

1. Home 31 - Heather Cove
13-180-0001 thru 0031

E 1337112 B 2155 P 1224
JAMES ASHAUER, DAVIS CNTY RECORDER
1997 JUL 28 12:45 PM FEE 42.00 DEF JR
REC'D FOR SECURITY TITLE COMPANY

HEATHER COVE SUBDIVISION

The Protective Covenants of Heather Cove Subdivision, located in the City of South Weber, Davis County, Utah, dated July 21 1997:

RETURNED

JUL 28 1997

1. All lots in the subdivision shall be known and described as residential lots and no structure shall be erected, altered, placed or permitted to remain on any residential lot other than a detached single family dwelling, not to exceed two stories in height and a minimum of a two car garage.
2. No building shall be erected, altered or placed on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the architectural control committee as to the quality of workmanship and materials, harmony of exterior design with existing homes, and as to location with respect to topography and finish elevation.
3. All plans and specifications must be approved by the developers prior to starting construction. Construction on all lots must commence within 180 days of the date of plan approval and proceed in an orderly and expeditious manner. In the event that construction has not been commenced within 180 days, written approval must be obtained from the developer.
4. All dwellings shall have a minimum of at least 8' side yards. Eaves, steps and open porches shall not be considered as part of the building. A detached garage or other permitted accessory building shall be placed according to the requirements of South Weber City.
5. No dwelling shall be permitted on any lot with the ground floor area of the main structure, exclusive of open porches and garages, of less than 1,400 square feet for one story dwelling, nor less than 1600 square feet for a dwelling of more than one story. A split level entry or bi-level dwelling with garage under must exceed 1300 square feet on the two main levels, as determined by the architectural control committee. Some homes may be required to have three car garages due to the overall length of the home which cannot be less than 50 feet. The construction materials for each home shall be of a quality equal to or superior to FHA or VA requirements. Concrete, tilt-up walls, steel building, log homes and other nonconventional type systems will not be allowed, unless such structure can be deemed in harmony with adjacent homes by the architectural control committee.
6. No building shall be erected or placed on any lot having less than 100% brick on the front of the building, except overhangs and areas above roofs. Stucco may be used in place of brick on the upper half of certain styles of homes with the prior approval of the architectural control committee. Brick will be required on the sides of all homes and garages at least four feet above the foundation level. All areas on the front of the home that are not brick must be stucco. All homes shall have a 2X6 fascia. All roofs shall have a minimum of 5/12 roof slope except where window egress would be affected.
7. No noxious or offensive activity shall be carried out upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
8. Such easement and right-of-way shall be reserved to the undersigned, its successors and assigns, on and over said real property for the erection, construction and maintenance and operation therein or thereon of drainage pipes or conduits and pipes, conduits, poles, wires, and other means of conveying to and from lots in said tract, gas, electricity, power, water, telephone and telegraph services, sewage and other things for convenience to the owners of lots in said tract, as many be shown on said map, and the undersigned, its successors, and assigns, shall have the right to so reserve any or all of the lots shown on said map. No structures of any kind shall be erected over any of such easements except upon written permission of the owner of the easements, their successors or assigns.

**ACCOMMODATION
RECORDING ONLY**

9. No lot shall be used or maintained as dumping ground for rubbish, trash;garbage or other waste shall be kept in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and a sanitary condition. No unsightly materials or other objects are to be stored on any lot in view of the general public. Purchaser or contractor of lot shall be held responsible for damages caused by him or his contractor to any lots in this subdivision. Individual lot owners will be held responsible to contain construction debris upon their property.


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10. No oil drilling, oil development operations, oil refining, quarrying or minimum operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structures designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot; no fencing will be allowed closer to the street than the front of the home, unless approved by the architectural control committee.

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 20 years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless no instrument signed by a majority of the then owners of the lots has been recorded changing said covenants in whole or in in part. Enforcement shall be proceedings at law or in equity against any person or persons violating or attempting to violate any covenants either to restrain him or them from doing so, or to recover damages thereof. Invalidation of any one of these covenants by judgement or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

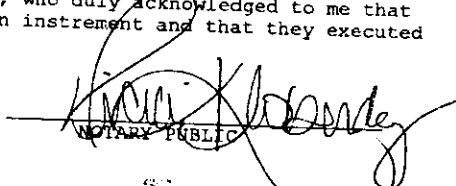
Architectural Control Committee consists of Edward D.Green & Tracy R. Harper. Dated this , day of July 1997.


EDWARD D. GREEN
Architectural Control Committee


TRACY R. HARPER
Architectural Control Committee

STATE OF UTAH)
) ss.
COUNTY OF DAVIS)

On the 21 day of July, 1997, personally appeared before me EDWARD G. GREEN AND TRACY R. HARPER, who duly acknowledged to me that they are the singer(s) of the within instrement and that they executed the same.


NOTARY PUBLIC

NOTARY PUBLIC
VICKI KLOBERDANZ
849 West Hillfield Rd.
Layton, UT 84041
My Commission Expires October 10, 1999
State of Utah