

**Amendment**  
**of Declaration of Covenants, Conditions, and Restrictions of**  
**Canterbury North Plat "G" Subdivision**

For Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned record owner of the following described real property, to wit:

**Canterbury North Plat "G" Subdivision**

does hereby make the following declarations, restrictions and uses to which the lots of the Canterbury North Plat "G" Subdivision ("Subdivision") shall be put, hereby specifying that this Declaration shall constitute Amended covenants to run with all of the land within the above-mentioned Plat as provided by law and shall be binding upon all of the parties and all persons claiming under them and for the benefit of and limitations upon all future owners in the Subdivision.

This instrument shall become effective upon the recording hereof in the Office of the Utah County Recorder.

Dated this the 6<sup>th</sup> day of May, 2004.


Canterbury Development & Investment, Inc.

  
\_\_\_\_\_  
DAN S. FRANSDEN, PRESIDENT

  
\_\_\_\_\_  
ISAAC T. PATTERSON, SECRETARY

STATE OF UTAH        )  
                                  ss.  
COUNTY OF UTAH    )

The foregoing instrument was subscribed, sworn to and acknowledged before me this May 6, 2004, by DAN S. FRANSDEN AND ISAAC T. PATTERSON, PRESIDENT AND SECRETARY OF CANTERBURY DEVELOPMENT & INVESTMENT, INC.

  
\_\_\_\_\_  
Notary Public

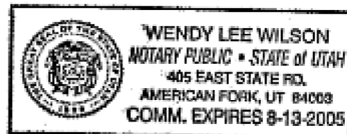


EXHIBIT "A"

ENCROACHMENT GUIDELINES FOR  
JORDAN AQUEDUCT, REACH 4

PROTECTION CRITERIA

- A. Surface structures that generally will be allowed to be constructed within United States rights-of-way include asphalt roadways, with no utilities within roadway, non reinforced parking lots, curbs, gutters and sidewalks, walkways, driveways. However, where United States system pipe has specific maximum and minimum cover designation the special requirements for roadways, parking lots and driveways crossing over the pipe shall be obtained from the United States for the maximum allowable external loading or minimum cover. **HOWEVER, IT IS UNDERSTOOD THAT ALL SURFACE STRUCTURES SHALL BE ANALYZED AND CONSIDERED ON AN INDIVIDUAL BASIS.**
- B. Structures that may not be constructed in, on, or along United States rights-of-way include but are not limited to, permanent structures such as fences, retaining walls, block walls, buildings, garages, decks, carports, trailers, and swimming pools as designated by the United States.
- C. No trees or vines will be allowed within the rights-of-way of the United States.
- D. All temporary or permanent changes in ground surfaces within United States rights-of-way are to be considered to be encroaching structures and must be handled as such. Earthfills and cuts on adjacent property shall not encroach on United States rights-of-way without prior approval by the United States.
- E. Existing gravity drainage of the United States rights-of-way must be maintained. No new concentration of surface or subsurface drainage may be directed onto or under the United States rights-of-way without adequate provision for removal of drainage water or adequate protection of the United States rights-of-way.
- F. Prior to construction of any structure that encroaches within United States rights-of-way, an excavation must be made to determine the location of existing United States facilities. The excavation must be made by or in the presence of water users or the United States.
- G. Any contractor or individual constructing improvements in, on, or along United States rights-of-way must limit his construction to the encroaching structure previously approved and construct the improvements strictly in accordance with plans or specifications.
- H. The ground surfaces within United States rights-of-way must be restored to a condition equal to that which existed before the encroachment work began or as shown on the approved plans or specifications.
- I. The owner of newly constructed facilities that encroach on United States rights-of-way shall notify the United States and/or the District upon completion of construction and shall provide the District with one copy and the United States with two copies of as-built drawings showing actual improvements in, on, or along the rights-of-way.

J. Except in case of ordinary maintenance and emergency repairs, an owner of encroaching facilities shall give the District at least 10 days notice in writing before entering upon United States rights-of-way for the purpose of reconstructing, repairing, or removing the encroaching structure or performing any work on or in connection with the operation of the encroaching structure.

K. If unusual conditions are proposed for the encroaching structure or unusual field conditions within United States rights-of-way are encountered, the United States reserves the right to impose more stringent criteria than those prescribed herein.

L. All backfill material within United States rights-of-way shall be compacted to 90 percent of maximum density unless otherwise shown. Mechanical compaction shall not be allowed within 6 inches of the projects works whenever possible. In no case will mechanical compaction using heavy equipment be allowed over the project works or within 18 inches horizontally of the projects works.

M. That the backfilling of any excavation or around any structure within the United States rights-of-way shall be compacted in layers not exceeding 6 inches thick to the following requirements: (1) cohesive soils to 90 percent maximum density specified by ASTM Part 15, D-698, method A; (2) noncohesive soils to 70 percent relative density specified by ANSI/ASTM Part 15, d-2049, par. 7.1.2, wet method.

N. Any nonmetallic encroaching structure below ground level shall be accompanied with a metallic strip within the United States rights-of-way.

O. Owners of encroaching facilities shall notify the United States at (801) 379-1000 and/or the District at (801) 565-8903 at least forty-eight (48) hours in advance of commencing construction to permit inspection by the United States and/or the District.

P. No use of United States lands or rights-of-way shall be permitted that involves the storage of hazardous material.