

ENT 26566 BK 2626 PG 88
NINA B REID UTAH CO RECORDER BY BT
1989 SEP 8 4:30 PM FEE 11.00
RECORDED FOR ASSOCIATED TITLE COMPANY

RESTRICTIVE COVENANT

BOYER-OREM ASSOCIATES, a Utah Limited Partnership, hereby imposes a restrictive covenant on the property described in Exhibit "B" attached hereto to run in favor of and with the land described in Exhibit "H" attached hereto that no business primarily engaged in the sale of prepared chicken shall be conducted on the property described in Exhibit "B" either as a separate business or as a concessionaire or lessee of a larger business without the prior written consent of the owner of the property described in Exhibit "H". This shall not be construed to prevent Smith's Food Store or other tenants in the center from selling chicken as a minor or incidental part of their business.

DATED this 31st day of August, 1989.

BOYER-OREM ASSOCIATES

By

[Handwritten Signature]
General Partner
attorney in fact

STATE OF UTAH)
) ss.
COUNTY OF)

The foregoing instrument was acknowledged before me this 31st day of August, 1989, by the General Partner of BOYER-OREM ASSOCIATES, a Limited Partnership, who being by me duly sworn, did say that the within and foregoing instrument was signed in behalf of said Limited Partnership.

My commission expires:

Notary Public
Residing at:

State of Utah)
) ss
County of Utah)

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The foregoing instrument was acknowledged before me this 8th day of September, 1989, by H. Lewis Swain, Attorney in Fact for The Boyer Company, a Utah corporation, the general partner of Boyer Orem Associates, a Utah limited partnership.

Brian J Brunson

NOTARY PUBLIC

Residing at:

Orem, Utah

My Commission Expires:

11-03-90

EXHIBIT "B"Boyer's Entire Shopping Center:

A part of the Southwest Quarter of Section 14, Township 6 South, Range 2 East of the Salt Lake Base and Meridian, U.S. Survey.

Beginning at a point on the South line of Center Street being 392.64 feet South 88 deg 53'35" East along the Quarter Section line and 30.38 feet South from the West Quarter corner of said Section 14; and running thence along said South line of Center Street South 88 deg 49'28" East 943.66 feet to a point on the projection of an existing boundary line fence; thence South 0 deg 01'43" East 371.22 feet along said fence to the Northwest corner of Chapel Park, a subdivision in Orem City, Utah County, Utah; thence South 0 deg 09'39" East 246.62 feet along said subdivision boundary to the North boundary of Royal Oaks Subdivision, Flat "E", in Orem City, Utah County, Utah; thence along said Southwest boundary the following two (2) courses; North 88 deg 45'40" West 143.18 feet and South 0 deg 18'10" East 122.13 feet to a point on an existing boundary line fence; thence South 0 deg 14'27" East 383.76 feet along said boundary line fence; thence North 88 deg 34'06" West 139.04 feet; thence Southwesterly along the arc of an 80.00 foot radius curve to the left a distance of 40.17 feet (Delta equals 28 deg 46'13" and Long Chord bears South 77 deg 02'52" West 39.75 feet) to a point of reverse curvature; thence Southwesterly along the arc of an 80.00 foot radius curve to the right a distance of 40.17 feet (Delta equals 28 deg 46'13" and Long Chord bears South 77 deg 02'52" West 39.75 feet); thence North 88 deg 34'06" West 50.10 feet; thence South 0 deg 33' East 5.00 feet; thence North 89 deg 10' West 227.45 feet; thence North 0 deg 14'27" West 274.15 feet; thence North 88 deg 47'06" West 59.15 feet; thence North 0 deg 14'27" West 88.84 feet; thence North 88 deg 47'06" West 135.73 feet to the Easterly line of State Street; thence North 18 deg 29'04" West 231.18 feet along said Easterly line; thence South 88 deg 54' East 93.90 feet; thence North 0 deg 06' East 131.89 feet; thence North 88 deg 54' West 138.52 feet to the Easterly line of said State Street; thence North 18 deg 29' 04" West 319.69 feet along said Easterly line; thence South 88 deg 59' East 103.51 feet; thence North 1 deg 01' East 134.31 feet to the point of beginning.

EXHIBIT "H"

Harman's Property After Exchange:

A part of the Southwest Quarter of Section 14, Township 6 South, Range 2 East of the Salt Lake Base and Meridian, U. S. Survey;

Beginning at a point on the Easterly line of State Street being 535.73 feet South $88^{\circ}53'35''$ East along the Quarter Section line and 904.73 feet South from the West Quarter corner of said Section 14; and running thence South $88^{\circ}47'06''$ East 165.33 feet; thence South $0^{\circ}14'27''$ East 274.59 feet; thence North $89^{\circ}10'$ West 74 feet to the Easterly line of said State Street; thence North $18^{\circ}29'04''$ West 291.65 feet along said Easterly line of State Street to the point of beginning.