

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

(With Trust Deed)

TO THE PUBLIC;

~~We~~ the undersigned owner of a parcel of real property located in Utah County, State of Utah, described as follows, referred to herein as the "Original Parcel," (*insert legal description of parcel, prior to any division*):

See attached legal description identified herein as Exhibit "A"

have the intent to qualify for the exemption from filing an approved subdivision plat, which exemption is provided for in Section 17-27-103 and 17-27-806(2), 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, to divide the Original Parcel into the following described parcels of real property, herein referred to as the "Divided Parcels," (*insert legal description of each parcel, after the division*):

See attached legal descriptions identified herein as Exhibits "B" and "C"

I hereby covenant on behalf of myself and my heirs, executors, administrators, successors, and assigns that neither I nor my heirs, executors, administrators, successors, or assigns will ever use the Divided Parcels, or any of them, for any residential or other non-agricultural purpose, and will not allow any other person or entity to use the Divided Parcels, or any of them, for any residential or other non-agricultural purpose.

I hereby further covenant on behalf of myself and my heirs, executors, administrators, successors, and assigns that neither I nor my heirs, executors, administrators, successors, or assigns will ever further divide or subdivide the Divided Parcels, without first obtaining approval for a subdivision plat, or without first obtaining approval as an agricultural division from Utah County.

I hereby further covenant and agree on behalf of myself and my heirs, executors, administrators, successors, and assigns that, pursuant to the provisions of U.C.A. Section 17-27-806(2)(c), 1953 as amended, the use of a Divided Parcel for a nonagricultural purpose shall trigger the requirement that the owners comply with the requirements of U.C.A. Section 17-27-804, 1953 as amended, (the normal subdivision process), including the provisions of the Utah County Zoning Ordinance dealing with the subdivision of property, including but not limited to Chapter 6-1 and Chapter 6-3 of the Utah County Zoning Ordinance, or the successor provisions of said statutes and ordinances.

These restrictive covenants shall run with the land and shall be binding upon all persons

owning or leasing the Divided Parcels, or any of them, and their heirs, executors, administrators, successors, and assigns. These restrictive covenants shall not apply to (1) 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 of the Utah County Zoning Ordinance, 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. If included by reference only, the reference shall specifically state the full title of this restrictive covenant and shall state the entry number and year in which it was recorded with the Utah County Recorder.

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, executors, administrators, successors, or assigns shall violate or attempt to violate any of the covenants above set forth, Utah County, or any other person owning a portion of the Original Parcel, may enjoin such transfer, sale, or use by action for injunction brought in any court of equity jurisdiction or may pursue any other remedy available at law or in 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.

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.

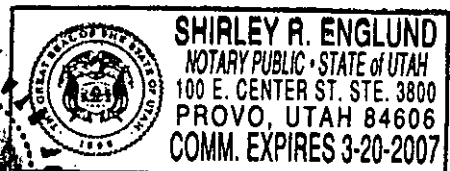
Signed: Dell B. Walker
Johanna M. Walker
Wendy L. Horton
F. Arnold Horton

ACKNOWLEDGMENT

STATE OF UTAH)
 §
COUNTY OF UTAH)

On the 31st day of May, 2005 (year), personally appeared before me, (4) above signers, the signer(s) of the above instrument, who duly acknowledged to me that ~~he~~ (they) executed the same.

Shirley R. Englund
Notary Public



Walker-Horton Waiver of Subdivision Description No. 1 (Entire Farm)

BEGINNING AT A POINT WHICH IS LOCATED AT A CORNER POST ON A LONG-STANDING FENCE AND WHICH IS ALSO LOCATED WEST 395.66 FT. AND SOUTH 2061.90 FT. (BASED UPON THE UTAH STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, BEARING OF SECTION LINES, NAD 27) FROM THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE ALONG A LONG-STANDING FENCE LINE AND A BOUNDARY AGREEMENT LINE BY THE FOLLOWING 9 (NINE) COURSES: (1) NORTH 15°34'45" EAST 112.86 FT; (2) THENCE NORTH 18°47'22" EAST 48.57 FT; (3) THENCE NORTH 26°26'07" EAST 156.09 FT; (4) THENCE NORTH 20°22'12" EAST 94.14 FT; (5) THENCE NORTH 19°46'49" EAST 107.39 FT; (6) THENCE NORTH 17°36'50" EAST 28.03 FT; (7) THENCE NORTH 7°56'41" EAST 44.15 FT; (8) THENCE NORTH 1°12'18" EAST 266.86 FT; (9) THENCE NORTH 3°15'07" EAST 100.86 FT., MORE OR LESS TO THE LONG-STANDING SOUTH BOUNDARY FENCE LINE OF THE ROBINS FAMILY TRUST PROPERTY; THENCE ALONG SAID LONG-STANDING BOUNDARY FENCE LINE SOUTH 89°55'30" EAST 1965.43 FT; THENCE ALONG LONG-STANDING BOUNDARY FENCE LINES BY THE FOLLOWING 11 (ELEVEN) COURSES: (1) SOUTH 2°29'40" EAST 443.65 FT; (2) THENCE SOUTH 85°40'18" EAST 268.06 FT; (3) THENCE SOUTH 5°49'16" WEST 72.18 FT; (4) THENCE SOUTH 54°01'53" EAST 55.51 FT; (5) THENCE SOUTH 47°17'38" EAST 39.58 FT; (6) THENCE SOUTH 40°45'40" EAST 64.47 FT; (7) THENCE SOUTH 34°39'57" EAST 39.94 FT; (8) THENCE SOUTH 25°19'24" EAST 198.20 FT; (9) THENCE SOUTH 21°55'44" EAST 76.89 FT TO A FENCE CORNER; (10) THENCE NORTH 89°53'12" WEST 1619.85 FT; (11) THENCE NORTH 89°45'43" WEST 1087.66 FT. TO THE POINT OF BEGINNING. AREA = 47.64 ACRES

Together with a one-half interest in a flowing water well (Water Right No. 55-3149) located on the adjacent Jack Edwards property, with the right to convey the water from said well across the Edwards land to the above described land, and a one-half interest in a flowing water well (Water Right No. 55-3150) located on the above described parcel of land.

Also subject to any other easements, rights-of-way, etc., of record or apparent by inspection, including, but not necessarily limited to, an easement of unknown width for an existing underground natural gas transmission line as identified upon the ground by marker posts. Also subject to and together with a 16.5 ft. wide right-of-way in favor of F. Arnold Horton and Kathleen Ann Horton, Dell B. Walker and Jo Ann H. Walker and the Robins Family Trust, the centerline of which right-of-way is described as follows: Beginning at a point on the north line of the Boat Harbor Drive, which beginning point is South 2657.89 ft. and East 1527.73 ft. (based upon the Utah State Plane Coordinate System, Central Zone, bearings of Section lines, NAD 27) from the Northwest Corner of Section 4, Township 7 South, Range 2 East, Salt Lake Base and Meridian; thence by the following 6 (six) courses: (1) North 2° 44' 31" West 590.54 ft; thence (2) North 1° 42' 42" West 449.79 ft; thence (3) North 25° 39' 28" West 115.84 ft; thence (4) North 24° 35' 11" West 106.09 ft; thence (5) North 7° 30' 11" West 137.22 ft; thence (6) North 3° 15' 15" East 139.51 ft., more or less, to the south property line of the Robins Family Trust property.

Walker-Horton Waiver of Subdivision Description No. 2

(Property to be deeded to Hortons)

BEGINNING AT A POINT WHICH IS LOCATED AT A CORNER POST ON A LONG-STANDING FENCE AND WHICH IS ALSO LOCATED WEST 395.66 FT. AND SOUTH 2061.90 FT. (BASED UPON THE UTAH STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, BEARING OF SECTION LINES, NAD 27) FROM THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE ALONG A LONG-STANDING FENCE LINE AND A BOUNDARY AGREEMENT LINE BY THE FOLLOWING 5 (FIVE) COURSES: (1) NORTH 15°34'45" EAST 112.86 FT; (2) THENCE NORTH 18°47'22" EAST 48.57 FT; (3) THENCE NORTH 26°26'07" EAST 156.09 FT; (4) THENCE NORTH 20°22'12" EAST 94.14 FT; (5) THENCE NORTH 19°46'49" EAST 23.45 FT; THENCE LEAVING SAID BOUNDARY LINE AND FOLLOWING A NEW DIVISION LINE BY THE FOLLOWING 6 (SIX) COURSES: (1) SOUTH 89°42'35" EAST 1726.99 FT; (2) THENCE NORTH 1°42'42" WEST 47.44 FT; (3) THENCE NORTH 63°21'15" EAST 8.24 FT; (4) THENCE SOUTH 84°36'46" EAST 210.89 FT., (5) THENCE SOUTH 88°37'35" EAST 77.86 FT. (6) THENCE SOUTH 81°29'49" EAST 281.42 FT., MORE OR LESS TO LONG-STANDING BOUNDARY FENCE LINES; THENCE ALONG SAID LONG-STANDING BOUNDARY FENCE LINES BY THE FOLLOWING 8 (EIGHT) COURSES: (1) SOUTH 54°01'53" EAST 55.51 FT; (2) THENCE SOUTH 47°17'38" EAST 39.58 FT; (3) THENCE SOUTH 40°45'40" EAST 64.47 FT; (4) THENCE SOUTH 34°39'57" EAST 39.94 FT; (5) THENCE SOUTH 25°19'24" EAST 198.20 FT; (6) THENCE SOUTH 21°55'44" EAST 76.89 FT TO A FENCE CORNER; (7) THENCE NORTH 89°53'12" WEST 1619.85 FT; (8) THENCE NORTH 89°45'43" WEST 1087.66 FT. TO THE POINT OF BEGINNING. AREA =23.82 ACRES

Together with a one-half interest in a flowing water well (Water Right No. 55-3149) located on the adjacent Jack Edwards property, with the right to convey the water from said well across the Edwards land to the above described land.

Also subject to any other easements, rights-of-way, etc., of record or apparent by inspection, including, but not necessarily limited to, an easement of unknown width for an existing underground natural gas transmission line as identified upon the ground by marker posts.

Also subject to and together with a 16.5 ft. wide right-of-way in favor of F. Arnold Horton and Kathleen Ann Horton, Dell B. Walker and Jo Ann H. Walker and the Robins Family Trust, the centerline of which right-of-way is described as follows: Beginning at a point on the north line of the Boat Harbor Drive, which beginning point is South 2657.89 ft. and East 1527.73 ft. (based upon the Utah State Plane Coordinate System, Central Zone, bearings of Section lines, NAD 27) from the Northwest Corner of Section 4, Township 7 South, Range 2 East, Salt Lake Base and Meridian; thence by the following 6 (six) courses: (1) North 2° 44' 31" West 590.54 ft; thence (2) North 1° 42' 42" West 449.79 ft; thence (3) North 25° 39' 28" West 115.84 ft; thence (4) North 24° 35' 11" West 106.09 ft; thence (5) North 7° 30' 11" West 137.22 ft; thence (6) North 3° 15' 15" East 139.51 ft., more or less, to the south property line of the Robins Family Trust property.

Walker-Horton Waiver of Subdivision Description No. 3

(Property to be deeded to Walkers)

BEGINNING AT A POINT WHICH IS LOCATED AT A CORNER POST ON A LONG-STANDING FENCE AND WHICH IS ALSO LOCATED WEST 239.51 FT. AND SOUTH 1657.11 FT. (BASED UPON THE UTAH STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, BEARING OF SECTION LINES, NAD 27) FROM THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE ALONG A LONG-STANDING FENCE LINE AND A BOUNDARY AGREEMENT LINE BY THE FOLLOWING 5 (FIVE) COURSES: (1) NORTH 19°46'49" EAST 83.94 FT; (2) THENCE NORTH 17°36'50" EAST 28.03 FT; (3) THENCE NORTH 7°56'41" EAST 44.15 FT; (4) THENCE NORTH 1°12'18" EAST 266.86 FT; (5) THENCE NORTH 3°15'07" EAST 100.86 FT., MORE OR LESS TO THE LONG-STANDING SOUTH BOUNDARY FENCE LINE OF THE ROBINS FAMILY TRUST PROPERTY; THENCE ALONG SAID LONG-STANDING BOUNDARY FENCE LINE SOUTH 89°55'30" EAST 1965.43 FT; THENCE ALONG LONG-STANDING BOUNDARY FENCE LINES BY THE FOLLOWING 3 (THREE) COURSES: (1) SOUTH 2°29'40" EAST 443.65 FT; (2) THENCE SOUTH 85°40'18" EAST 268.06 FT; (3) THENCE SOUTH 5°49'16" WEST 72.18 FT; THENCE LEAVING SAID BOUNDARY LINE AND FOLLOWING A NEW DIVISION LINE BY THE FOLLOWING 6 (SIX) COURSES: (1) THENCE NORTH 81°29'49" WEST 281.42 FT. (2) THENCE NORTH 88°37'35" WEST 77.86 FT; (3) THENCE NORTH 84°36'46" WEST 210.89 FT; (4) THENCE SOUTH 63°21'15" EAST 8.24 FT; (5) THENCE SOUTH 1°42'42" EAST 47.44 FT; (6) THENCE NORTH 89°42'35" WEST 1726.99 FT TO THE POINT OF BEGINNING.

AREA =23.82 ACRES

Together with a one-half interest in a flowing water well (Water Right No. 55-3150) located on the above described parcel of land.

Also subject to any other easements, rights-of-way, etc., of record or apparent by inspection, including, but not necessarily limited to, an easement of unknown width for an existing underground natural gas transmission line as the same is identified upon the ground by gas line marker posts. Also subject to and together with a 16.5 ft. wide right-of-way in favor of F. Arnold Horton and Kathleen Ann Horton, Dell B. Walker and Jo Ann H. Walker and the Robins Family Trust, the centerline of which right-of-way is described as follows: Beginning at a point on the north line of the Boat Harbor Drive, which beginning point is South 2657.89 ft. and East 1527.73 ft. (based upon the Utah State Plane Coordinate System, Central Zone, bearings of Section lines, NAD 27) from the Northwest Corner of Section 4, Township 7 South, Range 2 East, Salt Lake Base and Meridian; thence by the following 6 (six) courses: (1) North 2° 44' 31" West 590.54 ft; thence (2) North 1° 42' 42" West 449.79 ft; thence (3) North 25° 39' 28" West 115.84 ft; thence (4) North 24° 35' 11" West 106.09 ft; thence (5) North 7° 30' 11" West 137.22 ft; thence (6) North 3° 15' 15" East 139.51 ft., more or less, to the south property line of the Robins Family Trust property.