

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS is made this 26 day of January, 1999. Payson Gateway Town Center, LLC., hereafter referred to as the "Declarant."

WITNESSETH:

WHEREAS, Declarant subdivided/leased certain property hereafter referred to as:

Gateway Town Center
Payson, Utah

Plat A and B

ENT 9319 BK 4951 PG 753
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
1999 Jan 26 4:54 pm FEE 33.00 BY SS
RECORDED FOR FIRST AMERICAN TITLE CO

WHEREAS, Declarant intends that the Properties, 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 Property, that all of the Properties shall be held, sold, leased and conveyed subject to the following easement, restrictions, covenants and conditions, which shall run with the Properties, and be binding on all parties having any right, title or interest in the Properties or any part thereof, their heirs, successors and assigns, and shall insure to benefit of each owner thereof.

ARTICLE I
ARCHITECTURAL CONTROL

The Payson Gateway Architectural Control Committee (here after "Committee") shall, initially, be composed of two officers or designees of the Declarant. 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, nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant.

1.1. **BUILDING APPROVALS.** The owner/lessee must submit a set of formal building, site and landscaping plans to the Committee and Payson City for written approval prior to construction. No exterior additions, changes or alterations shall be made to the Property without written Committee and Payson City approval.

1.2. **GOVERNMENT ORDINANCES.** All Improvements on the Property shall be undertaken in conformity with all laws and ordinances of the governing authorities including the Committee.

1.3. **EASEMENT.** Easements for installation and maintenance of utilities, water systems, and drainage are reserved as shown on the recorded plat. Within these easements no structures, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation, operation, maintenance, drainage, or which may change the direction of flow of drainage in the easements, or which may obstruct or retard the flow of water through drainage in the easements.

1.4. **SIGNS.** No signs of any kind shall be displayed to the public view on any Property without written approval by the Committee.

