

DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS  
FOR  
CANTERBURY CIRCLE

ENT 9035:2001 P6 1 of 5  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2001 Feb 02 3:10 pm FEE 47.00 BY SB  
RECORDED FOR MOUNTAIN WEST TITLE CO

**Architectural Review Committee**

The Committee shall consist of the Developer and or other members as designated by developer. This committee shall remain in force until all homes have been built. Upon completion of all homes in the subdivision Highland City shall act as the Architectural Review Committee, with the rights and responsibilities herein granted.

**Architectural Control**

To maintain a degree of protection of the investment which homeowners will make in this development, homes of superior design are requisite. All plans must be approved by the committee before starting construction. It is recommended that a preliminary drawing of home, including the square footage of each level, elevations and list of materials being used on exterior (including brick, stucco, shingles, mailbox), a plot plan showing the placement of the home on the lot, including the driveway, mailbox and landscaping plan be submitted to the committee for preliminary approval. This will save the inconvenience of the owner/builder spending unnecessary time and money of plan that may not be approved. *The city will not issue a building permit without the final engineered plans and plot plan being signed by the Committee.*

**Size of Homes**

A rambler style home shall have a minimum of 1,900 sq. ft. on the main floor. A two story style shall have a main floor minimum of 1,300 sq. ft. Other styles of homes will be reviewed on a case-by-case basis. These minimums shall be waived for the homes existing at the beginning of the development. Exceptions to the minimum size will be lot numbers 1, 2, 4, 5, 28, 29, 30 and 31 which for a rambler style home shall have a minimum of 1,600 sq. ft. and a two story style shall have a main floor minimum of 1,100 sq. ft.

**Additions or other structures**

No building, fence, wall or other structure shall be commenced, erected or maintained upon any lot, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing by the Architectural Review Committee. Final approval from the committee will be withheld until the applicant provides proof that a permit for said structure can be issued from Highland City. Construction must not begin without said permit being issued.

**Exterior of Buildings**

All exterior of buildings shall be masonry (brick or stucco). A style of house that is more suited for siding may be permitted on a limited basis upon approval by the Architectural Review Committee provided that the siding is not a vinyl or metal product, but a cement or other durable product. The exterior of buildings must be maintained in good repair. No owner shall cause or permit anything (including, without limitation, awnings, canopies or shutter) on the exterior of buildings without prior written permission of the Architectural Review Committee.

**Mail Boxes**

Temporary mail boxes are not allowed. All boxes shall be a permanent masonry mailbox. All mail boxes must have the approval of the architectural committee. Mailboxes that are adjacent to one another on lot lines shall be shared. (Home owner must obtain Post Office approval for placement and guidelines of mailbox.)

**Shingles**

No three tab shingles allowed. As a minimum, shingles must be an architectural shingle design with a 30 year rating. Metal shingles or roofing will be considered on a case by case basis.

**Landscaping**

A landscaping plan must be submitted for approval to the Architectural Review Committee before start of home construction. The plan must include a fence outline, flower and shrub area, trees marked (along with type of trees). All landscaping must be completed within twelve months of completion of home. Future changes of any significance must be approved by the Architectural Review Committee.

**Fences**

There shall be setback for side fences a minimum of 10 feet from the front side corner of house. Side fences may be a privacy type fence but limited to five feet tall, the back fences of the lots adjacent to the park area may also have this same fence. All other back fences shall be an open type of a fence (such as a semi private picket fence or rail fence), limited to five feet tall. Any fence extending from a side fence to the front of the lot shall limited to 3 feet tall. All fences shall be kept in good repair by the owner. All fences must conform to Highland cities fence ordinance and a permit must be obtained by the city prior to construction.

**Setbacks**

The minimum building setbacks for all lots, unless otherwise noted on the plat, shall be;

- Front setback 25 feet
- Side setbacks 20 feet total with a minimum of 8 on one side
- Rear setbacks 20 feet

**Parks and open space**

The parks and open space that is in conjunction with this subdivision (refer to the subdivision plat) are owned and will be maintained by Highland City. Highland City will assess each homeowner in the subdivision an additional fee for the maintenance of said property.

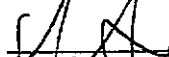
**et  
Quite enjoyment:**

No noxious or offensive activity shall be carried on upon any part of the Subdivision nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood, or which shall in any way interfere with the quite enjoyment of each of the owners.


**Parking:**


No motor vehicle which is inoperable shall be allowed in the subdivision, and any vehicle which remains over 72 hours shall be subject to being removed by the Architectural Review Committee at the owners expense. Recreational vehicles, boats, travel trailers and similar property may not be parked within the Subdivision unless allowed by the Architectural Review Committee.

*Exemptions Lots 3, 21 and 25 shall be exempt from all exterior Architectural requirements herein listed. Lot 25 shall be able to park a camp trailer on lot.*

  
 \_\_\_\_\_  
 Canterbury Circle LLC  
 Shane Morris, Member

2-01-01  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Ilene Washburn  
 Date

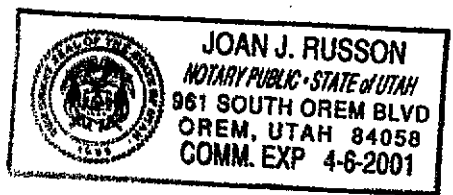
  
 \_\_\_\_\_  
 Allen Washburn  
 Date

STATE OF UTAH )  
 :SS  
COUNTY OF UTAH )

On the 31<sup>st</sup> day of January, 2001, personally appeared before me, a Notary Public in and for the State of Utah, Shane Morris, and \_\_\_\_\_ who represented to me that they are the Member of Contemporary Circle, L.C., a Utah Limited Liability Company, the signers of the above instrument, who duly acknowledged to me that they have authority to execute the within and foregoing instrument in behalf of said Limited Liability Company, and that said Limited Liability Company executed the same.

Joan J. Russon  
\_\_\_\_\_  
Notary Public

Residing In: Utah Co. Utah  
My Commission Expires: 4-6-01



STATE OF UTAH )  
 )  
County of Utah )

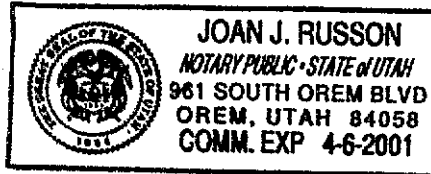
On the 31<sup>st</sup> Day of January, 2000, Personally appeared  
before me

Steve Washburn and Allen Washburn

the signer (s) of the within instrument who duly acknowledged to me that They executed the same.

My commission expires: 4-6-01

Joan J. Russon  
Residing in: Utah Co., Utah



LEGAL DESCRIPTION FOR CANTERBURY CIRCLE SUBDIVISION

ALL OF LOTS 1 THROUGH 30, PLAT "A", CANTERBURY CIRCLE SUBDIVISION,  
ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED IN THE OFFICE OF THE  
COUNTY RECORDER, UTAH COUNTY, UTAH.