
Notary Public



## Attachment A

### PARCEL 1 BOUNDARY DESCRIPTION 6/27/02

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF HUNTERS WOODS CONDOMINIUMS SAID POINT BEING WEST 393.39 FEET AND SOUTH 1082.25 FEET FROM A SALT LAKE COUNTY SURVEY MONUMENT AT THE INTERSECTION OF 4800 SOUTH STREET AND 475 WEST STREET, AND RUNNING THENCE ALONG THE WESTERLY BOUNDARY OF SAID HUNTERS WOODS CONDOMINIUMS THE FOLLOWING TWO COURSES: 1) N07°00'00"E 107.64 FEET; 2) THENCE S87°00'00"W 271.45 FEET; THENCE S07°00'00"W ALONG THE EASTERLY BOUNDARY OF THE MURRAY CITY PARCEL 793.16 FEET; THENCE ALONG THE NORTHERLY BOUNDARY OF CLOVER CREST SUBDIVISION THE FOLLOWING TWO COURSES: 1) S30°00'00"E 148.50 FEET; 2) THENCE S57°00'00"E 297.00 FEET; THENCE N19°36'00"E ALONG THE WESTERLY BOUNDARY OF SAID HUNTERS WOODS CONDOMINIUMS 356.39 FEET; THENCE N66°25'00"W 162.51 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 60.00 FEET AN ARC LENGTH OF 179.87 FEET SUBTENDED BY A CHORD BEARING N19°27'59"E 119.69 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 10.00 FEET AN ARC LENGTH OF 14.27 FEET SUBTENDED BY A CHORD BEARING N64°27'59"E 13.09 FEET; THENCE N23°35'00"E 7.55 FEET; THENCE N66°25'00"W 73.40 FEET; THENCE N23°35'00"E 104.25 FEET; THENCE N15°50'07"W 105.77 FEET; THENCE N29°52'53"W 51.54 FEET; THENCE N03°34'08"W 182.07 FEET; THENCE N86°37'36"E 97.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 6.41 ACRES.

### PARCEL 2 BOUNDARY DESCRIPTION 6/27/02

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF HUNTERS WOODS CONDOMINIUMS SAID POINT BEING WEST 393.39 FEET AND SOUTH 1082.25 FEET FROM A SALT LAKE COUNTY SURVEY MONUMENT AT THE INTERSECTION OF 4800 SOUTH STREET AND 475 WEST STREET, AND RUNNING THENCE S86°37'36"W 97.55 FEET; THENCE S03°34'08"E 182.07 FEET; THENCE S29°52'53"E 51.54 FEET; THENCE S15°50'07"E 105.77 FEET; THENCE S23°35'00"W 104.25 FEET; THENCE S66°25'00"E 73.40 FEET; THENCE S23°35'00"W 7.55 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 10.00 FEET AN ARC LENGTH OF 14.27 FEET SUBTENDED BY A CHORD BEARING S64°27'59"W 13.09 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 60.00 FEET AN ARC LENGTH OF 179.87 FEET SUBTENDED BY A CHORD BEARING S19°27'59"W 119.69 FEET; THENCE S66°25'00"E 162.51 FEET; THENCE ALONG THE WESTERLY BOUNDARY OF SAID HUNTERS WOODS CONDOMINIUMS THE FOLLOWING FIVE COURSES: 1) N19°36'00"E 665.98 FEET; 2) THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 799.37 FEET AN ARC LENGTH OF 180.79 FEET SUBTENDED BY A CHORD BEARING S73°09'47"W 180.40 FEET; 3) THENCE N23°18'58"W 85.96 FEET; 4) THENCE NORTH 1.34 FEET; 5) THENCE S86°37'36"W 105.16 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.76 ACRES.



SCALE:  
1"=120'

6/27/02

