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WHEN RECORDED, RETURN TO:

Mountain Home Development
3940 N. Traverse Mountain Blvd., Suite 200
Lehi, UTAH 84043

(Space Above for Recorder's Use)

**DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
AND
RESERVATIONS OF EASEMENTS FOR
SINGLE FAMILY LOTS
IN
EAGLE SUMMIT SUBDIVISIONS: PHASES 1, 2, 3, 4 AND 5**

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This Declaration of Covenants, Conditions and Restrictions and Reservations of Easements for Single Family Lots ("*Single Family Lot Declaration*") is made by **Mountain Home Development Corporation**, a Utah corporation ("*Declarant*").

RECITALS:

A. Declarant owns the real property located in the Lehi City, Utah County, Utah, described on *Exhibit A* for the Eagle Summit Subdivision, Phases 1, 2, 3, 4, and 5 (collectively "*Eagle Summit*").

B. Eagle Summit is part of an area known as "*Mountain Cove District.*" Declarant intends to develop Eagle Summit as a single family lot development located in Mountain Cove District within the master planned community known as "*Traverse Mountain.*" Traverse Mountain is governed by the Master Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Traverse Mountain which was recorded on August 31, 2001, as Entry No. 88405:2001, and amended by a First Amendment thereto, recorded on August 12, 2002, as Entry No. 92301:2002, (collectively, the "*Master Declaration*") both in the Official Records of Utah County, Utah ("*Official Records*").

C. Declarant desires to sell the single family lots in Eagle Summit as vacant lots to persons intending to build homes on them; however, Declarant intends to impose design control over the construction of improvements on the single family lots. In furtherance of this plan, Declarant is imposing the covenants, conditions, restrictions, reservations, easements and equitable servitudes in this Single Family Lot Declaration on the single family lots.

NOW, THEREFORE, Declarant declares that Eagle Summit shall be owned, transferred, encumbered, and used subject to this Single Family Lot Declaration. This Single Family Lot Declaration shall run with Eagle Summit, be binding on Eagle Summit and inure to the benefit of the Declarant.

1. **Definitions.** When terms are used in this Single Family Lot Declaration, they have the meanings given in the recitals and this Section.

1.1. ***“Aesthetic Review Committee”*** means the Aesthetic Review Committee established by the Master Declaration.

1.2. ***“Architectural Design Guidelines”*** means the design standards issued by Declarant or the Design Review Committee for Eagle Summit that must be used by an Owner when preparing plans and specifications for Improvements to be constructed, erected, planted or otherwise installed on a Single Family Lot, attached as ***Exhibit B***, as they may be modified or amended from time to time. Declarant through its Design Review Committee has the right to periodically revise the Architectural Design Guidelines.

1.3. ***“Architectural Style”*** means the architectural style of a Residence.

1.4. ***“Articles”*** means the Articles of Incorporation of the Master Association, as such Articles may be amended or restated from time to time.

1.5. ***“Board or Board of Directors”*** means the Master Association’s Board of Directors.

1.6. ***“Building Envelope”*** means the three-dimensional area on a Single Family Lot that establishes the boundaries within which a Residence must be constructed. The Building Envelope does not represent the ultimate shape or architectural appearance of the Residence. The Building Envelopes for the Single Family Lots shall be determined from time to time by the Design Review Committee pursuant to the Architectural Design Guidelines.

1.7. ***“Building Wall Length”*** means the length of the predominant exterior surface of a single continuous building wall. When building walls are situated on substantially the same plane (i.e., located within five feet (5’) of each other in depth, they are treated as a single continuous building wall for purposes of establishing Building Wall Length.

1.8. ***“Burdened Property”*** means real property described in ***Exhibit A***, including Phase 1, Phase 2 and Phase 3, Phase 4, and Phase 5 as described therein.

1.9. ***“Bylaws”*** means the bylaws of the Master Association, as such Bylaws may be amended or restated from time to time.

1.10. ***“City”*** means Lehi City, Utah, and its various departments, divisions, employees and representatives.

1.11. ***“Community Guidelines”*** means the Community Guidelines adopted from time to time by the Master Association pursuant to the Master Declaration, as such Community Guidelines are amended and modified from time to time.

1.12. ***“County”*** means Utah County, Utah, and its various departments, divisions, employees and representatives.

1.13. ***“Declarant”*** means Mountain Home Development Corporation, a Utah corporation, its successors and any person or entity to which it shall have assigned any rights hereunder by express written assignment. Any such assignment may include some or all of the rights of Declarant and may be subject to such purposes, conditions or limits as Mountain Home Development Corporation may impose in its sole and absolute discretion. As used in this section, the term “successor” means any person or entity who acquires Declarant or substantially all of the assets of Declarant, or who merges with Declarant, by sale, merger, reverse merger, consolidation, sale of stock or assets, operation of law or otherwise.

1.14. ***“Design Review Committee”*** means the committee that is formed and controlled by the Declarant, which has on a lot by lot basis the exclusive and sole right to accept or reject any and all Improvement plans to the Single Family Lots in Eagle Summit.

1.15. ***“Excavation”*** means any grading of a Single Family Lot that results in removal of earth or rock to a depth of more than six inches (6”).

1.16. ***“Fill”*** means any addition of soil, rock or other materials to the surface of the Single Family Lot that increases the existing elevation of such surface by more than six inches (6”) and which would require the issuance of a grading permit when applicable.

1.17. ***“Governing Documents”*** Governing Documents mean this Single Family Lot Declaration, the Master Declaration, all Supplemental Declarations, the Articles, the Bylaws, the Master Design Guidelines and the Community Guidelines, the Declarant’s area plan for Traverse Mountain, as such documents are amended and modified from time to time.

1.18 ***“Height”*** means the vertical distance between the Rough Grade elevation of a Single Family Lot to the point being measured.

1.19 ***“Improvement”*** means: all structures and all appurtenances thereto of every kind, including, but not limited to, buildings, outbuildings, game courts, pools, spas, other recreational facilities, gazebos, built-in barbecues, garages, carports, other parking areas, driveways, gates and related equipment, outdoor lights, walkways, hardscape, fences, screens, walls, awnings, patio and balcony covers, stairs, decks, planters, trellises, wind screens, screen doors, skylights, poles, columns, signs, utility lines, pipes and meters, storm drains, catch basins, antennae, energy generation systems, water softening, heating and air conditioning equipment, landscaping, and irrigation systems (***“Structures and Appurtenances”***); all modifications to the exterior surface of any visible Structures and appurtenances; demolition and destruction by voluntary action of any Structures and appurtenances; grading, excavation, filling, and other disturbance to the surface of the land, including change of grade, change of ground level, change of drainage pattern or change of streambed; clearing or removal of any Structures and Appurtenances; and any change or alteration of any Structures and Appurtenances; and any other item defined as an Improvement in the Architectural Design Guidelines.

1.20 ***“Include”*** or ***“Including”*** in either capitalized or lower case form means “including, without limitation.”

1.21 **“Master Association”** means the Traverse Mountain Master Association, a Utah nonprofit corporation.

1.22 **“Master Declaration”** means the Master Declaration identified in Recital B hereto, as such Master Declaration may be amended from time to time.

1.23 **“Master Design Guidelines”** means the Design Guidelines adopted from time to time by the Aesthetic Review Committee pursuant to the Master Declaration, as such Design Guidelines are amended and modified from time to time.

1.24 **“Official Records”** means Official Records of Utah County, Utah.

1.25 **“Owner”** means the natural individual or legal entity recognized under Utah law, including Declarant, who owns fee simple title to a Single Family Lot as reflected in the Official Records.

1.26 **“Plat Map”** means the recorded final subdivision plat or plats for the subdivision of the Burdened Property.

1.27 **“Residence”** means the Improvements on the Single Family Lot intended for occupancy as a residence and includes the enclosed, habitable residence together with its garages, outbuildings, roof overhangs, chimneys, exterior stairways, decks, balconies, bay windows, architectural enhancements, mechanical and communications equipment, any guest house constructed on the Single Family Lot and any other Improvements defined as part of a Residence in the Architectural Design Guidelines.

1.28 **“Rough Grade”** means the rough grade elevation for a Single Family Lot existing as of the date of this Declaration, as determined by Declarant in its sole discretion, increased by the lesser of (a) the distance between such rough grade elevation and the building pad, or (b) three (3) feet.

1.29 **“Single Family Lot”** means a lot or parcel as shown on a Plat Map for the Burdened Property. The term “Single Family Lot” specifically excludes any and all streets, alleys and open space shown on a Plat Map.

1.30 **“Supplemental Declaration”** means a Supplemental Declaration recorded in the Official Records pursuant to the Master Declaration.

2. Use and Design Restrictions.

2.1. *Use Restrictions.* The use of the Burdened Property and all Single Family Lots located thereon, is subject to the following use restrictions:

The Burdened Property and each Single Family Lot shall be used for private single family Residence purposes only, and the density of dwelling units to be located on the Burdened Property or any Single Family Lot shall not be increased above the density reflected on the Plat Maps. Multiple family dwelling units shall not be permitted on any portion of the Burdened Property.

No pre-existing structure of any kind shall be moved from any other location and placed upon any Single Family Lot.

No incomplete Improvement be permitted to remain incomplete for a period in excess of one year from the date the Improvement was started, unless approved in writing by Declarant.

No Single Family Lot shall be subdivided or partitioned, except as provided in Section 2.11 hereof.

Without limiting the generality of the foregoing, no commercial trade or business may be conducted in or from any portion of the Burdened Property or a Single Family Lot unless: (a) the existence or operation of the business activity is not apparent or detectable by sight, sound or smell from outside the Residence; (b) the business activity conforms to all applicable requirements of the Governing Documents, (c) the business activity complies with all applicable City zoning requirements for home occupations conducted at the Burdened Property, (d) the business activity does not involve persons coming onto the Burdened Property who do not reside in the Burdened Property and does not involve door-to-door solicitation of residents of the Burdened Property, and (e) the business activity is consistent with the single family residential character of the Burdened Property and does not constitute a nuisance or a hazardous or offensive use, or threaten the security or safety of other residents of the Burdened Property, all as may be determined in the sole discretion of Declarant. The term "trade or business" shall have their ordinary and generally accepted meanings, which shall include, but not be limited to, any occupation, work or activity undertaken on an ongoing basis which involves the provision of goods or services to persons other than the provider's family and for which the provider receives a fee, compensation or other form of consideration, regardless of whether such activity is engaged in full or part-time, such activity is intended to or does generate a profit, or a license is required therefor. The leasing of a Residence shall not be considered a trade or business within the meaning of this Section 2.1.5.

To the fullest extent allowed by law, Declarant shall have the sole and absolute discretion and right to amend, modify or change, in whole or in part, the zoning of the Burdened Property so long as such amendment, modification or change does not substantially impair the improvement of any Single Family Lot by an Owner for its intended purpose as a single family Residence. Each Owner by acquiring an interest in a Single Family Lot agrees that it will not protest or otherwise impede or hamper any rezoning, land uses or development in the Traverse Mountain community by Declarant. Nothing in this Single Family Lot Declaration or the

Governing Documents shall be interpreted to establish in any Owner or mortgagee any vested right or interest as against Declarant in or to any matter set forth in the existing zoning for the Burdened Property; provided however that nothing in the foregoing sentence shall be deemed to be a waiver of any vested rights which Declarant may have in the zoning of the Burdened Property.

2.2 *Approved Architectural Styles.* Each Owner must select an Architectural Style for the Residence constructed on the Single Family Lot owned by such Owner. All Improvements on such Owner's Single Family Lot must be designed in accordance with the selected Architectural Style. The Architectural Design Guidelines contain more detailed treatment of the materials, colors and forms that generally constitute each of the permitted Architectural Styles.

2.3 *Landscape Requirements.* All landscaping on a Single Family Lot must be submitted to and approved by the Design Review Committee. Landscaping should compliment the Architectural Style selected by the Single Family Lot Owner. The landscape requirements for Single Family Lots are in the Architectural Design Guidelines, the Master Design Guidelines and the Community Guidelines. All front yard landscaping must be approved and installed prior to occupancy of a Residence. A voluntary lien release and performance deposit of \$200.00 for each Single Family Lot is required and shall be held in escrow by Declarant pending the completion of all home, front yard landscape, and park strip landscape Improvements.

2.4 *Building Envelope.* Each Residence must be constructed within the Building Envelope for the Single Family Lot where the Residence is located. The Architectural Design Guidelines and the other restrictions in this Section 2 set limits in addition to the Building Envelope and may prevent construction of Improvements that extend to the maximum limits of the Building Envelope.

2.5 *Height Limits.*

2.5.1 *Building Pad.* The building pad on the Single Family Lot may be raised up to three feet (3') above the Rough Grade elevation of the Single Family Lot.

2.5.2 *Improvements Other Than Landscaping.* No part of a Residence may exceed thirty-five feet (35') in height. Barbeque, fireplace, gazebo, trellis, playhouse structures and deck maximum height of thirteen feet (13'). The maximum building height of all Improvements shall not exceed the maximum height limits established by the City and shall be approved by the Design Review Committee. Single Family Lot Owners that have rear yards facing major boulevards or open space are prohibited from building play ground structures, whirlpools, spas, or other structures unless they are built to the same Architectural Style of the Residence and first reviewed and approved by the Design Review Committee. Alternative play ground structures, whirlpools, spas, and other structures will be considered by the Design Review Committee only if the height of the structure is lower than the height of the fence abutting the open space or main boulevard. If the Single Family Lot is considerably higher than the road, as determined by the Design Review Committee, the alternative structure can be higher than the fence, but cannot be

visible from the road. It is at the discretion of the Design Review Committee to approve or disapprove any such structure.

2.5.3 Landscaping. This Single Family Lot Declaration does not limit the Height of landscaping Improvements; however, the Architectural Design Guidelines may establish height limits for landscaping. Height limits on landscaping may also be imposed by the Aesthetic Review Committee or pursuant to the Architectural Design Guidelines The Aesthetic Review Committee may also require removal of landscaping that exceeds the maximum Height limits it sets. Mounding of dirt, boulders, water features and all other accents for landscaping must be approved by the Design Review Committee. Selection of trees and shrubs must be on the approved plant and tree list that is included in the Architectural Design Guidelines. The Design Review Committee at its sole option can accept or reject all landscape plans that it determines are not consistent with the intent of the Governing Documents.

2.6 Setbacks. Residences must comply with the front, side and rear setbacks specified in the Architectural Design Guidelines. No Residence shall extend into any setback area; provided that Declarant reserves the right to allow roof overhangs, chimneys, decks, balconies, architectural enhancements, mechanical equipment and other elements designated in the Architectural Design Guidelines to extend into a setback. Declarant also reserves the right to allow fences, walls, pools, patios, gazebos and other ancillary structures to extend into a setback.

2.7 Building Size Limits. Residences constructed on Single Family Lots shall include not less than 1,700 livable square feet on main floor for a rambler, 2,025 livable total square feet for a 1 ½ story and 2,250 livable total square feet for a 2 story Residence. All Residences must include a full basement (basement may be unfinished). Declarant has the right to define what does and does not constitute livable space in the Architectural Design Guidelines. Garages are not included in livable space.

2.8 Plotting and Massing. All Residences must comply with the architectural articulation, plotting and massing requirements set forth in the Architectural Design Guidelines.

2.9. Guest Houses. Guest houses may be constructed within the Building Envelope. They are considered a part of the Residence, however, the square footage within the Guest House shall not be considered as part of the Residence square footage for purposes of determining whether the Residence meets the minimum square footage requirements in Section 2.7 above.

2.10 Utilities; CE&F. Owner, at its sole cost and expense, shall pre-wire and install a complete communications equipment and facilities ("**CE&F**") system for each Residence located on such Owner's Single Family Lot in accordance with specifications furnished to Owner by a fiber company designated by Declarant from time to time ("**Fiber Company**"). Such CE&F system shall include plaster rings, wall plates, sweeps, linesplitters and junction boxes in each Residence for at least two (2) service outlets in each Residence, together with such other CE&F necessary to pre-wire the Residence for CE&F service. Each Owner of a Residence shall enter into a fiber wiring agreement with the Fiber Company which provides, among other things, for the following:

2.10.1 **Exclusive Servicer.** The Fiber Company shall have the exclusive right (to the extent allowable by law and to the extent not in conflict with any public dedication of streets or easements) to install, in the appropriate utility easement areas, and maintain, repair and replace facilities necessary to transmit television and other information and communication signals to all Single Family Lots on the Burdened Property. Such facilities will be owned by Declarant, the Fiber Company or their designees and will install at no expense to the Owner. In addition, the Fiber Company, or such other person as may be designated by Declarant from time to time, shall have the exclusive right (to the extent allowable by law) to provide home security and community surveillance services for all Residences located on the Burdened Property.

2.10.2 **Consideration.** Absolutely no payment or consideration is to be paid or given by Declarant or the Fiber Company to Owner in connection with such exclusive right to install, maintain, repair, replace and operate such CE&F and other telecommunication equipment within Single Family Lots on the Burdened Property.

2.10.3 **Master CE&F Agreement.** Declarant may enter into a master CE&F agreement with the Fiber Company which may require a CE&F agreement between Owner and the Fiber Company and which will provide for the payment of certain consideration to Declarant by the Fiber Company for master systems installed by Declarant. Owner shall have absolutely no right to any such consideration paid to Declarant by the Fiber Company.

2.10.4 **Enforcement by Fiber Company.** It is intended that this Section 2.10 shall be enforceable both by Declarant and, as third party beneficiary, by the Fiber Company with whom Declarant executes a master CE&F agreement.

2.10.5 **Other Utilities** Installation and placement of all utilities serving a Single Family Lot must be approved by Declarant.

2.11 **One Residence on Multiple Single Family Lots.** If an Owner desires to construct a single Residence on multiple Single Family Lots, and Declarant consents, then the following will apply (Declarant at its sole option may or may not consent to the proposed lot combination and reserves the exclusive right to waive any and all of the following conditions):

2.11.1 The Owner must select a single Architectural Style and an integrated landscape plan for the combined Single Family Lots.

2.11.2 Declarant will reconfigure the Building Envelopes for the individual Single Family Lots into a single Building Envelope for the combined Single Family Lots.

2.11.3 The Height limits in Section 2.5 will not be modified.

2.11.4 The front yard and rear yard setbacks in Section 2.6 will not be modified.

2.11.5 Declarant will revise the minimum building size limits set forth in Section 2.7. The revised minimum limit for the combined Single Family Lots shall not exceed the aggregate of the minimum building limits for the individual Single Family Lots being combined.

2.11.6 If Declarant approves the proposed lot combination and the Owner receives all applicable approvals from the City for such Lot combination, Declarant will record an amendment to this Single Family Lot Declaration, which amendment need only be signed by Declarant and the Owner of the Single Family Lots being combined. The amendment will revise the Building Envelope and the limits set in Section 2.7. At Declarant's election the amendment will either require that the combined Single Family Lots be held as a single parcel in perpetuity or, alternatively, allow the Single Family Lots in the future to be separated to re-establish the individual, original Single Family Lots, Building Envelopes and the minimum building size limits set forth in Section 2.7. If such combined Single Family Lots are so separated in the future, Declarant may also require removal of Improvements that do not comply with the individual, original Single Family Lot restrictions.

2.11.7 Authorization to combine Single Family Lots under this Single Family Lot Declaration does not combine the Single Family Lots for purposes of the Master Declaration or applicable ordinances of the City.

2.12 ***On-Site Parking.*** A minimum of six (6) vehicle parking spaces must be provided on each Single Family Lot, with a minimum of three (3) of such vehicle spaces located within an enclosed garage and three (3) of such vehicle spaces located outside of the enclosed garage. The outside parking spaces shall be of sufficient size for a typical 16' car to be parked without extending over the sidewalk. Carports are not allowed on a Single Family Lot. Parking or storage of restricted or recreational vehicles (including R.V.'s and boats) is not permitted anywhere on the Burdened Property; provided that if a Single Family Lot is large enough to accommodate a recreational vehicle, the parking of a boat, or the parking of a vehicle over 16' in length, as determined by the Design Review Committee upon the written request of an Owner, these vehicles must be stored in a garage to prevent any public viewing from any street or neighborhood.

2.13 ***Other Required Approvals.*** The submissions, approvals and consents required by this Single Family Lot Declaration are in addition to and not in limitation of any other submission, approval or consent required under any of the other Governing Documents.

3. Design Review.

3.1. ***Declarant Approval Required.*** No Owner may commence, erect, maintain or place any Improvement on the Burdened Property unless such Improvement has been approved in writing by the Design Review Committee. The Design Review Committee has the right (but not the obligation) to review and approve, conditionally approve or disapprove all grading plans, drainage plans, site plans, landscaping plans, preliminary plans, final plans, specifications, proposed materials and any other items listed in the Architectural Design Guidelines for all Improvements to be installed on a Single Family Lot. Unless the Architectural Design Guidelines provide otherwise, all the plans and specifications submitted to the Design Review Committee must show the nature, kind, shape, height, width, color, materials and location of the proposed Improvements.

3.2 ***Scope of Review.*** In reviewing any application, the Design Review Committee may consider all factors the Design Review Committee may deem relevant, including consistency with the Architectural Design Guidelines and the Governing Documents, the overall benefit or detriment which would result to the immediate vicinity and Eagle Summit generally, and aesthetic aspects of the architectural designs, placement of Improvements, color schemes, finishes, materials and other features. The Design Review Committee is not responsible for reviewing, nor may the Design Review Committee's approval be deemed an approval, of any submission as to safety or conformance with law and local governmental regulations.

3.3 ***Submission Procedures.*** The Architectural Design Guidelines identify the address for submissions, form of application and other review and approval procedures. The Design Review Committee may reject any application if the Design Review Committee determines that the application is incomplete. The Architectural Design Guidelines establish submission procedures, deadlines for submission, review and issuance of decisions by the Design Review Committee. All submissions shall be accompanied by a non-refundable review fee of \$75.00 for each Residence. In the event that the out-of-pocket cost incurred by the Design Review Committee to review the submissions exceeds \$75.00, the Owner requesting such review shall reimburse the Design Review Committee for such excess costs upon demand.

3.4 ***Variance.*** The Design Review Committee may, in its sole discretion, authorize variances from compliance with the Architectural Design Guidelines when the Design Review Committee determines that circumstances such as topography, natural obstructions, hardship, aesthetic or environmental or other consideration make the variance necessary.

3.5 ***Inspections and Right of Entry.*** Declarant and the Design Review Committee has the right to enter a Single Family Lot to verify that construction of Improvements complies with the approval issued by Declarant, the Architectural Design Guidelines and the Governing Documents. The right to enter and inspect includes the right to require any Owner to take such action as may be necessary to remedy any noncompliance.

3.6 ***No Liability for Review.*** To the fullest extent permitted by law, Declarant, the Master Association, Aesthetic Review Committee and Design Review Committee, and their respective employees, agents, representatives and consultants are not liable to any Owner for any damage, loss or prejudice suffered or claimed on account of any decision, approval or disapproval of plans or specifications (whether or not defective), course of action, act, omission, error, negligence, mistake or the like made in good faith. Plans and specifications are not approved for engineering design, structural safety and/or conformance with building or other codes. By approving plans and specifications the Design Review Committee does not assume liability or responsibility for any defect in any Improvement constructed or landscaping installed pursuant to such plans and specifications.

4. **Construction Limits.**

4.1 ***Work Within Building Envelope Boundaries.*** All work performed on behalf of an Owner of a Single Family Lot must be performed within the boundaries of the Building Envelope and must not disturb areas outside of the Building Envelope unless permitted by this Single Family Lot Declaration or pursuant to written permission from Declarant.

4.2 ***Lighting.*** Lights located outside of a Residence on a Single Family Lot must not be directed onto adjacent Single Family Lots or other areas. All lighting must be low voltage and be submitted to the Design Review Committee for review and approval prior to installation. Outdoor lighting may only be used for landscape and mood purposes.

4.3 ***Condition of Area on Single Family Lot Within the Building Envelope.*** During and after construction, each Owner must keep the portion of his Single Family Lot that is within the Building Envelope clean and reasonably attractive, free of weeds, pests and debris, with hazardous materials on site stored safely. Construction of the Residence must commence within one (1) year following the initial conveyance of the Single Family Lot to an Owner. Once construction has commenced, each Owner must proceed diligently and continuously to complete such construction in accordance with the plans as approved by the Design Review Committee and the Aesthetic Review Committee.

4.4 ***Grading, Excavation, Fill and Drainage.***

4.4.1 ***Grading.*** Prior to making submittal to any governmental agency, the Owner must obtain Design Review Committee approval of the Owner's grading plans by providing a copy of the plot and grading plan within the Building Envelope to the Design Review Committee. The grading plan must include walls and materials used for any and all necessary retaining. All grading performed on behalf of an Owner of a Single Family Lot must be performed within the boundaries of the Building Envelope and must not disturb areas outside of the Building Envelope unless permitted by this Single Family Lot Declaration and approved in advance by the Design Review Committee.

4.4.2 *Excavation and Fill.*

(a) The grade and elevation of the portion of the Single Family Lot located outside of the Building Envelope shall not be changed without the prior written approval of Declarant.

(b) Fill and top soil material used on the Single Family Lot by the Owner shall be free of termites, weeds, and hazardous matter.

(c) All areas to be Filled must be scarified and/or over-excavated, moisture-conditioned and recompacted to at least ninety percent (90%) relative compaction prior to Fill placement or to such stricter standard as may be imposed by the local governmental agencies. All work must be inspected and performed in accordance with the recommendations of a registered soil engineer approved by Declarant.

(d) All Excavation and Fill areas must be shaped by varying slope grades, both vertically and horizontally, so as to blend into the adjacent land forms and must not adversely affect adjacent Single Family Lots or other property.

(e) Whenever Excavation or Fill creates an unstable slope condition, or potentially unstable slope condition, as determined by Declarant, the Owner shall take appropriate action to control and retain the embankment. Any necessary retaining must be approved through the Design Review Committee. Where retaining walls are used, the footings must be designed and constructed to permit plant growth. Berms or landscaping must be used to screen the visual impact of such walls. Excavation or Fill which the Design Review Committee determines creates a high and unsightly retaining wall may be disapproved.

(f) The Design Review Committee, Declarant or Owners may determine that retaining must be constructed on their Single Family Lots at the time of approval or inspection. Rock retaining or retaining walls cannot exceed six feet (6') in Height and must be placed within the property boundary. Any retaining wall over 4 feet (4') in Height requires an engineer's stamp of approval.

(g) Whenever Excavation or Fill causes destruction of existing drainage swales or natural drainage patterns, the Owner directing the Excavation or Fill is responsible for restoring the swales and drainage patterns or for providing adequate drainage, in a manner approved by Declarant.

(h) Whenever an Improvement abuts a major boulevard or open space, and is deemed by the Declarant to have caused a retaining or drainage problem, Declarant has the right to cause to be constructed to the Declarant's specifications, a retaining wall and/or fence where needed, without the consent or authorization of the Owner even if the retaining wall or fence encroaches into the responsible Owner's property.

4.4.3 **Drainage.** Existing drainage must be maintained in its natural state or as originally installed by Declarant, except to the extent that plans for a modification are approved by Declarant and the Design Review Committee. Any installations resulting in an addition to or modification of existing drainage must be prepared by a registered engineer. Drainage plans may be disapproved which, in Declarant's or the Design Review Committee's opinion, are impractical or do not adequately consider the possible adverse effects on other Single Family Lots or other adjacent property.

5. **Master Association Fees.** From and after the time of the Closing of a Single Family Lot wherein the Declarant sells and conveys a Single Family Lot to a new Owner, the new Owner shall be responsible for any Master Association Fees assessed or imposed by the Master Association and the Sub-Association, if any, governing such Single Family Lot.

6. **Governmental Regulations.** This Single Family Lot Declaration and the Architectural Design Guidelines are in addition to and do not limit applicable law or governmental or public utility requirements. By approving any Improvements, neither the Design Review Committee nor Declarant or their respective agents, employees and consultants represent that applicable law and governmental and public utility requirements permit an Owner to install the Improvements as approved. Each Owner, not the Declarant or the Design Review Committee, is responsible for determining what laws, governmental and public utility requirements apply to the Owner's Single Family Lot and for complying with those requirements. All Improvements on a Single Family Lot must be designed, approved, constructed, installed and maintained in accordance with applicable laws and governmental and public utility requirements. Each Owner, not the Declarant, is responsible for obtaining and complying with all permits necessary to allow Excavation, Fill and installation of Improvements on the Owner's Single Family Lot.

7. **View Disclaimer.** By promulgation and enforcement of this Single Family Lot Declaration and the Architectural Design Guidelines, neither the Design Review Committee nor Declarant or their respective agents, employees and consultants make any representations concerning the view, if any, that the Owner of a Single Family Lot will enjoy. Each Owner, by accepting a conveyance of a Single Family Lot, acknowledges that any view from a Single Family Lot may be impaired or totally obstructed by installation of Improvements or growth of landscaping on neighboring Single Family Lots or other property. Each Owner acknowledges that his Single Family Lot does not include the existence or unobstructed continuation of any particular view.

8. **Easements.**

8.1. **Grading Easements.** Declarant reserves easements over all Lots for the purpose of entering and performing grading ("**Grading Easement**"). The Grading Easement could extend over a portion of all Lots. Any Improvements on a Lot that are damaged during grading must be restored to substantially their condition as it existed immediately before entry. The Grading Easement does not extend into any Residence constructed on a Single Family Lot.

8.2. ***Drainage Improvements.*** Declarant hereby reserves easements for installation, maintenance, repair and use of drainage facilities over all of the Single Family Lots (each, a "***Drainage Easement***"). Declarant reserves the right to transfer any Drainage Easement to any Owner of a Single Family Lot or to the Master Association and/or to make any Drainage Easement appurtenant to a specific Single Family Lot. Declarant reserves the right to impose additional restrictions on the use of any Drainage Easement. The Drainage Easement does not extend into any Residence constructed on a Single Family Lot.

9. **General Provisions.**

9.1 ***Notices.*** Notice to be given to an Owner must be in writing and may be delivered personally to the Owner. Personal delivery of such notice to one (1) or more co-Owners, or any general partner of a partnership owning a Lot, constitutes delivery to all Owners. Personal delivery of such notice to any officer or agent for the service of process on a corporation or limited liability company constitutes delivery to the corporation or limited liability company. Such notice may also be delivered by regular United States mail, postage prepaid, addressed to the Owner at the most recent address furnished by such Owner to Declarant or, if no such address has been furnished, to the street address of such Owner's Single Family Lot. Such notice is deemed delivered three (3) business days after the time of such mailing.

9.2 ***Effect of Single Family Lot Declaration.*** This Single Family Lot Declaration is made for the purposes set forth in the Preamble to this Single Family Lot Declaration, and Declarant makes no warranties or representations, express or implied, as to the binding effect or enforceability of all or any portion of this Single Family Lot Declaration, or as to the compliance of any of these provisions with public laws, ordinances and regulations applicable thereto. In the event of any inconsistency between this Single Family Lot Declaration and the Master Declaration or the Architectural Design Guidelines, the more stringent requirement as to an Owner shall prevail.

9.3 ***Exhibits.*** All Exhibits attached hereto are incorporated in this Single Family Lot Declaration by this reference.

9.4 ***Exercise of Rights.*** Any rights of Declarant or the Design Review Committee may be exercised in their sole and absolute discretion.

9.5 ***Amendments.***

9.5.1 ***Unilateral Amendments by Declarant Prior to Property Transfer.*** Until the first transfer by Declarant of a Single Family Lot to an Owner (who is not a Declarant), any amendment to this Single Family Lot Declaration shall require only the written consent of Declarant and shall be effective when executed by Declarant and recorded in Official Records.

9.5.2 ***Unilateral Amendments by Declarant After Transfer.*** After the first transfer by Declarant of a Single Family Lot to an Owner (who is not a Declarant), Declarant may unilaterally amend this Single Family Lot Declaration by recording an appropriate

instrument executed solely by Declarant in Official Records, so long as such amendment is for any of the following purposes: (i) to conform this Single Family Lot Declaration to applicable law or the other Governing Documents; (ii) to correct typographical errors; (iii) to correct an engineering or any other error in any exhibit or to cause an exhibit to conform to as-built conditions; and (iv) to amend this Single Family Lot Declaration as it applies to combined Single Family Lots, if any.

9.5.3 **All Other Amendments.** Any amendment not described in Sections 9.5.1 and 9.5.2 above requires the affirmative assent or vote of (a) Declarant, until Declarant has transferred jurisdiction over all of the Single Family Lots to the Aesthetic Review Committee or the Master Association, and (b) at least fifty-one percent (51%) of the Owners of the Single Family Lots, with one vote assigned to each Single Family Lot. The amendment shall be effective only when (i) executed by Declarant, if applicable, (ii) executed by the president and secretary of the Master Association, who shall certify that the amendment or modification has been approved by the requisite percentage of Owners, and (iii) recorded in Official Records.

9.5.4 **Declarant Approval Required.** Notwithstanding the foregoing, any amendment or modification of Articles 2, 4, 8 or 9 of this Single Family Lot Declaration, regardless of whether transfer of jurisdiction to the Aesthetic Review Committee has occurred, shall require the prior written consent of Declarant.

9.6 **Assignment of Rights.** Declarant has the right to assign all of its rights and obligations under this Single Family Lot Declaration to third parties without the consent of any other Owners. Any assignment of rights must be in writing and recorded in Official Records.

10. **Enforcement of Restrictions.** The covenants, restrictions and limitations of this Declaration shall be subject to the following additional provisions:

10.1 **Inspection.** Declarant or its authorized representative may, at any reasonable hours, enter upon and inspect the Burdened Property and any Single Family Lot, and any improvements thereon, to ascertain compliance with this Declaration.

10.2 **Default and General Remedies.** If Owner breaches, violates or fails to perform or satisfy any of the terms of this Declaration or any other Governing Document (all of which are individually and collectively referred to as "**Default**"), which Default has not been cured within ten (10) days after written notice to Owner and to Owner's lender of record from Declarant to do so, Declarant, at its sole option and discretion, may enforce any one or more of the following remedies or any other rights or remedies to which Declarant may be entitled by law or equity, whether or not set forth herein. If, however, the Default is of a type which cannot reasonably be cured within ten (10) days, Declarant shall withhold action against Owner so long as Declarant continues to receive evidence that Owner (i) has commenced the curative process immediately upon notice, and (ii) continues to diligently pursue the curing of the Default. The foregoing ten (10) day grace period shall not apply to payment under any of the other Governing Documents or for obligations specified in this Single Family Lot Declaration that include separate

grace periods. All remedies provided herein or by law or equity shall be cumulative and not exclusive.

10.3 **Damages.** Declarant may bring a suit for damages for any compensable breach of or noncompliance with any of the terms of this Declaration, or a suit for declaratory relief to determine the enforceability of any of the terms of this Declaration.

10.4 **Equity.** Owner acknowledges that Owner's Default under this Declaration or the other Governing Documents may cause Declarant to suffer material injury or damage not compensable in money and that Declarant shall be entitled to bring an action in equity or otherwise for specific performance to enforce compliance with the terms of this Declaration, or bring an action for an injunction to enjoin the continuance of any such breach or Default.

10.5 **Waiver.** The failure to enforce any provision of this Single Family Lot Declaration shall not constitute a waiver of the right to enforce the provision at any other time or to enforce or any other provision. No waiver is a continuing waiver.

10.6 **Mortgagee Protection.** A breach of this Single Family Lot Declaration shall not affect or impair the lien or charge of any bona fide mortgage made in good faith and for value on the Single Family Lots; provided that any party, including the holder of the mortgage or deed of trust, who acquires title to any Single Family Lot, by private or judicial foreclosure, trustee sale or deed in lieu of foreclosure and all successive owners, take title subject to this Single Family Lot Declaration.

10.7 **Severability.** Each section and subsection of this Single Family Lot Declaration is intended to be viewed as separate and divisible. If any section or subsection is declared by a court of competent jurisdiction to be illegal, invalid or unenforceable for any reason, such illegality, invalidity or unenforceability shall not affect any other section or subsection of this Single Family Lot Declaration, each of which shall continue to be binding and enforceable.

10.8 **Covenants Running with the Land.** Declarant declares that the Single Family Lots shall be held, sold, conveyed, encumbered, hypothecated, leased, used, occupied and improved subject to the easements, restrictions, reservations, rights, covenants, conditions and equitable servitudes contained in this Single Family Lot Declaration, in furtherance of a comprehensive, general plan for the improvement and sale of the Single Family Lots. The covenants, conditions, restrictions, rights, reservations, easements and equitable servitudes set forth in this Single Family Lot Declaration (1) shall run with and burden the Single Family Lots and shall be binding upon all persons having or acquiring any interest in the Single Family Lots, their heirs, successors and assigns; (2) shall inure to the benefit of every portion of the Single Family Lots and any interest in this Single Family Lot Declaration; and (3) shall inure to the benefit of and be binding upon Declarant, Declarant's successors-in-interest, each Owner of a Single Family Lot and each Owner's successors in interest.

11. **Disputes With Declarant Parties.** Any dispute (each, a "*Dispute*") between (a) any Owner, and (b) the Declarant or the Design Review Committee, or any director, officer, partner, shareholder, member, employee, representative, contractor, subcontractor, design professional or agent of the Declarant or the Design Review Committee (collectively "*Declarant Parties*") arising under this Single Family Lot Declaration or relating to the Burdened Property or any Single Family Lot located thereon, including disputes regarding latent or patent construction defects, but excluding disputes solely between Declarant and an Owner involving contracts for purchase and sale of any portion of the Property, where the amount in controversy is greater than Five Thousand Dollars (\$5,000), shall be subject to the following provisions:

11.1 **Notice.** Any person with a Dispute shall give written notice of the Dispute by personal or mail service as authorized by the Utah Code of Civil Procedure to the party to whom the Dispute is directed ("*Respondent*") describing the nature of the Dispute and any proposed remedy (the "*Dispute Notice*").

11.2 **Right to Inspect and Correct.** Commencing on the date the Dispute Notice is delivered to the Respondent and continuing until the Dispute is resolved, the Respondent and its representatives have the right to (i) meet with the party alleging the Dispute at a reasonable time and place to discuss the Dispute, (ii) enter the Single Family Lot to inspect any areas that are subject to the Dispute, and (iii) conduct inspections in a manner deemed appropriate by the Respondent. If Respondent elects to take any corrective action, Respondent and its representatives shall be provided full access to the Single Family Lot to take and complete the corrective action. Respondent is not obligated to take any corrective action. Respondent, with the consent of Declarant, has the right to select the corrective action Respondent believes is appropriate.

11.3 **Mediation.** If the Dispute is not resolved within ninety (90) days after the Respondent receives the Dispute Notice, any party may submit the Dispute to mediation by delivering a request for mediation ("*Mediation Notice*") in the same manner as allowed for delivery of the Dispute Notice. The Dispute shall be mediated pursuant to (i) the American Arbitration Association ("*AAA*") mediation procedures in existence when the Dispute Notice is delivered, as modified by this Section, or (ii) the mediation procedures of any successor to the AAA in existence when the Dispute Notice is delivered, as modified by this Section, or (iii) mediation procedures approved by the parties of any entity offering mediation services that is acceptable to the parties to the Dispute ("*Parties*"). No Person shall commence litigation regarding a Dispute without complying with this Section 12.

11.4 **Selection of Mediator.** The mediator shall be selected within sixty (60) days from delivery of the Mediation Notice. The mediator shall be selected by mutual agreement of the Parties. If the parties cannot agree on a mediator, the mediator shall be selected by the entity providing the mediation service. No Person shall serve as a mediator in any Dispute in which the Person has any financial or personal interest in the result of the mediation, except by the written consent of all Parties. Before accepting any

appointment, the prospective mediator shall disclose any circumstances likely to create a presumption of bias or to prevent a prompt commencement of the mediation process.

11.5 **Position Letter; Pre-Mediation Conference.** No later than sixty (60) days after selection of the mediator, each party to the Dispute shall submit a letter ("**Position Statement**") containing (i) a description of the party's position concerning the issues that need to be resolved, (ii) a detailed description of the defects allegedly at issue, and (iii) a suggested plan of repair, remediation or correction. The mediator may schedule a pre-mediation conference. All Parties shall attend unless otherwise mutually agreed. The mediation shall be commenced within twenty (20) days after submittal of all Position Statements and shall be concluded within fifteen (15) days after the mediation began unless either (a) the mediator extends the mediation period, or (b) the Parties mutually agree to extend the mediation period. The mediation shall be held in Lehi City or another place mutually acceptable to the parties.

11.6 **Conduct of Mediation.** The mediator has discretion to conduct the mediation in the manner in which the mediator believes is most appropriate to achieve the goal of settling the Dispute. The mediator is authorized to conduct joint and separate meetings with the Parties and to make oral and written recommendations for settlement. The mediator may also obtain expert advice concerning technical aspects of the Dispute, provided the parties agree to and do assume the expenses of obtaining such advice. The mediator shall not have the authority to impose a settlement on the parties.

11.7 **Application of Rules of Evidence.** The Utah Rules of Evidence shall be applicable to the mediation process. Use and disclosure of statements, evidence and communications offered or made in the course of the mediation shall be governed by these sections, including the sections which preclude use of material in future proceedings and the sections which provide for confidentiality of material.

11.8 **Parties Permitted at Mediation.** Persons other than the parties, their liability insurers, Declarant, attorneys for the parties, the liability insurers and Declarant and the mediator may attend mediation sessions only with the permission of the parties and the consent of the mediator. Declarant has the right to attend the mediation session even if Declarant is not one of the parties.

11.9 **Record.** There shall be no stenographic, video or audio record of the mediation process.

11.10 **Expenses.** Each party shall bear its own attorneys' fees and costs incurred in connection with the mediation. All other expenses of the mediation including the fees charged by the mediator and the cost of any proof or expert advice requested by the mediator shall be shared equally by the parties unless they agree otherwise. This provision does not modify any provision of a contract between Declarant and any Declarant Party requiring indemnification or establishing a different allocation of costs between the Declarant and the Declarant Party.

12. Indemnity and Waiver.

12.1 Indemnity. To the maximum extent permitted by law, Owner shall indemnify and defend and hold Declarant and the Design Review Committee, and their respective partners, directors, officers, employees, members, agents, assignees, shareholders, affiliates and representatives (collectively, "**Indemnitees**") harmless from any loss, damage (including consequential and punitive damages), cost (including clean up costs), penalty, fine, expenses, injury or claim of any kind or character (collectively, the "**Losses**") to any person or property arising from, caused by or relating to, with or without fault, (i) the ownership, use, development or sale of such Owner's Single Family Lot or any portion thereof, including the construction and sale of any Residence thereon; (ii) any defect in grading or defect in the design or construction of or material in any structure or other improvement constructed on the Burdened Property; (iii) the condition of such Owner's Single Family Lot including a defect in soil or in the preparation of soils or in the design and accomplishment of grading on such Owner's Single Family Lot; (iv) the presence, release, use, discharge, storage and disposal of any Hazardous Substance on or near the soil or groundwater in such Owner's Single Family Lot, whether known or unknown, and whether resulting from occurrence prior to the acquisition by such Owner of such Owner's Single Family Lot; (v) any act or omission of Owner, its partners, members, officers, directors, shareholder members, partners, employees, agents, representatives and affiliates ("**Owner Representatives**"); (vi) an accident or casualty on such Owner's Single Family Lot; (vii) any representation by Owner or any of Owner's Representatives; (viii) a violation or alleged violation of any law, regulation, permit, judgment or license; (ix) slope erosion, sloughing or failure or subsurface geological groundwater condition on, adjacent or near such Owner's Single Family Lot, including the effect of such conditions on such Owner's Single Family Lot and Residences constructed on such Owner's Single Family Lot as well as the affect of such conditions on Owner's development, use and sale of such Owner's Single Family Lot; (x) the application of principles of strict liability with respect to any act or omission of Owner, Owner's Representatives or Declarant or the Indemnitees in connection with such Owner's Single Family Lot; (xi) any other cause whatsoever in connection with such Owner's Single Family Lot, Owner's use of such Owner's Single Family Lot or any other property or Owner's performance under this Single Family Lot Declaration and the Governing Documents; or (xii) the negligence or willfulness conduct (including the breach of any representations or warranties hereunder) of Owner or any of Owner's Representatives in the development, construction, grading or other work performed off such Owner's Single Family Lot by Owner or Owner's Representatives or otherwise in connection with the development of such Owner's Single Family Lot or any defect in such work.

12.2 Owner Release. Owner releases Declarant and the Indemnitees from and waives on its behalf, and on behalf of its successors and assigns, all claims, demands and causes of action against Declarant and the Indemnitees for any loss, liability, damage, cost, expense, injury or claim including attorneys' fees and costs of court related to such Owner's Single Family Lot including the items described in Section 0 above (collectively, "**Losses**"). The foregoing release and waiver and the indemnity and obligation to defend and hold harmless under Section 0, (i) shall apply to any claim or action brought by a private party or by a governmental authority, or any law, statute, ordinance or regulation now or hereinafter in effect, (ii) is intended to apply with respect to all Losses before or after the conveyance of the Single

Family Lot; and (iii) is intended to apply to Losses incurred by Declarant or any Indemnitee or their property. With respect to design, construction methods, materials, locations and other matters for which Declarant or the Design Review Committee has given or will give its approval, recommendation or other direction, the foregoing release and waiver and the indemnity and obligation to defend and hold harmless under Section 0 shall apply irrespective of Declarant's approval, recommendation or other direction.

12.3 **Construction Entities.** Notwithstanding the above, Owner may, in its reasonable discretion maintain a lawsuit or other action against consultants, experts, contractors or design professionals hired by Declarant in connection with work to be performed on the Burdened Property pursuant to a written contract ("**Construction Entities**") to obtain damages for Losses suffered as a result of Owner's indemnification and release of Declarant and the Indemnitees herein, to the extent caused by such Construction Entities. In that regard, to the extent it possesses and may assign same, Declarant hereby nonexclusively assigns its rights and interests in and to any relevant contracts or subcontracts, for the limited purposes stated herein, without any obligation by Declarant to participate in such lawsuit or action, as a party or otherwise, and without any responsibility, warranty, representation or liability for any outcome thereof or damages awarded therein.

13. **Survival of Covenants.** All of Owner's indemnification, defense and hold harmless covenants in any of these covenants hereof, shall survive the conveyance of all or any of the Single Family Lots and shall be binding on Owner until the last to occur of (i) such date as action against Declarant or any Indemnitee is absolutely barred by the applicable statute of limitations or (ii) such date as any claim or action for which indemnification may be claimed under said Section is fully and finally resolved and, if applicable, any compromise thereof or judgment or award thereon is paid in full by Owner and Declarant or any Indemnitee is reimbursed by Owner for all amounts paid by Declarant or any Indemnitee in compromise thereof or upon a judgment or award thereon and in defense of such action or claim, including attorneys' fees. Neither payment nor a finding of liability or of any obligation to defend shall be a condition precedent to the enforcement of any indemnity or duty to defend provision herein or elsewhere in any Governing Document, and if any action or proceeding shall be brought against any Indemnitee alleging any fact or circumstance for which Owner is to provide indemnification, Owner, upon notice from Declarant, shall defend the same at Owner's expense by counsel approved in writing by Declarant. Owner waives as defenses to its obligations hereunder the pleading or defense of any statute of limitations.

[SIGNATURE PAGE TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS FOR EAGLE SUMMIT SINGLE FAMILY LOTS]

IN WITNESS WHEREOF, Declarant has executed this Single Family Lot Declaration on November 23, 2005, to be effective on its recordation.

MOUNTAIN HOME DEVELOPMENT CORPORATION, a Utah corporation

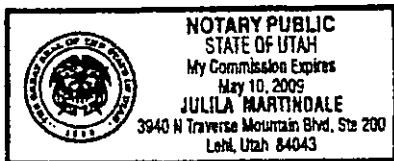
By: [Signature]

Print Name: Stephen L. Christensen

Title: Chief Executive Officer "Declarant"

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 23 day of November, 2005, by **STEPHEN L. CHRISTENSEN**, an individual residing in the State of Utah, as the CEO of MOUNTAIN HOME DEVELOPMENT CORPORATION, a Utah corporation. Said **STEPHEN L. CHRISTENSEN** acknowledged before me that he executed the foregoing on behalf of MOUNTAIN HOME DEVELOPMENT CORPORATION, a Utah corporation.



[Signature]
Notary Public

Residing at: Lehi, Utah

My Commission Expires: May 10, 2009

Exhibit A
Legal Description for Eagle Summit
Phases 1, 2, 3, 4 and 5

EAGLE SUMMIT PHASE 1 LEGAL DESCRIPTION

A parcel of land lying and situate in the Northwest Quarter of Section 30, and the Southwest Quarter of Section 19, Township 4 South, Range 1 East, and the Northeast Quarter of Section 25, and the Southeast Quarter of Section 24, Township 4 South, Range 1 West, Salt Lake Base and Meridian, Lehi City, Utah County, Utah. Basis of Bearing for subject parcel being North 00°17'58" West 2648.83 feet (measured) between the Utah County brass cap monuments monumentalizing the East line of the Southeast Quarter of Section 30, Township 4 South, Range 1 East, Salt Lake Base and Meridian. Subject parcel being more particularly described as follows:

COMMENCING at the Utah County brass cap monument monumentalizing the Southeast corner of said Section 30; Thence running WEST 5265.03 feet and NORTH 5291.15 feet to the POINT OF BEGINNING; Thence North 50°47'46" West 267.81 feet; Thence North 35°56'00" West 63.59 feet; Thence North 35°58'26" West 56.00 feet; Thence North 35°56'00" West 345.00 feet; Thence North 54°04'00" East 60.19 feet; Thence North 72°18'54" West 134.94 feet; Thence North 27°11'05" West 72.01 feet; Thence North 52°06'24" West 203.33 feet to a point on a non-tangent curve; Thence Southerly 187.03 feet along the arc of a 322.00 foot radius curve to the left through a central angle of 33°16'45" (Center bears S52°06'24"E); Thence South 04°36'50" West 179.95 feet; Thence North 85°23'10" West 28.00 feet; Thence South 83°53'36" West 28.56 feet to a point on a non-tangent curve; Thence Northerly 23.88 feet along the arc of a 15.00 foot radius curve to the left through a central angle of 91°13'56" (Center bears N84°09'13"W"); Thence North 85°23'10" West 49.75 feet to a point of curvature; Thence Westerly 212.46 feet along the arc of a 778.00 foot radius curve to the right through a central angle of 15°38'47" (Center bears N04°36'50"E); Thence North 69°44'22" West 528.24 feet to a point of curvature; Thence Southerly 24.72 feet along the arc of a 15.00 foot radius curve to the left through a central angle of 94°25'39" (Center bears S20°15'38"W) to a point of compound curvature and the Right-of-Way of Homestead Drive; Thence coincident with said Right-of-Way the following thirteen (13) courses (1) Southerly 17.37 feet along the arc of a 572.00 foot radius curve to the left through a central angle of 01°44'23" (Center bears S74°10'02"E) (2) South 14°05'35" West 323.71 feet to a point of curvature (3) Southerly 264.57 feet along the arc of a 500.00 foot radius curve to the right through a central angle of 30°19'05" (Center bears N75°54'25"W) (4) South 44°24'40" West 279.09 feet to a point of curvature (5) Southerly 24.65 feet along the arc of a 16.00 foot radius curve to the left through a central angle of 88°17'22" (Center bears S45°35'20"E) to a point on a non-tangent curve (6) Westerly 85.59 feet along the arc of a 520.00 foot radius curve to the left through a central angle of 09°25'49" (Center bears S46°07'18"W) to a point on a non-tangent curve (7) Northerly 22.98 feet along the arc of a 16.00 foot radius curve to the left through a central angle of 82°16'49" (Center bears N36°41'29"E) (8) North 44°24'40" East 283.70 feet to a point of curvature (9) Northerly 234.94 feet along the arc of a 444.00 foot radius curve to the left through a central angle of 30°19'05" (Center bears N45°35'20"W) (10) North 14°05'35" East 323.71 feet to a point of curvature (11) Northerly 442.69 feet along the arc of a 628.00 foot radius curve to the right through a central angle of 40°23'21" (Center bears S75°54'25"E) (12) North 54°28'56" East 53.29 feet to a point of curvature (13) Northerly 138.17 feet along the arc of a 81.00 foot radius curve to the left through a central angle of 97°44'09" (Center bears N35°31'04"W) to a point of reverse curvature and the Right-of-Way of Grey Hawk Drive; Thence coincident with said Right-of-Way the following twelve (12) courses (1) Northerly 467.11 feet along the arc of a 828.00 foot radius curve to the right through a central angle of 32°19'22" (Center bears N46°44'47"E) (2) North 10°55'50" West 133.76 feet to a point of curvature (3) Northerly 375.63 feet along the arc of a 608.00 foot radius curve to the right through a central angle of 35°23'54" (Center bears N79°04'10"E) (4) South 65°31'56" East 56.00 feet to a point on a non-tangent curve (5) Southerly 341.04 feet along the arc of a 552.00 foot radius curve to the left through a central angle of 35°23'54" (Center bears S65°31'56"E) (6) South 10°55'50" East 133.76 feet to a point of curvature (7) Southerly 477.63 feet along the arc of a 772.00 foot radius curve to the left through a central angle of 33°13'20" (Center bears N79°04'10"E) to a point of compound curvature (8) Easterly 66.51 feet along the arc of a 81.00 foot radius curve to the left through a central angle of 47°02'52" (Center bears N45°50'49"E) to a point of reverse curvature (9) Easterly 94.40 feet along the arc of a 73.50 foot radius curve to the right through a central angle of 73°35'28" (Center bears S01°12'02"E) to a point of reverse curvature (10) Easterly 64.94 feet along the arc of a 81.00 foot radius curve to the left through a central angle of 45°55'59" (Center bears N72°23'26"E) to a point of compound curvature (11) Easterly 75.60 feet along the arc of a 247.00 foot radius curve to the left through a central angle of 17°32'15" (Center bears N26°27'27"E) (12)

Thence South 81°04'48" East 77.89 feet; Thence North 08°55'12" East 100.00 feet; Thence North 08°52'27" East 260.73 feet; Thence North 54°04'00" East 256.00 feet; Thence South 35°56'00" East 355.00 feet; Thence South 55°11'35" East 378.74 feet; Thence South 51°56'00" East 56.00 feet; Thence South 49°05'55" East 103.78 feet; Thence South 35°56'00" East 268.63 feet; Thence South 35°12'10" East 282.52 feet; Thence South 77°48'23" East 63.03 feet; Thence North 71°03'10" East 66.26 feet; Thence South 45°13'58" East 257.12 feet; Thence South 48°23'10" West 322.99 feet to a point of curvature; Thence Southerly 80.18 feet along the arc of a 775.00 foot radius curve to the left through a central angle of 05°55'39" (Center bears S41°36'50"E); Thence South 39°12'14" West 72.00 feet; Thence South 76°49'56" West 126.26 feet to the POINT OF BEGINNING.

Contains 32.664 acres, 72 Lots.

EAGLE SUMMIT PHASE 2 LEGAL DESCRIPTION

A parcel of land lying and situate in the Northwest Quarter of Section 30, and the Southwest Quarter of Section 19, Township 4 South, Range 1 East, and the Northeast Quarter of Section 25, and the Southeast Quarter of Section 24, Township 4 South, Range 1 West, Salt Lake Base and Meridian, Lehi City, Utah County, Utah. Basis of Bearing for subject parcel being North $00^{\circ}17'58''$ West 2648.83 feet (measured) between the Utah County brass cap monuments monumentalizing the East line of the Southeast Quarter of Section 30, Township 4 South, Range 1 East, Salt Lake Base and Meridian. Subject parcel being more particularly described as follows:

COMMENCING at the Utah County brass cap monument monumentalizing the Southeast corner of said Section 30; Thence running WEST 6732.00 feet and NORTH 4218.77 feet to a point on the North Right-of-Way of Traverse Mountain Blvd. and the POINT OF BEGINNING; Thence coincident with said Right-of-Way the following three (3) courses (1) Northerly 4.35 feet along the arc of a 455.00 foot radius curve to the right through a central angle of $00^{\circ}32'52''$ (Center bears $N68^{\circ}06'31''E$) (2) North $21^{\circ}20'37''$ West 250.90 feet to a point of curvature (3) Northerly 129.72 feet along the arc of a 695.00 foot radius curve to the left through a central angle of $10^{\circ}41'38''$ (Center bears $S68^{\circ}39'23''W$); Thence North $09^{\circ}51'45''$ East 451.41 feet; Thence North $35^{\circ}36'29''$ West 546.71 feet to a point on a non-tangent curve and the East Right-of-Way of Homestead Drive; Thence coincident with said Right-of-Way the following three (3) courses (1) Northerly 222.18 feet along the arc of a 500.00 foot radius curve to the left through a central angle of $25^{\circ}27'38''$ (Center bears $N50^{\circ}26'47''W$) (2) North $14^{\circ}05'35''$ East 323.71 feet to a point of curvature (3) Northerly 17.37 feet along the arc of a 572.00 foot radius curve to the right through a central angle of $01^{\circ}44'23''$ (Center bears $S75^{\circ}54'24''E$) to a point of compound curvature; Thence Northerly 24.72 feet along the arc of a 15.00 foot radius curve to the right through a central angle of $94^{\circ}25'39''$ (Center bears $S74^{\circ}10'02''E$); Thence South $69^{\circ}44'22''$ East 528.24 feet to a point of curvature; Thence Easterly 212.46 feet along the arc of a 778.00 foot radius curve to the left through a central angle of $15^{\circ}38'47''$ (Center bears $N20^{\circ}15'38''E$); Thence South $85^{\circ}23'10''$ East 49.75 feet to a point of curvature; Thence Southerly 23.88 feet along the arc of a 15.00 foot radius curve to the right through a central angle of $91^{\circ}13'56''$ (Center bears $S04^{\circ}36'50''W$); Thence North $83^{\circ}53'36''$ East 28.56 feet; Thence South $85^{\circ}23'10''$ East 28.00 feet; Thence North $04^{\circ}36'50''$ East 179.95 feet to a point of curvature; Thence Northerly 187.03 feet along the arc of a 322.00 foot radius curve to the right through a central angle of $33^{\circ}16'45''$ (Center bears $S85^{\circ}23'10''E$); Thence South $52^{\circ}06'24''$ East 203.33 feet; Thence South $27^{\circ}11'05''$ East 72.01 feet; Thence South $72^{\circ}18'54''$ East 134.94 feet; Thence South $54^{\circ}04'00''$ West 60.19 feet; Thence South $35^{\circ}56'00''$ East 345.00 feet; Thence South $35^{\circ}58'26''$ East 56.00 feet; Thence South $35^{\circ}56'00''$ East 63.59 feet; Thence South $50^{\circ}47'46''$ East 267.81 feet; Thence North $76^{\circ}49'56''$ East 126.26 feet to the West Right-of-Way of Canyon Road; Thence coincident with said Right-of-Way the following seventeen (17) courses (1) South $39^{\circ}12'14''$ West 16.00 feet to a point of curvature (2) Southerly 40.05 feet along the arc of a 775.00 foot radius curve to the left through a central angle of $02^{\circ}57'40''$ (Center bears $S54^{\circ}03'03''E$) (3) South $32^{\circ}59'17''$ West 217.57 feet (4) Southerly 60.85 feet along the arc of a 325.00 foot radius curve to the right

through a central angle of $10^{\circ}43'37''$ (Center bears N $52^{\circ}01'42''$ W) (5) South $43^{\circ}42'54''$ West 250.21 feet (6) South $47^{\circ}11'38''$ West 174.70 feet to a point of curvature (7) Southerly 49.22 feet along the arc of a 525.00 foot radius curve to the right through a central angle of $05^{\circ}22'18''$ (Center bears N $42^{\circ}48'22''$ W) (8) South $52^{\circ}33'56''$ West 247.73 feet to a point of curvature (9) Southerly 41.36 feet along the arc of a 300.00 foot radius curve to the left through a central angle of $07^{\circ}53'56''$ (Center bears S $37^{\circ}26'04''$ E) (10) South $44^{\circ}40'00''$ West 138.05 feet to a point of curvature (11) Southerly 81.40 feet along the arc of a 470.00 foot radius curve to the right through a central angle of $09^{\circ}55'24''$ (Center bears N $45^{\circ}20'00''$ W) (12) South $54^{\circ}35'24''$ West 116.18 feet to a point of curvature (13) Westerly 199.78 feet along the arc of a 320.00 foot radius curve to the right through a central angle of $35^{\circ}46'12''$ (Center bears N $35^{\circ}24'36''$ W) (14) North $89^{\circ}38'24''$ West 264.33 feet to a point of curvature (15) Westerly 82.21 feet along the arc of a 180.00 foot radius curve to the left through a central angle of $26^{\circ}10'12''$ (Center bears S $00^{\circ}21'36''$ W) (16) South $64^{\circ}11'24''$ West 38.62 feet (17) South $68^{\circ}06'31''$ West 16.00 feet to the POINT OF BEGINNING.

Contains 49.581 acres, 98 Lots.

**EAGLE SUMMIT PHASE III
LEGAL DESCRIPTION**

ENT 136515:2005 P6 29 of 128

BEGINNING AT A POINT WHICH IS NORTH 6465.96 FEET AND WEST 6314.69 FEET FROM THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH $08^{\circ}55'12''$ WEST 100.00 FEET; THENCE NORTH $81^{\circ}04'48''$ WEST 77.89 FEET TO A POINT OF CURVATURE; THENCE ALONG AN ARC OF A 247.00 FOOT RADIUS CURVE TO THE RIGHT 75.60 FEET THROUGH A CENTRAL ANGLE OF $17^{\circ}32'15''$, THE CHORD OF WHICH BEARS NORTH $72^{\circ}18'41''$ WEST 75.31 FEET TO A POINT OF CURVATURE; THENCE ALONG AN ARC OF A 81.00 FOOT RADIUS CURVE TO THE RIGHT 19.47 FEET THROUGH A CENTRAL ANGLE OF $13^{\circ}46'17''$, THE CHORD OF WHICH BEARS NORTH $56^{\circ}39'24''$ WEST 19.42 FEET; THENCE NORTH $08^{\circ}55'12''$ EAST 96.00 FEET; THENCE SOUTH $70^{\circ}44'17''$ EAST 86.40 FEET; THENCE SOUTH $81^{\circ}04'48''$ EAST 85.00 FEET TO THE POINT OF BEGINNING.
AREA = 0.393 ACRES.

EAGLE SUMMIT PHASE IV
BOUNDARY DESCRIPTION
PARCEL 1

BEGINNING AT A POINT WHICH IS NORTH 5646.46 FEET AND WEST 4798.01 FEET FROM THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 48°23'10" WEST 322.99 FEET TO A POINT OF CURVATURE; THENCE ALONG AN ARC OF A 775.00 FOOT RADIUS CURVE TO THE LEFT 80.18 FEET THROUGH A CENTRAL ANGLE OF 05°55'39", THE CHORD OF WHICH BEARS SOUTH 45°25'20" WEST 80.14 FEET; THENCE SOUTH 39°12'14" WEST 16.00 FEET; THENCE NORTH 50°47'46" WEST 289.23 FEET TO A POINT OF CURVATURE; THENCE ALONG AN ARC OF A 272.00 FOOT RADIUS CURVE TO THE RIGHT 70.56 FEET THROUGH A CENTRAL ANGLE OF 14°51'46", THE CHORD OF WHICH BEARS NORTH 43°21'53" WEST 70.36 FEET; THENCE NORTH 35°56'00" WEST 32.76 FEET; THENCE NORTH 54°04'00" EAST 103.12 FEET; THENCE SOUTH 41°52'26" EAST 110.73 FEET; THENCE SOUTH 50°47'46" EAST 180.90 FEET; THENCE NORTH 06°54'58" EAST 164.63 FEET TO A POINT OF CURVATURE; THENCE ALONG AN ARC OF A 228.00 FOOT RADIUS CURVE TO THE LEFT 207.52 FEET THROUGH A CENTRAL ANGLE OF 52°08'56", THE CHORD OF WHICH BEARS NORTH 70°50'30" EAST 200.43 FEET; THENCE NORTH 44°46'02" EAST 16.03 FEET; THENCE SOUTH 45°13'58" EAST 115.93 FEET TO THE POINT OF BEGINNING.

AREA = 1.897 ACRES.

PARCEL 2

BEGINNING AT A POINT WHICH IS NORTH 5319.91 FEET AND WEST 5142.09 FEET FROM THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 76°49'56" WEST 126.26' FEET; THENCE NORTH 50°47'46" WEST 131.79 FEET; THENCE NORTH 39°12'14" EAST 100.00 FEET; THENCE SOUTH 50°47'46" EAST 208.88 FEET TO THE POINT OF BEGINNING.

AREA = 0.391 ACRES.

EAGLE SUMMIT PHASE V
BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS NORTH 6542.88 FEET AND WEST 5792.06 FEET FROM THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH $38^{\circ}38'21''$ WEST 82.43 FEET; THENCE NORTH $51^{\circ}21'39''$ WEST 107.12 FEET TO A POINT OF CURVATURE; THENCE ALONG AN ARC OF 572.00 FOOT RADIUS CURVE TO THE RIGHT 154.02 FEET THROUGH A CENTRAL OF $15^{\circ}25'39''$, THE CHORD OF WHICH BEARS NORTH $43^{\circ}38'49''$ WEST 153.55 FEET; THENCE NORTH $35^{\circ}56'00''$ WEST 195.91 FEET; THENCE NORTH $54^{\circ}04'00''$ EAST 128.56 FEET; THENCE SOUTH $35^{\circ}56'00''$ EAST 429.41 TO THE POINT OF BEGINNING.

AREA = 1.206 ACRES.

Exhibit B
Architectural Design Guidelines for Eagle Summit Subdivision

Phases 1, 2, 3, 4 and 5



**TRAVERSE MOUNTAIN
Mountain Cove District
Residential Architectural
Design Guidelines**

Eagle Summit Phases 1-5

November, 2005



TRAVERSE MOUNTAIN[®]
Connected to life.

READ: The information herein is based on the best research of Traverse Mountain development. We do not guarantee its accuracy and reserve the right to change any of the information without notice.

Illustrations and renderings are artist's conceptions, are general in nature and are not intended to show specific or final work product.

Photographs used throughout show specific architectural style elements only and are not intended to depict complete or final home examples.

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SECTION ONE

"In a setting inspired by nature, the values of a lifetime are created. In a place one can call home, quality time becomes all the time."

Between Salt Lake City and Provo, just east of Interstate 15, there's an environment where the natural beauty cannot be ignored. With neighborhoods situated below the magnificent Wasatch Mountain range, you quickly realize this is an ideal lifestyle for anyone looking for a place to reconnect with nature or themselves.

Traverse Mountain is a special place that allows individuals and families to get the most out of life and experience all that nature has to offer. Of the 2,661 acres, approximately 1,066 acres are allocated as open space. This provides the freedom to enjoy the world around you, something so many communities are missing today. It gives children the ultimate opportunity to learn beyond the classroom and far outside the confines of television and video games.

From walking the nature trails that lead through the community for bird watching or viewing the protected wildlife and habitat of the Rocky Mountains, you'll discover adventure all around. As a community that embodies the harmony and delicate balance of nature, Traverse Mountain provides you with a lifetime of memories to cherish.

INTRODUCTION

"Traverse Mountain defines the future, yet it is different from today's hectic urban pace. It is a family life with values that are rock solid. It is a fulfilling life, bringing together wilderness trails and high-speed internet access. This unique blending of themes results in a new vernacular for a master-planned community - one that is both timeless and contemporary."

Traverse Mountain promises to be Utah's most complete master-planned community, providing the highest quality living/working environments with residential, commercial, retail and recreational facilities. Trails connect neighborhoods, schools and churches to parks and the surrounding natural open space.

The overall community centered design, including architecture, planning and landscape, is driven by connections: to family, to nature, to the community centered design, including architecture, planning and landscape, is driven by connections: to family, to nature, to the community and to the future. The design responds to the functional needs of families and the community, uses authentic styles and indigenous materials, respects climactic and natural site conditions, and provides links to the future with the latest in communications technology. It is with pride and confidence that we invite you to be a part of the promise of Traverse Mountain, to build and uphold the level of quality and character that will set a new standard for community design.

Introduction

It is with the integration of insightful planning techniques, well-defined architecture and complimentary landscape design that Traverse Mountain will become a community of neighborhoods that have quality and character. This document has been prepared to explain those concepts and how to apply them.



Purpose

The purpose of these guidelines is to provide design purpose and direction to the community builders that will ensure the development of high value and quality living environments, demonstrating individuality and creating attractive street scenes. Overall compatibility can be achieved through the combination of innovative planning, landscape and architectural solutions.

Introduction

Design Character

The design character of Traverse Mountain will be one of continuity, individuality and compatibility. These concepts bring about neighborhood designs that “feel right” and are embraced by those who live and work in the community. The architectural styles selected have a regional historic background and/or context in keeping with the character of Traverse Mountain. Site planning and landscapes are also designed with respect to existing on-site and regional context.

Design Intent

These guidelines are intended to help design and build a community that provides the highest quality living environments. This includes addressing issues of function, aesthetics and conservation of natural amenities and resources. Builders and developers are encouraged to promote their commitment to the value of the community’s development and its future by integrating energy efficient design and construction methods in all aspects of architecture and landscape. Current information regarding the latest in energy-efficient design, technology and construction can be found at the following websites:

www.nahbrc.org

www.doc.gov

www.nahb.com

www.nrel.gov

Due to the size and phasing of this community, the information in this document is subject to change and may be altered at any time at the sole discretion of the developer to retain the unique character and high level of quality in Traverse Mountain. This document may be modified for any reason, including the addition or changes of procedures, product types, homesite sizes and/or architectural styles as experience suggests and market dictates.

The ever-changing technical and logistical components of Traverse Mountain require updating and flexibility. Interested parties should confirm and verify information regarding all phases of development in their written agreements with Traverse Mountain and should not rely on any other information or statement, written or oral, of any representative of Traverse Mountain.

SECTION TWO

" Make nature a part of human nature, and harmony and wonder come into one's life."

Traverse Mountain is located in the City of Lehi, on the county line of Utah and Salt Lake Counties. At the half way point between Salt Lake City and Provo, with immediate access from Interstate 15, travel time to either city is approximately hour. Surrounding mountain environments, open space and trail systems provide numerous opportunities for outdoor recreation within the community.

The immediate setting of this community is historically agricultural, its topography ranging from rolling terrain to natural open space and canyons. The Wasatch Mountains provide a dramatic backdrop.

The emphasis for the first phase of development is to establish the heart of the community, including the central residential area with a community park and churches. A Visitor Information Center in a mixed-use setting will provide conveniences to the residents of the community. Triumph, a corporate park, will provide office space and opportunity for employment close to home. The marketplace at Traverse Mountain will offer a variety of retail stores, boutique shops and restaurants for residents. The variety of land uses will support the resident population and at the same time respect the natural environment. In providing a connection between the neighborhoods and the wilderness areas, a wholesome, natural way of life is promoted.

COMMUNITY OVERVIEW -PHASE I

"When neighbors know neighbors and kids walk to school together, a community becomes a "home town" where activities blossom as naturally as wildflowers."

Although the image and quality of this community will be consistent, neighborhoods, lot sizes and residential housing types are varied. Neighborhoods are designed with respect to the natural topography, views and accessibility to trails and open space. Lot sizes vary between parcels, providing variety in housing options, styles and neighborhood street scenes.

Open space elements include a community park, neighborhood parks and trails connecting the neighborhoods to the surrounding natural canyons and hillsides. Trails and walkways also provide connections between neighborhoods and to the community facilities, schools, churches and the village center.

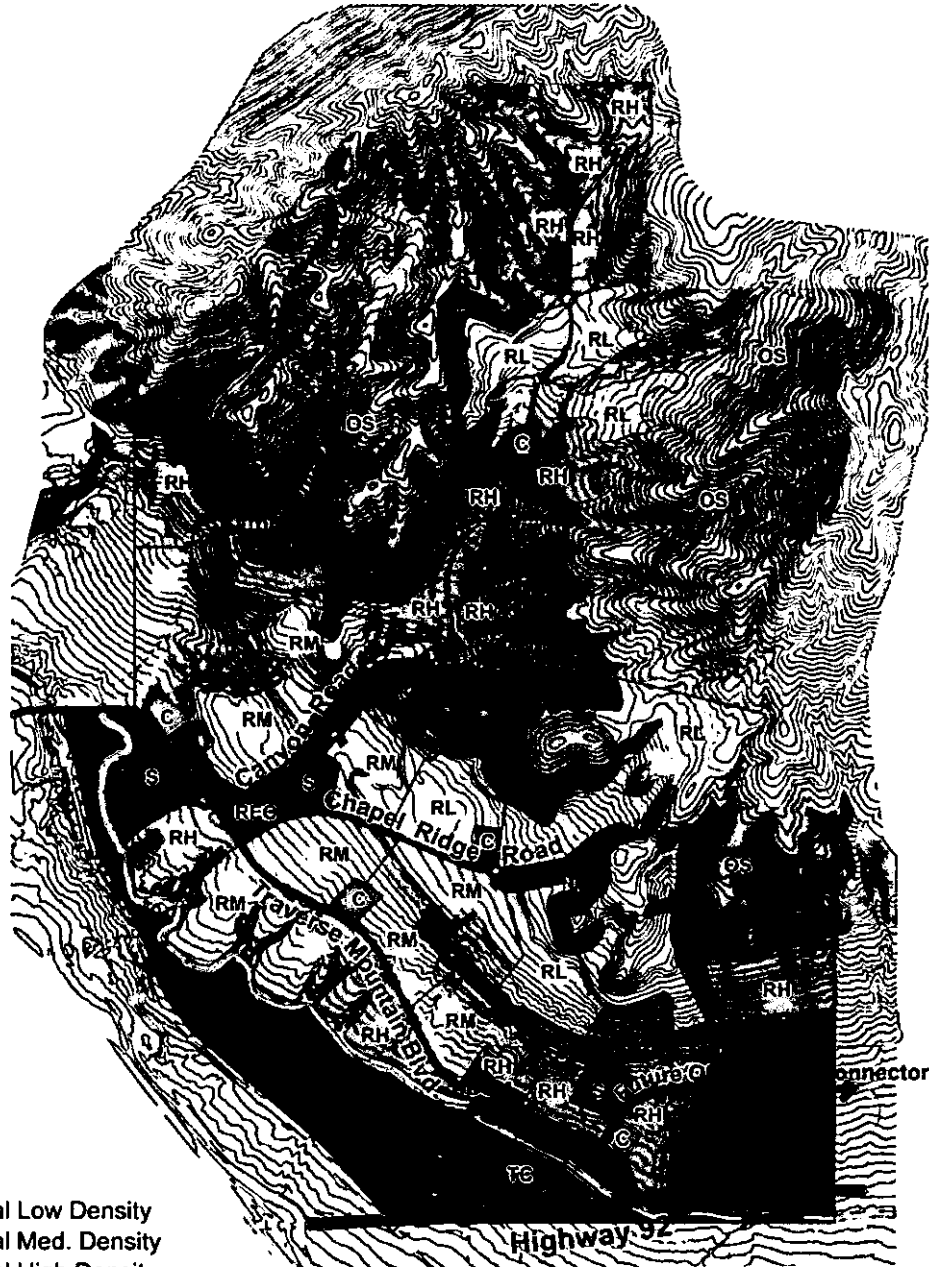
Community Overview - Phase I

Community Design Goals

The overall design goal for Traverse Mountain is to provide the highest quality living environment in a master planned community. In order to achieve this, the following objectives have been set for all community builders and developers:

1. Create a distinct, high quality community image for Traverse Mountain.
2. Emphasize Home, Family and Neighborhood with welcoming architectural themes such as porch-front style homes in traditional neighborhoods, safe streets with sidewalks and parkways, and close proximity to schools, churches, parks and other community facilities.
3. Encourage a pedestrian-oriented environment while accommodating automobiles.
4. Establish links to the natural environment from Traverse Mountain neighborhoods and other community areas with lush, consistent neighborhood and community landscape environments and trails that ultimately connect them all to the surrounding natural open space.
5. Encourage use of energy efficient design and technology in all aspects of community development.
6. Build in progressive technological amenities and value for future generations

Community Overview - Phase I



- RL Residential Low Density
- RM Residential Med. Density
- RH Residential High Density
- RFC Town Center
- Commercial
- S School
- C Church
- Office
- Community Parks
- RFG Recreation Center/Park
- OS Wilderness/Open Space

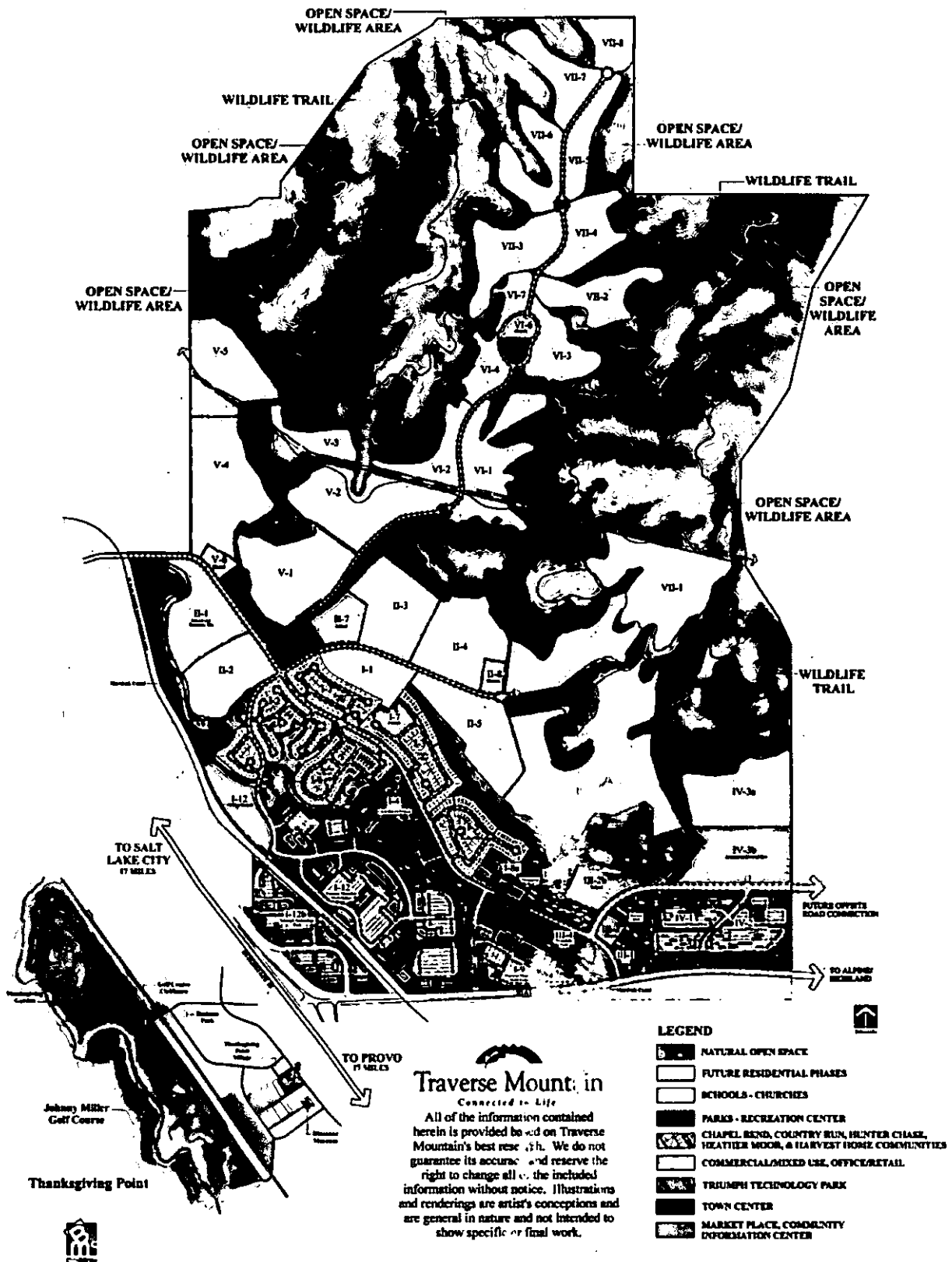
LAND USE PLAN TRAVERSE MOUNTAIN

PSOMAS
PLANNING SERVICES
OF MONTANA



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Community Overview - Phase I



Traverse Mountain *Connected to Life*

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- LEGEND**
- NATURAL OPEN SPACE
 - FUTURE RESIDENTIAL PHASES
 - SCHOOLS - CHURCHES
 - PARKS - RECREATION CENTER
 - CHAPEL, BEND, COUNTRY CLUB, HUNTER CHASE, HEALTHIER MOOD, & HARVEST HOME COMMUNITIES
 - COMMERCIAL/MIXED USE, OFFICE/RETAIL
 - TRIUMPH TECHNOLOGY PARK
 - TOWN CENTER
 - MARKET PLACE, COMMUNITY INFORMATION CENTER

Community Overview - Phase I

Plan Overview - Phase I

Overall community development in Traverse Mountain is planned in three phases

The first phase of development includes:

- Traverse Mountain Villages - residential neighborhood villages including single family residential and attached multi-family homes. Neighborhood parks and pedestrian trails/connections to parks and adjacent neighborhoods are located in each parcel.
- Community Park - An 18.6 acre park with a community recreation center and outdoor facilities.
- Triumph - A high tech corporate office park located within the Traverse Mountain Mixed Use Center at the intersection of highways 92 and 15, along the eastern frontage of Interstate 15.
- Traverse Mountain Visitor Information Center - This initial landmark for the residential community offers newcomers and residents information about builders, amenities, community events and other aspects of the Traverse Mountain project development.

Circulation - Street Patterns

Primary access to this community is by way of the Highway 92 exit from Interstate 15. The primary entry road is flanked by The Marketplace at Traverse Mountain. At the entry to the Traverse Mountain neighborhoods, located at the end of Traverse Gateway is the Home-finding Center, located in a mixed-use area. Traverse Mountain Boulevard is the major collector that runs through the residential part of the community.

Street patterns within the central residential district will generally reflect the character of streets found in traditional neighborhoods. In most neighborhoods in the central residential area, the primary entry is off of Traverse Mountain Boulevard. In the Northernmost parcel, (I-1), the entry is from Chapel Ridge Road. The entry view in each case is a neighborhood park or open green space. A modified grid with curvilinear streets and cul de sacs is the typical street pattern.

Community Overview - Phase I

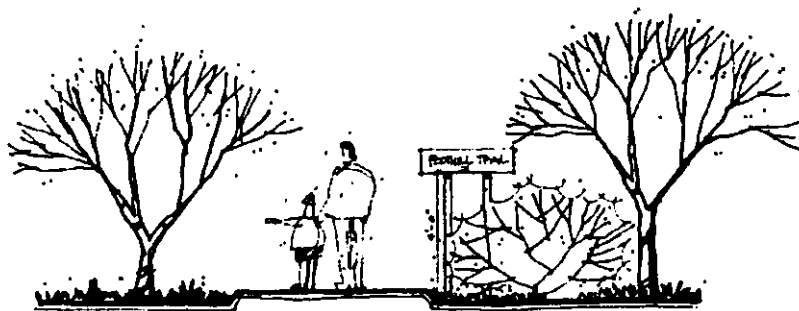
Pedestrian Circulation

Community Pedestrian System - A community level pedestrian walkway is provided along Chapel Ridge Road and Traverse Mountain Boulevard, the spine road for the central residential area. These walkways provide the primary connection between The Marketplace, the central residential area, community park/facility, schools, churches and the future phased neighborhoods on Canyon and Chapel Hill Roads. Each neighborhood builder shall provide sidewalks and/or trail connections that link to these primary walkways where shown in each individual parcel package.

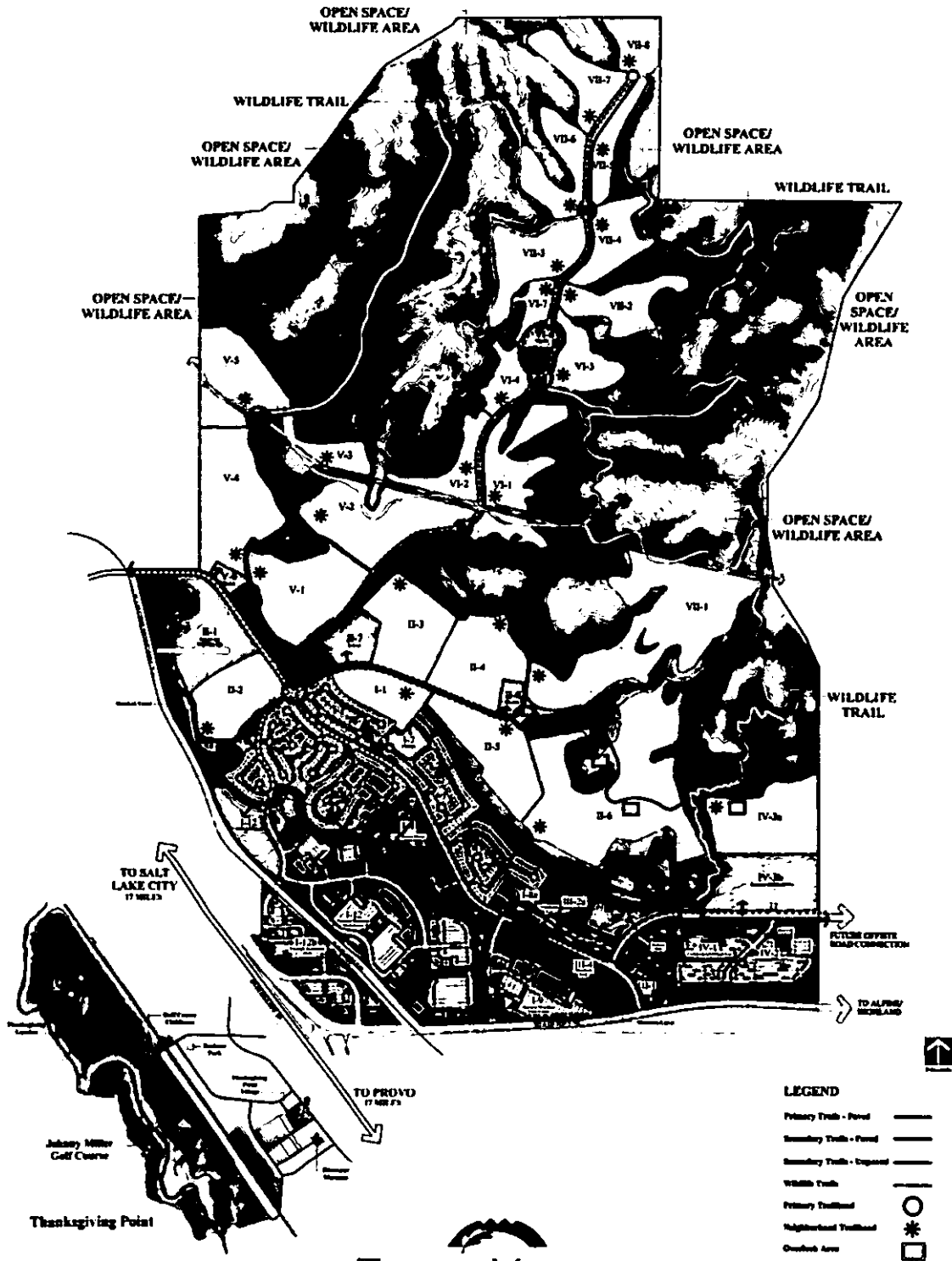
Neighborhood Pedestrian System - Sidewalks or meandering walkway plans within each parcel shall provide a clear and logical pattern for pedestrian circulation. In single family residential neighborhoods, sidewalks or meandering walkways are specified according to neighborhood character. Access to village roadways and community open space is required at locations shown in individual parcel packages. (see individual parcel packages for specific requirements).

Community Trail System

The Traverse Mountain trail system will provide a network of trails that connects the town center to individual neighborhoods and undeveloped areas of the community to one another. The trails provide a network linking neighborhoods to work places and congested areas to open spaces. This system will serve as a pedestrian transportation system serving the needs and meeting the demand for close-to-home



Community Overview - Phase I




Traverse Mountain
Connected to Life.
Master Planned Community
Trails Master Plan

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Community Overview - Phase I

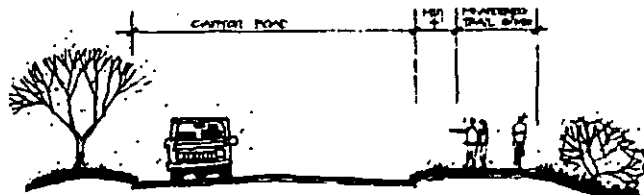
There are four types of trails in the Traverse Mountain trail system:

A. Primary Trail - Paved

Primary trails are developed to be multi-use in their function and carry the largest amount of pedestrian traffic at Traverse Mountain. Due to their wider width than other trail types, they also provide more separation from conflicting users such as bicycles and walkers and allow users to travel in both directions, side by side. Their locations enable users to navigate through the higher use areas of the community such as residential, office, and commercial areas. Their use extends beyond providing access for pedestrians, but are also developed as part of the recreation development for the community.

B. Secondary Trail - Paved

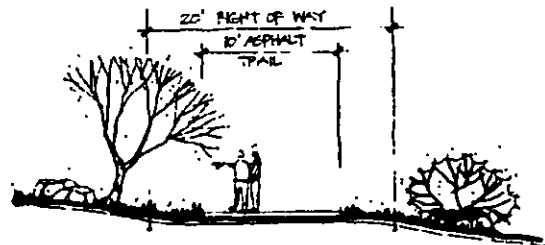
Secondary Trails provide a multi-use function but are not developed to carry as many pedestrian users or provide the separation from different groups as the primary trails do. They provide access through the higher use areas and develop connections to the primary trail to create loop systems.



Secondary Trails - Paved

Lehi Standard for Canal Trail

The proposed trail along the existing canal will be built by the city of Lehi and will become part of the network of trails. This trail is paved and is an integral path that will link several loop systems together within the community. Ultimately, this trail is planned from the point of the mountain to Provo Canyon. This trail along with the Bonneville Shoreline Trail will provide opportunities for people to travel long distances to off site destinations.



Canal R.O.W. - Lehi City Standard

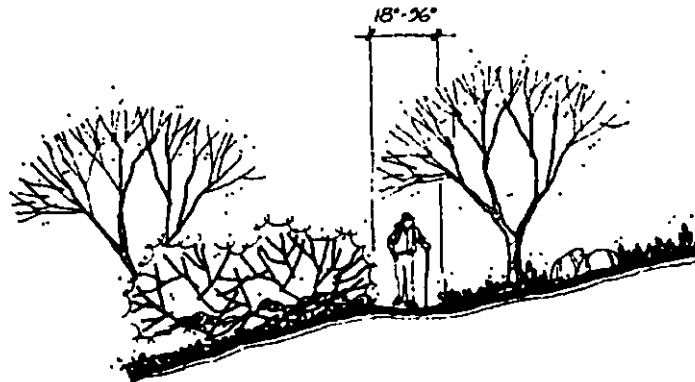
Community Overview - Phase I

C. Secondary Trail - Unpaved

Secondary trails that are non-paved serve multiple purposes in the Traverse Mountain development. The first is to provide trail access to lower density or lower use areas of the project and to provide improved access to greater numbers of groups to the undeveloped areas of Traverse Mountain. In either case, they are still multi-use and in the lower areas of Traverse Mountain, loop several trail routes together. Their non-paved surface also allows development of steeper grades.

D. Wilderness Trails

The wilderness trails will provide the residents with a system of trails that will allow them to walk through a more remote area which will provide panoramic views of Utah Lake, Wasatch Mountains and the Provo valley.



Wilderness Trail Section

Community Overview - Phase I

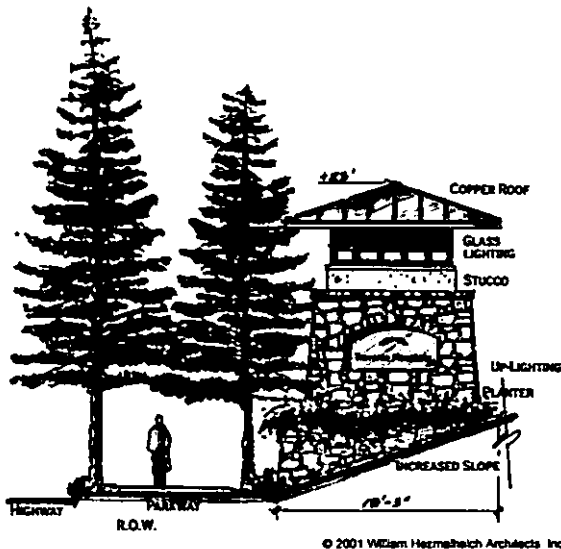
Community Image

The first impressions of a place are perceived before one ever reaches the entry. In the case of Traverse Mountain, there is a significant roadside view from Interstate 15. This provides the opportunity to establish a sense of place with consistent and recognizable visual landmarks such as landscape patterns and community monuments. The intent is to convey the Utah Mountain Contemporary character that represents Traverse Mountain. Community architecture, landscape and monumentation should all reflect elements of strength, a combination of traditional and contemporary influences and natural, organic forms and/or materials found in the immediate region.

Signs and Entry Monuments

All entry or identification signs and/or monuments in Traverse Mountain shall convey the Utah Mountain Contemporary character. General location of signs, monuments and plantings must be designed and constructed in accordance with the overall community landscape plan. Designs for signs and monuments may exhibit individuality pertaining to size, form and location, but adherence to the selected palette of concepts, materials and colors will provide a sense of identity and continuity throughout Traverse Mountain (see Appendix - Community Style Palette).

All designs for identification signs/monumentation shall be reviewed for approval by the Design Review Committee.



COMMUNITY ENTRY



VILLAGE ENTRY

Community Overview - Phase I

Signs and Entry Monuments

Fundamentals

1. Design consistently with community character
2. Use unifying elements - concept, colors and/or materials
3. Emphasize quality in design and presentation

In order to carry a quality image and identity throughout the community, a hierarchy of scale, form and level of detail must be established. Signs and monuments at each level, project entry, to individual neighborhood or parcel shall be designed according to the following criteria;

Community identification or entry monuments

- Community character reflected in design and unifying elements
- Grand scale in structure to emphasize importance
- Vertical elements to capture attention
- Scale of forms and text must be visible at higher speeds

Project entry monuments

- Community character reflected in design and unifying elements
- Scaled down in proportion to community level monuments
- Visibility and readability at high speed

Project identification scaled down version

- Community character reflected in design and unifying elements
- Readability at low speeds
- Higher level of detail

Neighborhood or Parcel

- Community character reflected in design and unifying elements
- Incorporate sign in a decorative retaining or garden wall or fence
- Higher level of detail



Community Overview - Phase I

Community Design Concepts - Phase I

The first phase of Traverse Mountain includes five different types of development:

- Residential • Corporate Park • Commercial/ Retail
- Outdoor Recreation such as; parks, trails and selective improved access to natural open space.
- Community Facilities includes; schools, churches, home-finding and recreation centers.

Similar character, architectural styles and concepts for entries, monuments, and landscape planting help to establish continuity through design and a high quality image throughout the community.

Residential Neighborhood Design

Traverse Mountain neighborhoods are designed in a traditional manner with curving loop streets and cul de sacs to create smaller neighbor-friendly areas within each one. Tree-lined curb separated sidewalks and parkways, street-front entries and various recessed or creative garage placements contribute to a safer, more pedestrian-friendly and visually pleasing environment. Variety in architectural form and style, varied setbacks for living spaces, upper and lower stories and pedestrian scaled landscapes all contribute to a lively and interesting street scene.

In the case of high density neighborhoods, homes will be enhanced by the presence of a public green space or pedestrian oriented activity area. The development of these high density parcels will be reviewed on an individual basis by the Architectural Review Committee. At a minimum, these parcels must meet the requirements of a single family home development.

Neighborhood Parks and Trails

Neighborhood parks and/or greenways are located in each neighborhood to provide opportunities for gathering and social interaction, and link neighborhoods to schools, churches and larger parks in the greater community. They provide the opportunity to locate model homes adjacent or close to an open space while providing a buffer between builders products.

Where neighborhoods are adjacent to natural open space, these parks and trails provide connections to natural open space and added outdoor recreation opportunities.

Mixed Use District

Upon entering Traverse Mountain, community monuments and signs will direct visitors into the Mixed Use District. This district will encompass the Traverse Mountain Visitor Information Center, Triumph, a high tech corporate park, and The Marketplace, a combined commercial and retail environment.

Community Overview - Phase I

Commercial and Retail

The Marketplace at Traverse Mountain provides a wide variety of business and shopping near the entrance to the Residential Villages. Retailers, restaurants and shops are arranged in a pleasant outdoor setting that provides plenty of parking. The integration of small scale offices and local convenience services will make this a regular stop for nearby employees and Traverse Mountain residents.

Corporate Park

Triumph, the high tech corporate park, has high visibility from Interstate 15. It is the most 'urban' zone, with taller buildings more contemporary in architectural character and site design than other areas of the community. When completed, Triumph will serve Traverse Mountain with high speed connections throughout the community. A linear park adjacent to Triumph offers open space and pedestrian trails to employees and residents.

Community Facilities

Traverse Mountain's Community Information Center is the first building planned for the mixed use district. It will include locations for home-finding services, the data center, small scale commercial offices and local conveniences. The architectural style of this building will be a key example of the Utah Mountain Contemporary character.

There are two church sites located on Traverse Mountain Boulevard and Chapel Ridge Road. The architecture for these buildings is of great importance as they represent image and landmarks for the community. A future recreation building is also planned for use at the community park within Traverse Mountain. Community facilities plans for siting, architecture and landscape are all subject to design review and approval.

Outdoor Recreation

Located at the intersection of Traverse Mountain Boulevard and Chapel Ridge Road is a 18.6 acre community park. Outdoor recreation facilities here include tennis courts, a swimming pool and lawn areas for sports, games and passive recreation. The community trail system begins here and provides pedestrian connections to neighborhood, other facilities and natural open space.

SECTION THREE

"When a family finds a place to call home, quality time becomes all the time."

Developing a successful community can be achieved only if those involved adhere to an established set of standards that produce a quality product. This will depend on each Builder implementing the formulas and techniques found in the following sections of these guidelines.

The following section describes quality neighborhood design by defining architectural building massing and plotting techniques, specific solutions for garage placement, and establishing standards for the authentic expressions of architectural styles.

MOUNTAIN COVE DISTRICT RESIDENTIAL ARCHITECTURAL

Introduction

Throughout the planning of Traverse Mountain, the underlying design philosophy has been to create a community of character and quality that reflects the context of the region; the grandeur of the Wasatch Mountain range, and the pristine wildlife areas.

Mountain Cove District is comprised of three distinctive neighborhoods, Eagle Summit, Shadow Ridge and Winter Haven. The design character of these three neighborhoods will be one of continuity, individuality, and compatibility. These concepts bring about neighborhood designs that are embraced by the greater Traverse Mountain community design team.

The purpose of these architectural guidelines is to provide design direction for the integration of good site planning techniques, well defined architecture and landscape principles. This section will cover Architectural Design Core Criteria, Plotting and Massing, Materials and Color, and Master Developer designated Architectural Styles.

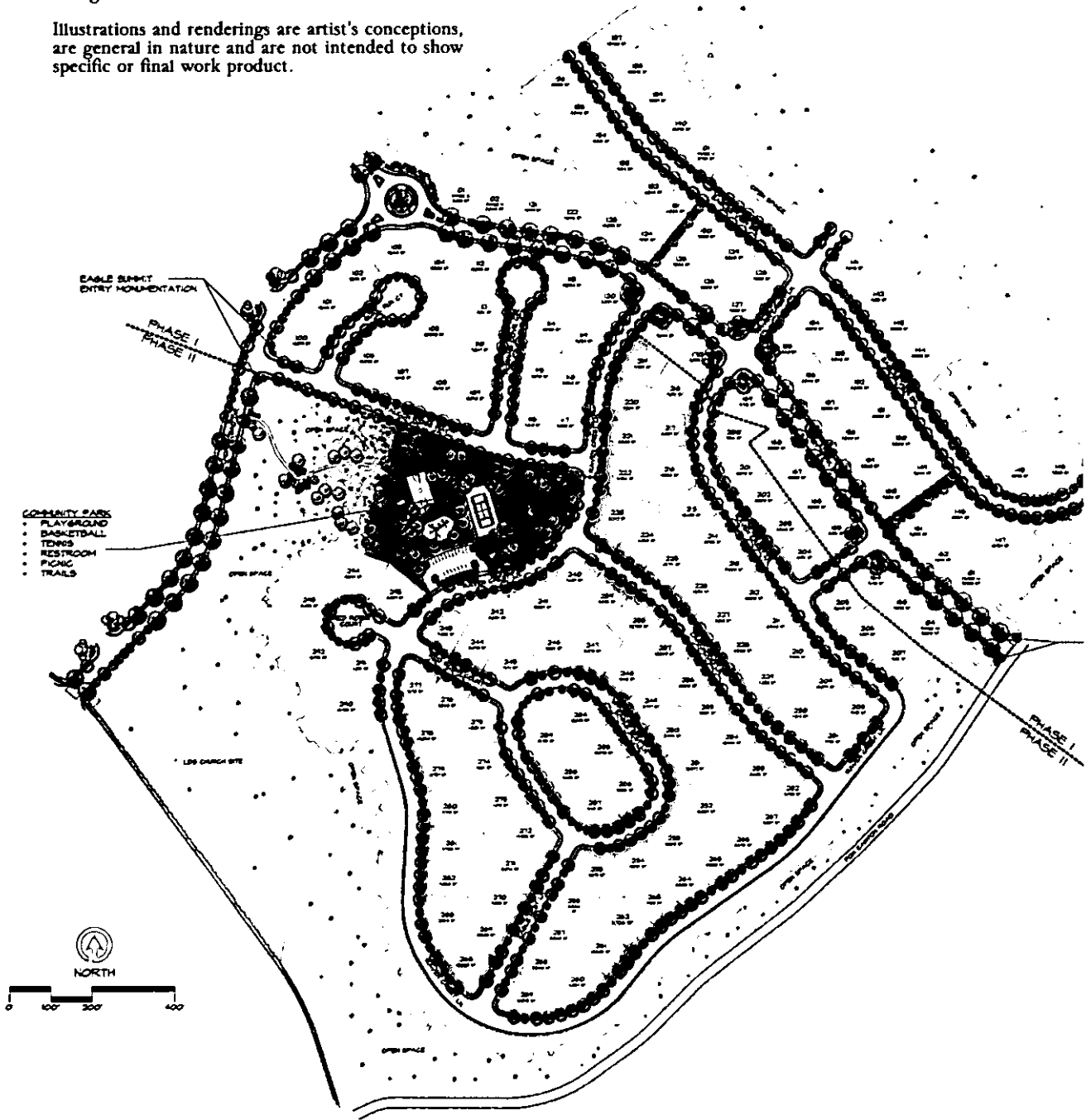
When all of the design elements are implemented holistically, Traverse Mountain will reflect the rich resources of the land and will maintain the integrity of its Utah Mountain Contemporary theme. Therefore, all builders in this community will be required to meet the intent of the Traverse Mountain Architectural Design Guidelines by employing these methods as contained herein and amended at the sole discretion of Traverse Mountain Design Review Committee.

Eagle Summit Phases 1-5 Map

Eagle Summit Phases 1-5

READ: All of the information contained herein is provided based on Traverse Mountain's best research. We do not guarantee its accuracy and reserve the right to change all of the information without notice.

Illustrations and renderings are artist's conceptions, are general in nature and are not intended to show specific or final work product.



Phase I Residential Architecture

Architectural Design Core Criteria

The following architectural core criteria are designed to assist in developing architecture that is economically feasible to the builder and aesthetically appealing to the home buyer.

1. The home, not the garage, is the primary emphasis of the front elevation.
2. A variety of compatible architectural styles will ensure a degree of individuality in the neighborhoods.
3. Architectural detailing is true to the style to the greatest possible extent.
4. Colors are used to reinforce architectural style.
5. Roof forms play a major role in defining architectural style.

PLOTTING AND MASSING

Concept:

Creating street scenes that function well and have visual interest are primary community objectives. The following basic elements and criteria are intended to develop variations in appearance and a sense of individuality for each home. Neighborhoods that have nearly identical homes and streets without variation in product placement and form are not allowed.

This section lists architectural plotting and massing techniques that help create a quality environment. Architectural styles, materials and colors are defined in the individual Architectural Style descriptions in the following section.

Fundamentals

1. **Plotting Concepts:**
 - a. **Product Mix**
 - b. **Typical Plotting**
 - c. **Setbacks**
2. **Massing Concepts**
 - a. **Corner Homesite Garage Placement**
 - b. **Wraparound Elements at Corner Homesites**
 - c. **Roof Forms**
3. **Single Story Elements**
4. **Variable Setbacks in Elevation**
5. **Side and Rear Elevation Articulation**
6. **Floor Plan Form**

Phase I Residential Architecture

Product Mix

Product Mix

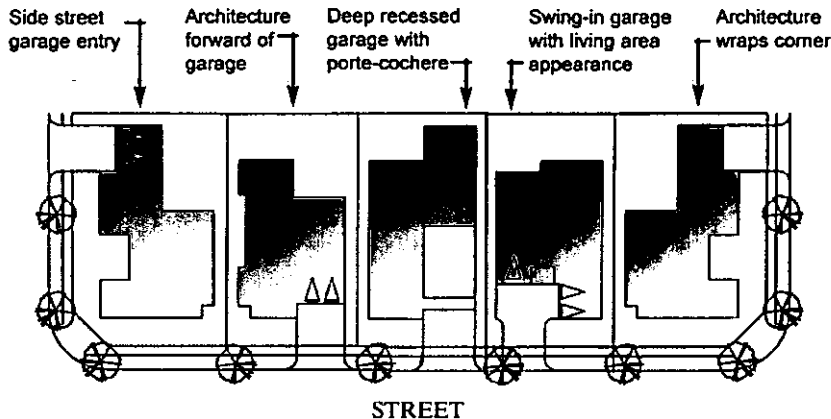


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Provide a variety of styles and massing forms within each neighborhood to insure a diverse and interesting street scene.

Plotting Concepts

Plotting Concepts - When plotting, refrain from strict compliance to minimum garage setbacks to avoid repetitious street scenes. Variable front yard setbacks are required and variable side setbacks are encouraged. Typically, plans are to be reversed and plotted so that garages and entries are not adjacent to each other to create an undulating setback. Occasionally, this pattern should be interrupted to avoid monotony. Create attractive and comfortable street scenes and street space by de-emphasizing garages, implementing "architecture forward" and encouraging "corner specific architecture."



TYPICAL PLOTTING CONCEPTS

Phase I Residential Architecture

Eagle Summit Phases 1-5

Eagle Summit Square Footage Minimums:

- Rambler or comparable: Minimum of 1700 square feet on main floor with a full basement (basement may be unfinished).
- 1^{1/2} story: Minimum of 1450 square feet on first floor with a minimum of 2025 square feet on first and second floor combined, with a full basement (basement may be unfinished).
- 2 story: Minimum of 2,250 total square feet on first and second floors combined.
- Garage: 3 car garage required, unless the frontage width of the lot is 85' or less; in such cases a 2-car garage is required.

Setbacks:

Front Yard Setbacks*

To first floor living space	20' - 30'
To second floor living space	20' - 34'
To porch	16'
To garage door or gated drive	20'
Swing-in garage	16'

Minimum Side Yard Setback

To living space	5' - 10' min.
Corner homesite side yard	16'
Corner lot to porch	16'

Minimum Rear Yard Setback

Living - First story	20'
Living - Second story	20' - 28'
Garage - Deep recessed	15' (Subject to Lehi City codes for detached garages)

Encroachments

The following encroachments may project up to 2' into yard setbacks: (all non-fire rated encroachments must be at least 3 feet from property lines), eaves, architectural projections, fireplaces, log storage, entertainment niches, balconies, exterior stairs, bay windows, window seats, second floor overhangs, decks, and air conditioning equipment. Builder is responsible for meeting local fire authority standards which may exceed those stated here.

*Notes: * All front and corner side setbacks are measured from the property line, which begins 1'-0" inside of the sidewalk. Some variation in front setbacks is required. Rear and interior side setbacks are measured from property lines. All setbacks are subject to Design Review and Approval by Traverse Mountain Design Review Committee.*

All setbacks meet or exceed specific plat standards. It is the responsibility of each builder to confirm compliance with UBC standards in addition to city standards and ordinances.

Phase I Residential Architecture

Massing Concepts

Corner Homesite Garage Placement - Corner homesites or side-on condition homesites require wrap-around architecture, a side entry garage plan, and significant one-story elements on the corner side yard.



CORNER HOMESITE GARAGE

Wraparound Elements at Corner Homesites - (Neighborhood quality will be enhanced by adding a wraparound single story element, or by enhancing a corner home with additional architectural details as found on the front elevation.) An example would be continuing a full-wrap of material accent onto the side facade or adding a wraparound porch as pictured below:



WRAPAROUND PORCHES ON CORNER HOMES

Phase I Residential Architecture

Eagle Summit

Roof Forms*

* All roofs must be 35-50 yr. architectural shingle with Duraridge brand or equivalent brand ridge shingles. Tile, metal or treated shingle roofing materials may be approved on a case by case basis. *6-nailing pattern shingles recommended.

Rows of homes seen from a distance or along arterial roads are perceived by their contrast against the skyline or background. The dominant impact is the shape of the building and roof line. Articulate the rear elevation and roof plane to minimize the visual impact of repetitious flat planes, similar building silhouettes and similar ridge heights. Provide varied rear elevation forms along main arterial highways.

Varied Roof Forms

Type A



Rear-facing slope with intersecting gable
Accented window treatments

Type B



Side-to-side gables
One and two story massing

Type C



Varied rear-facing slope with some intersecting hip elements
Added porch and balcony

The roof form of a home should be appropriate for each of the specific architectural styles found in these design guidelines. Large unbroken expanses of roof area shall not be permitted. Long uninterrupted ridgelines are strongly discouraged and will not be permitted unless the Traverse Mountain Design Review Committee determines that other building elements make the ridgeline less conspicuous. The Roof Slope Formula shown below specifies the styles with similar roof slopes, it minimizes the number of different trusses required as well as the number of roof pitches required. This formula works in conjunction with the Architectural Style Matrix found in the next section.

Roof Slope Formula - Style Appropriate

Style Group I

Minimum 8:12 to 12:12

Roof Slope

- American Farmhouse
- English Cottage
- French Country

Style Group II

Minimum 8:12 to 10:12

Roof Slope

- Utah Mountain Contemporary
- Tuscan

Notes: Styles in Group II may be used with styles in Group I by adjusting roof slope.

Phase I Residential Architecture

Single-Story Elements

Single story elements are encouraged to create a sense of variety and scale in the street scene. One way is to utilize porches, reduced height living spaces and/or garage areas to create single-story components. A minimum of 50% of all homes in a neighborhood shall have visibly significant single story elements. Corner homes shall have significant single story elements to the corner side yard.



Variable Setbacks In Elevation

Provide variable setbacks to different parts of the home to encourage vertical and horizontal massing breaks. Continuous flat wall planes or large uninterrupted expanses of stucco shall not be permitted. The layering of projecting elements at ground level is encouraged to help anchor large structures more effectively to the ground. In addition, provide alternative garage layouts and alternate plan configurations.



Phase I Residential Architecture

Basements

Full or partial basements (as approved by the Traverse Mountain Design Review Committee) are required for all single family detached homes.

Side and Rear Elevation Articulation: Vertical & Horizontal Plane Breaks:

Where any portion of side and rear elevations face primary roads or boulevards, parks, trails, public open space, or are elevated more than 20 feet above the rear or side of the adjoining building pad, these elevations must incorporate varied wall planes and roof forms, and enhanced window treatments, shutters, bay windows, decks, balconies, etc. All homes abutting boulevards, public open space, etc., should also step the home to be consistent with any elevation changes in the lot. The maximum height for rock retaining walls that abut streets, major boulevards, open space, or are visible from the street is 3'-0".

Architectural treatment material and trim provided on these elevations must be similar in style and detail to front elevations with added attention to those facades that back onto primary roads. These facades require additional materials, balconies, decks or patios and window treatments such as added trim, mullions, shutters, pot shelves, flower boxes, or a feature window.



REAR ELEVATIONS

Side and Rear Yard Restrictions:

Playhouse structures, swing sets, trampolines, spas, and similar features as swimming pools or other improvements are not permitted in yards visible from or abutting primary roads, boulevards, parks, trails, public open spaces or are elevated 10 feet or more above the adjoining building pad, unless completely screened from view. All improvements must be submitted to and approved by the Traverse Mountain Aesthetic Review Committee prior to installation. It is at the discretion of the TMARC to approve or disapprove any such structures. Please see the Traverse Mountain Master Association Architectural Guidelines for further details on rear yard landscaping.

Phase I Residential Architecture

Floor Plan Form

Select architectural styles that best fit the massing derived from the floor plan. For example, styles such as American Farmhouse elevate as a two-story rectangular form. Designing a floor plan with simple two-story stacking of exterior walls yields the correct massing form for an American Farmhouse style home.



AMERICAN FARMHOUSE

Asymmetrical massing and combined one and two story forms are appropriate for styles such as English Cottage and French Country.



ENGLISH COTTAGE

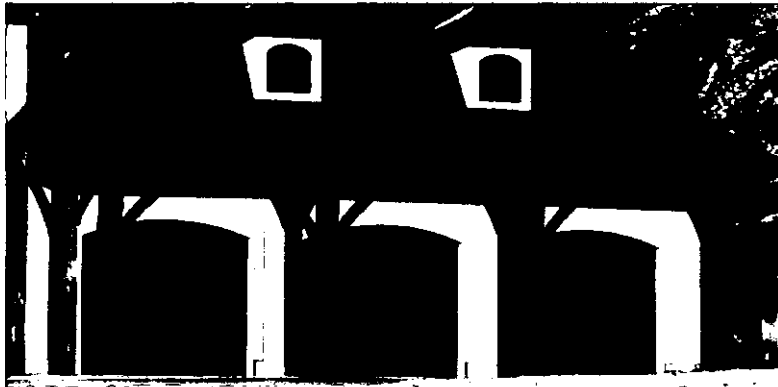


FRENCH COUNTRY

Phase I Residential Architecture

Garage Treatments

All homes in the Eagle Summit subdivision are required to have 3-car garages unless the frontage width of the lot is 85' or less, in such cases a 2-car garage is required. The home and front yard rather than the garage should be the primary emphasis of the front elevation. No more than 1/3 of garages (except swing-in) may be forward of architecture and may be no more than 10' in front of primary facade or include a side car garage. All others must be recessed a minimum of 5' behind the primary front facade. No more than 50% of garages in any given neighborhood may be front facing at the minimum setback. Standard flat or paneled aluminum garage doors shall not be permitted. Garage doors must incorporate the architectural style of the home. Buildouts, windows, Carriage style garage door designs and real wood are encouraged.



Carriage style doors expressing the character or style of the home with a shed roof overbuild and timber columns

Minimize the impact of garages facing the street by techniques such as varying garage door patterns and utilizing deep recessed door techniques, varying colors, splitting one large door into two single doors or using alternative garage configurations, such as corner garages, swing-ins and full recess garages.

Fundamentals

1. Garage Wall Plane Furr-out
2. Screened Garage Door Elements
3. Porte-Cocheres
4. Shallow Recess Garages
5. Mid to Full Recess Garages
6. Swing-in Garages - Homesite Size
7. Three-car Garage Treatment
 - a. Tandem
 - b. Front Facing Mitigation Measures

Phase I Residential Architecture

Garage Wall Plane Furr-out

Furr-out garage wall plane 12" - 18" for front loaded, street facing garages when the garage door is forward of primary facade or at the minimum setback. With other garage configurations a range of 6" to 18" is recommended.



Screened Garage Door Elements

Install devices such as attached trellis's beneath garage roof fascia's and above garage door header trims, or build an overhead detached trellis forward of the garage, spanning the driveway.



Phase I Residential Architecture

Porte-Cochere

A deep recessed or detached recessed garage plan with a porte-cochere creates an additional screened parking space and occasional outdoor private space.

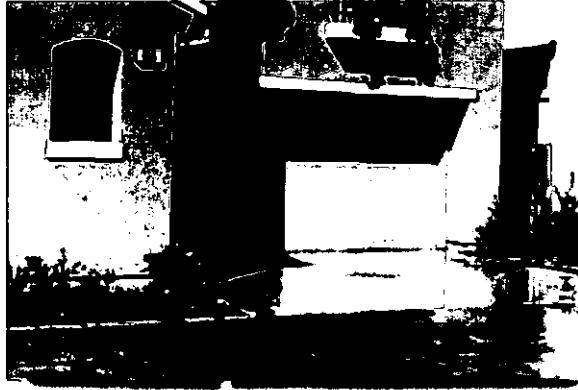


PORTE COCHERE GARAGES

Phase I Residential Architecture

Shallow-Recess Garages

No shallow recess garage face is permitted to be less than 5' behind the architecture or full porch (porch depth minimum is 6'-0").



Mid to Full Recess Garage

Create plans that place garage at varied depths on the homesite.



MID RECESSED GARAGES



FULL RECESSED GARAGES

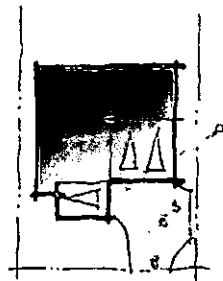
Phase I Residential Architecture

Swing-In Garage - Homesite Size

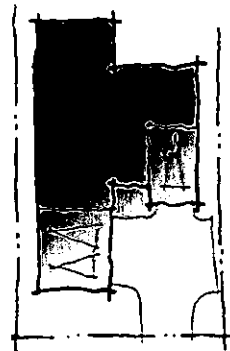
Where 3 car garages are used, swing-in format is preferred. Swing-in garages greatly reduce the impact of the garages on the streetscape by providing the appearance of a living area with an enhanced window treatment. Swing-in garages are permitted only on homesites 55' wide or greater.



SPLIT SWING-IN 3-CAR GARAGES



Split 3-car garage
(55' Wide Minimum)



Split 3-car garage
(55' Wide Minimum)

VARIED SWING-IN GARAGE TREATMENT EXAMPLES

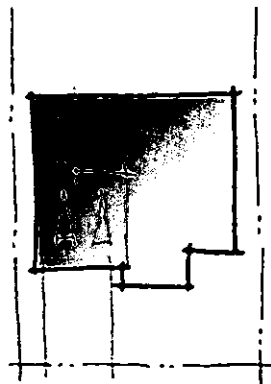
Phase I Residential Architecture

Three-Car Garage Treatment - Tandem

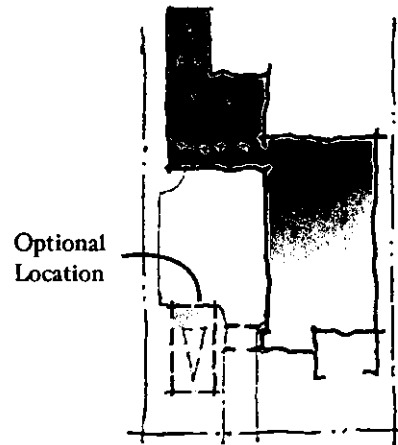
When a three-car garage is planned, the impact on the streetscape can be minimized by allowing the 3rd car bay to be constructed in tandem behind the standard 2-car garage door configuration.



3-CAR TANDEM GARAGES



3-Car Tandem Garage



Deep Recessed 3-Car Tandem Garage

VARIED THREE-CAR GARAGE TREATMENT EXAMPLES

Phase I Residential Architecture

Three-Car Garage Treatment - Front Facing Mitigation Measures

When the standard front facing three car configuration is used, it must be combined with at least one of the following front facing mitigation measures:

1. Garage placement must be at mid recess or deep recess.
2. Provide a minimum 60 square feet of porch area at least 6' forward of garage face.



PORCH TREATMENT

3. When a 3 car garage is front facing, the following mitigation elements are encouraged:
 - a. Limit 3 front facing car garages to 1/3 of plans in a 3 plan package, 1/4 in a 4 plan package.
 - b. Offset dual car garage door 2'-0" from the single car garage door.
 - c. Furr-out front facing wall.
 - d. Install trellis overhead.



DUAL CAR GARAGE DOORS

Phase I Residential Architecture

4. Provide three single car garage doors and recess all garage doors a minimum of 18". This garage layout may be used only on 80' wide or greater lots and is limited to only one plan per neighborhood.



THREE SINGLE CAR GARAGE DOORS

Parking

The number of parking spaces shall meet or exceed that number required by the City of Lehi parking code. Adequate parking must be provided within each individual parcel as parking on adjacent collector streets is not permitted. Guest and overflow parking may be accommodated with on-street parking along internal collectors only where designated. (see City of Lehi parking code).

In the case of single family residential development the following criteria must be met:

- Additional parking may be accommodated on the driveway provided that the typical 16' car can be parked without extending over sidewalk.
- Where garages are grouped, planting areas or pockets must be provided at a minimum of one per every other consecutive garage door.

Recreational Vehicle & Boat Storage

All R.V.'s and boats should be stored in an offsite facility. When a homesite is large enough to accommodate recreational vehicle or boat parking, these vehicles must be garaged to prevent public viewing from the street or neighborhood.

Phase I Residential Architecture

Entries

The entry serves several important architectural and psychological functions. It creates an initial impression, locates and frames the doorway, acts as an interface between public and private spaces and further identifies individual unit entries. The entry design should emphasize these prime functions.

- Wherever possible, site plans should orient the front door image and principal access toward the public street.
- The incorporation of porches is encouraged in connection with front entries
- Incorporate appropriate roof elements, columns, feature windows and/or architectural forms in the entry statement to emphasize the building character and the location of individual doorways.
- If front entry location is not immediately obvious due to building plan or siting, direct and draw the observer to it with added elements such as signs, lighting and landscape.

Balconies

The inclusion of balconies is encouraged for both aesthetic and practical purposes. They are useful in breaking up large wall planes, offsetting floors, creating visual interest and adding human scale to the building. They provide the practical advantage of creating outdoor living areas and elevated private open space.

- Balconies may be covered or open. They may be recessed or integral to the mass of the building or serve as a projecting element.
- Design balconies as integral elements of the building with details, eaves, supports, and railings in keeping with the architectural style and other elements of the building's design.
- Avoid designing balconies in plans that occur side by side.
- Rail type must be consistent with the chosen architectural style and building design. Allowable types/materials include closed stucco, open wrought iron and wood-appearing picket or rail, tubular metal.

Community Recreation and Common Facilities

When completed the Traverse Mountain Recreation Center will offer future activities and recreational opportunities to residents.

- Common recreation facilities shall be key character buildings/elements, with architectural styles, materials and colors being consistent with those chosen for the entire development.
- Clubhouse and any other common buildings shall reflect full articulation on all elevations.

All amenities, such as street furnishings, trash receptacles, bollards and light fixtures shall reflect the overall development character.

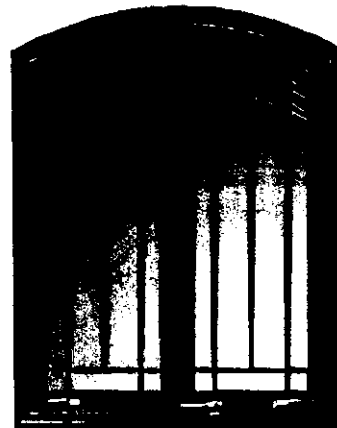
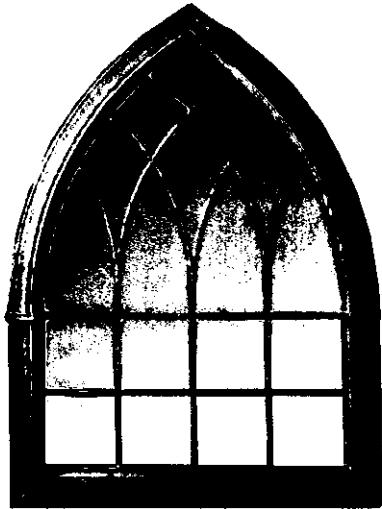
Phase I Residential Architecture

Windows

Typically the location of windows is determined by the practical considerations of room layout, furniture placement, views and privacy. Design emphasis here should be of particular concern as windows play an important role in the exterior architectural character of single family homes.

- Within the appropriate style requirements, group and coordinate windows with other design elements to create a composition and sense of order.
- Divided lite windows (composed of small panes divided by mullions & muntins) are required on 70% of the window on the front elevation or any other elevations that face the street. On all other elevations a minimum of 30% of the window area must be divided lite.
- Recessed windows and doors are encouraged to create shadows, give deeper relief to the facades, and suggest structural strength.

Enhanced Window Style Elements



Phase I Residential Architecture

Floor Plan & Model Home Criteria

For every five (5) home sites a minimum of one (1) floor plan with three (3) elevations each is required. For example; on fifty home sites, 10 floor plans with three elevations each (30 elevations) is required. Model home(s) shall be constructed in each subdivision, to be open to the public and represent the style of homes to be built. For every twenty five (25) home sites, merchant builders are required to build at least one model home.

Architectural Styles

In order to achieve diversity and interest in Traverse Mountain, builders are required to design elevations and floor plans specifically for this project, with a style in mind, that should not be duplicated anywhere else. A number of architectural styles have been selected from those long admired in the traditional neighborhoods of Salt Lake City and Provo. Others that reflect the immediate mountain environment and a more contemporary look have been added to round out this palette of styles. Overall this palette contains a harmonious mix of styles that reflect Utah's strong sense of tradition, the latest in technical innovation and an appreciation for the surrounding natural environment.

Authenticity

The style matrix on each of the following pages will provide the builder and their design consultants the tools to create architectural designs appropriate and authentic to each style. The massing, character and detail of each selected style must be as authentic as possible, without using architectural gimmicks or sacrificing the integrity of that style or it's implied historical heritage.

Each master developer designated architectural style is defined by "Required Style Elements" that reflect typical characteristics and "Enhanced Style Elements" that further enhance the individuality of each individual style.

Master Developer Designated Architectural Styles

Group I

- American Farmhouse
- English Cottage
- French Country

Group II

- Utah Mountain Contemporary
- Tuscan

*Notes: * Neighborhood Builder: The architectural style and the number of architectural styles for each neighborhood shall be determined by the Master Developer.*

Phase I Residential Architecture

American Farmhouse - Style Elements



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Style Elements	Required	Enhanced
Form	<ul style="list-style-type: none"> Main gable roof with one or two intersecting gable roofs Refer to pages 28-30 	<ul style="list-style-type: none"> Dormer windows Shed roof popout
Roof	<ul style="list-style-type: none"> 8:12 to 12:12 roof pitch Front to back main gable roof 12" overhangs 35-50 yr. architectural composition shingles with Duraridge brand or equivalent brand ridge shingles. 	<ul style="list-style-type: none"> 18" overhangs
Walls	<ul style="list-style-type: none"> Blend siding and stucco (light to medium sand finish stucco) Horizonotal siding on front elevation 	<ul style="list-style-type: none"> Full wrapped horizontal siding
Windows	<ul style="list-style-type: none"> Vertical multi-paned windows at front elevations and in high visibility public view areas Built up header trims at front windows Color & style appropriate windows 	<ul style="list-style-type: none"> Bay windows Single hung windows at front
Details	<ul style="list-style-type: none"> Porches with shaped wood-like columns & knee braces Porches with wood-like railings Stucco finish or horizontal siding wrapped chimney Min. 1x4 window and door trim Shutters & layered header trims at front elevation 	<ul style="list-style-type: none"> Shaped wood-like window and door trim Stone / brick chimney wrap Wood-like pot shelves
Colors	<ul style="list-style-type: none"> Medium to light body colors Light earth tone bodies with contrasting or white trims White or dark color accents 	
Entries	<ul style="list-style-type: none"> Usually a turned gable roof to give a focal point to the entry and with a front covered porch 	<ul style="list-style-type: none"> Enhanced gable roof with decorative wood post supports surrounded by a deep, wrap around covered porch
Entry Doors	<ul style="list-style-type: none"> Panel door with added upper lights and detail surround 	
Garages	<ul style="list-style-type: none"> Carriage door style Recessed shallow 	<ul style="list-style-type: none"> Upper lights & windows Recessed mid-full

Phase I Residential Architecture



American Farmhouse - Inspiration Imagery



Full length porch



Wrap around porch



Fully wrapped siding



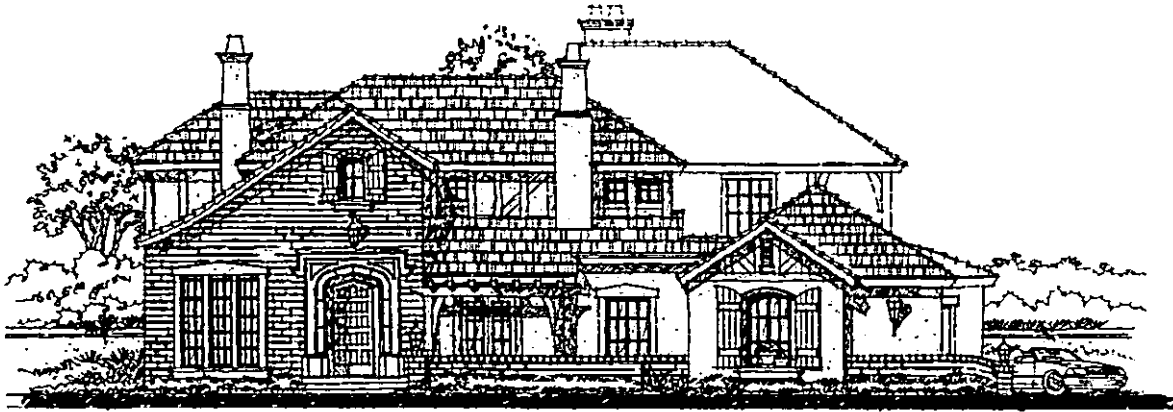
Blended siding and stucco



Overbuild breaking up continuous flat wall planes

Phase I Residential Architecture

English Cottage - Style Elements



Style Elements	Required	Enhanced
Form	<ul style="list-style-type: none"> • Refer to pages 28-30 	<ul style="list-style-type: none"> • Substantive chimney elements
Roof	<ul style="list-style-type: none"> • 8:12 to 12:12 roof pitch • Prominent cross gables • 12" or less overhangs • Flat concrete roof tile • 35-50 yr. architectural composition shingles with Duraridge brand or equivalent brand ridge shingles 	<ul style="list-style-type: none"> • Steeply pitched gable domers • Gable end decorations • Overlapping gables • Tight eaves
Walls	<ul style="list-style-type: none"> • Walls with stucco, stone, or brick accents • Decorative half-timbering on the gables and walls 	
Windows	<ul style="list-style-type: none"> • Vertical multi-pane windows at front elevations • Grouped windows with rectilinear mullions & multi-pane glazing 	<ul style="list-style-type: none"> • Bay windows • Windows with diagonal bracing
Details	<ul style="list-style-type: none"> • Use of multiple materials • Decorative brick in filling between half timbering 	<ul style="list-style-type: none"> • Parapeted front facing gables • Multiple chimney pots • Patterned brick & stone work
Colors	<ul style="list-style-type: none"> • Warm with contrasting trim colors • Dark accents on shutters 	
Entries	<ul style="list-style-type: none"> • Usually turned roof with steep pitch • Covered porch with arched soffit 	<ul style="list-style-type: none"> • Turned roof with soft curve and arched soffit • Sometimes stone accents are included
Entry Doors	<ul style="list-style-type: none"> • Simple panel design with trim surround 	<ul style="list-style-type: none"> • Panel design with window insert and arched top • Occasional strap hinges
Garages	<ul style="list-style-type: none"> • Carriage door style • Decorative strap hinges can be used and an arch soffit 	<ul style="list-style-type: none"> • Garage door with vertical panel design and upper panel glass lights

Phase I Residential Architecture



English Cottage - Inspiration Imagery



Prominent front facing gables



Bay window



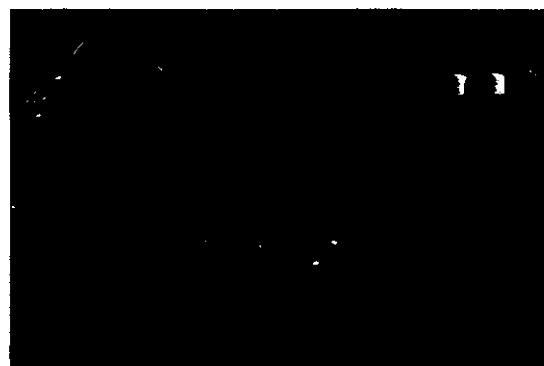
Multiple use of material



Decorative half-timbering



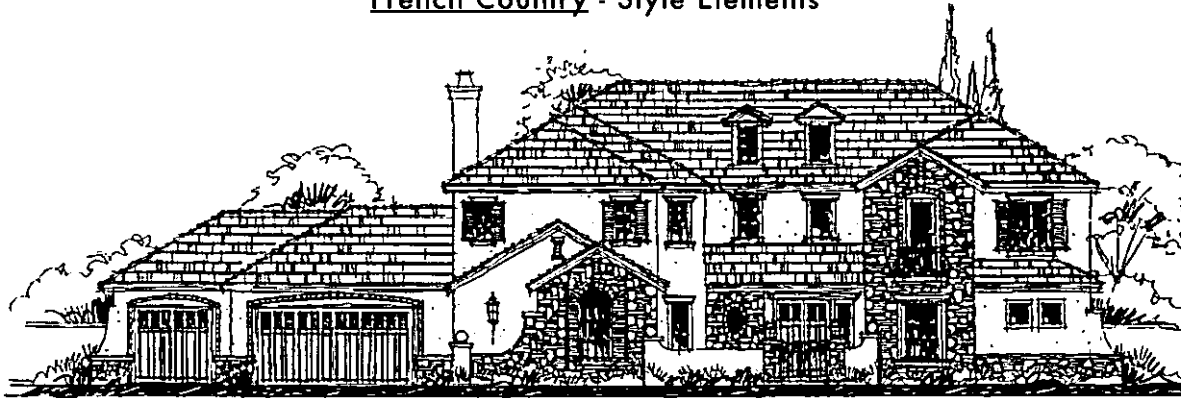
Gable end decoration



Pattern brick work

Phase I Residential Architecture

French Country - Style Elements



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Style Elements	Required	Enhanced
Form	<ul style="list-style-type: none"> • Refer to pages 28-30 	
Roof	<ul style="list-style-type: none"> • 8:12 to 12:12 roof pitch • Steep pitched roofs with domers • 12" or less overhangs with tight eaves • Front facing gable • Flat concrete tile roof or 35-50 yr. architectural composition shingles with Duraridge brand or equivalent brand ridge shingles 	<ul style="list-style-type: none"> • Swooped roof form at entry elements • Curved shoulders at eaves
Walls	<ul style="list-style-type: none"> • Smooth finish stucco walls with stone accents • Extensive use of accent stone on the front facade 	
Windows	<ul style="list-style-type: none"> • Multi-pane windows at front elevation • Soft arched or rectangular windows • Rustic looking wood shutters • Detailed stucco window trim 	<ul style="list-style-type: none"> • Brick or stone sill
Details	<ul style="list-style-type: none"> • Arched gable vent with louvers • Stone base veneer at the front elevation • Shaped wood-like columns with corbel detailing • Architectural elements that express the structure should be stockier 	<ul style="list-style-type: none"> • Stone entry turrets • Stucco radius eave • Arched recess with trim • Wood or wrought iron balconies
Colors	<ul style="list-style-type: none"> • Earth tone shades for the stucco and stone, with some warm gray tones 	
Entries	<ul style="list-style-type: none"> • Tall narrow proportions • Soft arched soffit with some full arches • Tall narrow side lights 	<ul style="list-style-type: none"> • Decorative wood columns with wood corbels • Stone trim • Arched high glass above door and glass side lights
Entry Doors	<ul style="list-style-type: none"> • Narrow vertical orientation of surface material • Flush trim boards • Tall vertical doors with decorative strap hinges 	<ul style="list-style-type: none"> • Decorative details in the window panels • Upper lights with break-ups
Garages	<ul style="list-style-type: none"> • Vertical orientation of surface material and raised panel design 	<ul style="list-style-type: none"> • Carriage style door design with upper lights and window break-ups

Phase I Residential Architecture



French Country - Inspiration Imagery



Covered entry with lighting details



Varying roof forms



Freestanding overbuild with architectural supporting elements like corbels



Chimney & window detail on rotunda



Varying roof planes and wall elevations with attention to details and accents



Window detailing, shutters, flower box, balcony and railing

Phase I Residential Architecture

Tuscan - Style Elements



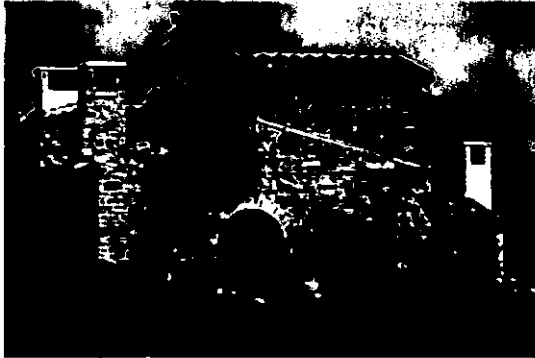
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Style Elements	Required	Enhanced
Form	<ul style="list-style-type: none"> Refer to pages 28-30 	
Roof	<ul style="list-style-type: none"> 8:12 to 10:12 roof pitch 12" to 24" overhanging eave Concrete tile roof or 35-50 yr. architectural composition shingles with Duraridge brand or equivalent brand ridge shingles. No red or curved tile. Flat tile only. 	<ul style="list-style-type: none"> 12" to 36" overhanging eaves Notched and radius stucco eave Exposed wood rafter tails
Walls	<ul style="list-style-type: none"> Stucco with some stone accented walls Smooth finish 	<ul style="list-style-type: none"> Dressed sand stone Glazed stucco finish
Windows	<ul style="list-style-type: none"> Rectangular windows Windows with arched top and bow shutters Paired or triple window 	<ul style="list-style-type: none"> Rustic wooden window shutters
Details	<ul style="list-style-type: none"> Covered entry porches Pot shelves at windows Balcony with wrought iron railing 	<ul style="list-style-type: none"> Ornamental carved or cast stone sill
Colors	<ul style="list-style-type: none"> Rustic stone with hues of rose, buff and ochre Dark contrasting trim & accent colors 	
Entries	<ul style="list-style-type: none"> Arched soffits and hipped or gable roofs Decorative trim at head and sides Extensive use of rustic stone with flush grout treatment 	<ul style="list-style-type: none"> Use of decorative wrought iron trim Decorative wrought iron entry lights
Entry Doors	<ul style="list-style-type: none"> Heavy plank door detailing Horizontal orientation of surface materials or square panels 	<ul style="list-style-type: none"> Square panels with upper lights. Decorative strap hinges. Decorative wrought iron detailing at opening in door
Garages	<ul style="list-style-type: none"> Square proportions of surface material and raised panel design. Plank door detailing Decorative strap hinges 	<ul style="list-style-type: none"> Heavy layered trim board look and upper square lights

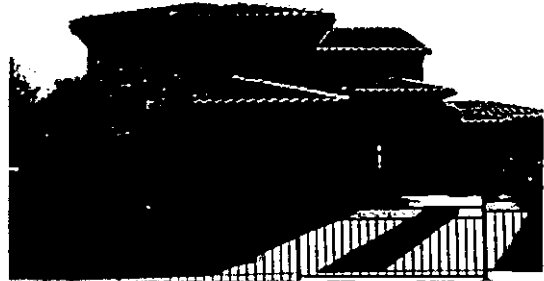
Phase I Residential Architecture



Tuscan - Inspiration Imagery



Stone facade



Two story massing with one story elements



Exposed wood rafter tails



Rustic looking facade



Wrought iron detail



Balcony with wrought iron railing

Phase I Residential Architecture

Utah Mountain Contemporary - Style Elements



Style Elements	Required	Enhanced
Form	<ul style="list-style-type: none"> Refer to pages 28-30 	
Roof	<ul style="list-style-type: none"> Hip or gabled roof design with boxed stucco soffits 8:12 to 10:12 roof pitch 18" - 24" overhangs, stucco soffits 35-50 yr. architectural composition shingles with Duraridge brand or equivalent brand ridge shingles 	<ul style="list-style-type: none"> Hip roof design with boxed stucco soffits and one major cross gable or hip roof. May include shed roof forms on single story elements
Walls	<ul style="list-style-type: none"> Blending stone or siding w/stucco Fine to light sand or light lace stucco finish 	<ul style="list-style-type: none"> Smooth stucco finish
Windows	<ul style="list-style-type: none"> Vertical windows at first floor, vertical and/or banded or ganged horizontal windows at 2nd floor Color & style appropriate windows 	<ul style="list-style-type: none"> A wide variety of mullion patterns allowed
Details	<ul style="list-style-type: none"> Dominant covered entry element with blended stucco and stone or stone columns base Broad flat chimney with detail Architectural elements that express the structure should be stockier Stone / brick / metal accents Substantial entry element Trim detailing around entry door & windows Triangulated knee braces Exposed rafter tails 	<ul style="list-style-type: none"> Massive stucco or stone columns or battered piers Step up full porch Substantial glazing elements w/ enhanced trim Balcony w/ wood railed edge
Colors	<ul style="list-style-type: none"> Wide range of light earth tones and contrasting trim Natural wood tones 	<ul style="list-style-type: none"> Wide range of medium to dark earth tones and contrasting trim
Entries	<ul style="list-style-type: none"> Long, horizontal, hipped roof treatment. Large square columns. Horizontal shingle or lap siding. Some stone accents 	<ul style="list-style-type: none"> Extensive use of horizontal stone. Large square or tapered columns
Entry Doors	<ul style="list-style-type: none"> Horizontal orientation of surface material. Flush horizontal trim boards 	<ul style="list-style-type: none"> Upper square lights and decorative hardware
Garages	<ul style="list-style-type: none"> Horizontal orientation of surface material and carriage door style panel detailing 	<ul style="list-style-type: none"> Horizontal glass pattern in the upper glass lights. Horizontal wood trim boards

Phase I Residential Architecture



Utah Mountain Contemporary - Inspiration Imagery



Prominant covered entry and use of heavy timber accents



Materials relate to environment



Accent wood trim



Blending multiple materials



Varied roof planes, overbuilds with heavy timber accents, battered stone column bases

Phase I Residential Architecture

Secondary Elements - For All Residential Architecture

The following represents additional character elements to be reviewed for approval in the community. These elements typically go unnoticed as part of the architectural background in neighborhoods.

Appurtenant Structures

All detached structures to be used as living space shall conform to the design standards of the existing dwelling on the lot. This type of structure shall be reviewed for conformance with design standards and approval.

Awnings

Awnings may be used to reinforce the architecture of the residence. When provided, they shall be compatible with the style, designed as an integral part of the architecture, and colored to match or complement the wall surface to which they are attached.

Entry Court Gates and/or Motorcourt Gates

Pedestrian and/or auto gates for individual lots or parcels must be submitted for design review and approval. Appropriate pedestrian access must be provided.

Exterior Landscape and Architectural Lighting

Selection of light fixtures for highly visible locations (i.e. entry areas, corner lots) shall be submitted for design review and approval. Consideration for neighbors and the community will be considered in all applications.

Gutters and Downspouts

Exposed gutters will be colored to match the fascia or wall material. Exposed downspouts will be colored to match the surfaces to which they are attached. As an exception, natural copper gutters and downspouts are permitted.

Mailboxes

Postal service mailboxes shall be installed according to the designated design for each neighborhood type. Mailboxes must be submitted for design review and approval to the Traverse Mountain Design Review Committee prior to installation.

Mechanical Equipment

All mechanical equipment such as air conditioning/heating equipment, soft water tanks, pool and spa equipment, and electric self-timer boxes for sprinklers or exterior landscape/lighting shall be completely screened from public view. In the case of multi-family buildings, equipment may also be mounted on a flat roof or behind parapet walls to completely screen it from view.

Phase I Residential Architecture

Meters

Both gas and electric meters and cable panels shall be screened from view with landscape. The details shall be submitted for design review and approval.

Patio Structures/Gazebos

The use of patio structures is encouraged. They shall be integral to the building form to add articulation to otherwise large unbroken wall masses. The details shall be submitted for design review and approval.

Residential Address Numbers

All address fixtures are encouraged to be lit. The type and location of fixtures shall be appropriate to the architectural style of the residence and shall be submitted for design review and approval.

Roof Flashing & Vents

All flashing and vents shall be colored to match the material to which it is attached.

Stairs and Steps

Exterior stairs that are designed for access to second story living areas shall be designed as integral to the massing and appropriately articulated with respect to the style of the residence.

Sky Lights

Sky lights shall be designed as an integral part of the roof. The glazing shall be clear or solar bronze; white glazing is prohibited. The framing materials shall be colored to match or blend with the roof.

Solar Panels

Design and installation plan subject to Traverse Mountain Design Review Committee review and approval.

Trash Enclosures

Areas shall be provided for trash and recycling bins to be concealed from public view. The enclosure shall be designed in keeping with the style of the primary architecture.

Materials and Colors Concept:

The colors and materials used at Traverse Mountain will reflect a general theme of environmental harmony with the surrounding region and neighborhood character. The architectural style palette will contribute to this goal as the color palette for each style historically shares this "common sense" approach to the use of materials and colors indigenous to the region. New interpretations of these classic combinations of materials and inherent colors are encouraged as they relate to a general feeling of neighborhood unity.

Phase I Residential Architecture

Materials and Color Criteria:

A variety of natural looking materials and colors will provide the diversity required for visual interest while unifying the homes with their settings and creating a timeless appeal. The primary purpose of the architectural color palette selection is to avoid monotony, providing a variety of colorful schemes and promoting visual diversity.

To further this goal of diversity, the following criteria shall be met:

1. Each elevation shall have a minimum of three colors (four is preferred. For example, one body color, one trim color and two accent colors).
2. Each neighborhood shall have a minimum of three different roofing material colors.
3. Individual color schemes must be appropriate to the architectural styles with a harmonious selection of accent materials, roof profiles and colors. Colors in general should not be in harsh contrast or compete with the colors of the surrounding natural environment.
4. No adjacent home shall have the same color scheme.
5. All materials should be used in an authentic manner and only when appropriate to style.

Color palettes that reflect traditional architectural themes are the basis for successful modern interpretations. Current color trends integrated within a historically referenced framework create dynamic, yet timeless color combinations.

The following are specific requirements regarding materials and colors that apply to all homes in Traverse Mountain. Any proposed substitutions (high quality only) are subject to review and approval by the Traverse Mountain Design Review Committee.

Brick: Real brick is to be used. The desired materials are individual "wood mould" brick. Reasonable care shall be taken to create a reasonable variety of colors and styles and to reasonably space out any duplications that may exist because of the personal preference of the various home owners and builders. "Brick-look" or veneers are not permitted. When used as an accent material, brick shall cover 60% minimum of the façade surface.

Stone: All stone must be natural. Cultured stone (such as El Dorado, etc.) can be used subject to approval on a home by home basis. The use of river rock is not permitted. It must be in the appropriate proportion and scale for the style and elements to which it is being applied. Accent stone shall cover a minimum of 60% of the façade surface.

Siding: Hardi-Plank is permitted and appropriate for wall and accent surfaces. Siding may be used as an accent only on the front façade, except corner lots on which it may be used on the front and one side. Under no circumstances is aluminum siding allowed on any surface. A like quality product may be permitted subject to review and approval.

Sophet/Fascia: Must be a minimum of 10" wide.

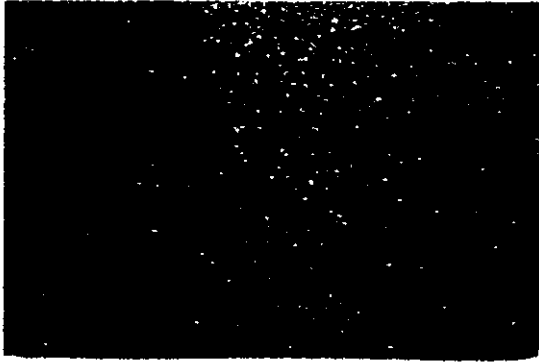
Trim, Eaves, Fascia: Vinyl or equivalent quality weather resistant, low maintenance materials appropriate to styles will be permitted subject to review and approval. Eave lines that project beyond the building walls are recommended in order to minimize reflections from glazing and create shadow patterns on the building walls.

Fencing, Porch/Balcony Railing: Wood, and wrought iron should be used for these elements. Their use and design are subject to review and approval by the Traverse Mountain Design Review Committee prior to installation. Please see Appendix F for approved fence types and location of use.

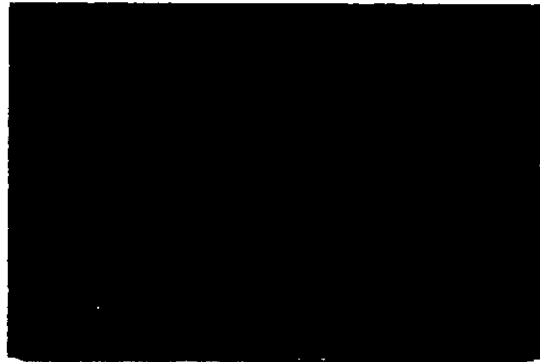
Phase I Residential Architecture

Stucco and Synthetic Stucco Finishes

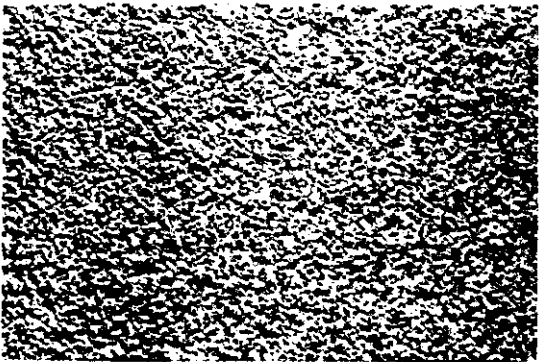
Stucco must be used in combination with other materials; large unbroken surfaces of stucco shall not be permitted.



Fine Sand Finish



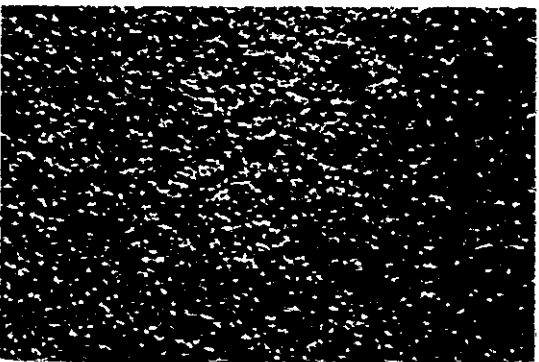
Smooth Finish



Light Sand Finish



Pearlite Finish



Medium Sand Finish



Heavy Lace (Not Allowed)

SECTION FOUR

"At Traverse Mountain, there is an exciting connection being created to nature, to education, to neighborhood, to the future...and to life itself."

The landscape concept for Traverse Mountain is a reflection of the Utah Mountain Contemporary community theme. This "Utah Mountain Contemporary" character is the thematic style developed for this community and is carried out through all public elements of architecture and landscape. The landscape is a unifying element throughout the community, using a consistent framework of hardscape and softscape design, materials and colors.

LANDSCAPE

The plant palette is derived from the surrounding immediate and regional natural environments, combined with selected non-native plants and accent materials to provide drama, color, variety and shade to neighborhoods and commonly used areas. These added plants and materials will be used generously within those areas and gradually blended into the natural palette in landscape edges, providing transitional landscapes between the built and natural environments.

Landscape

Landscape Character

The landscape character in Traverse Mountain emphasizes three elements: tradition, technology and nature.

- Formal or naturalized plantings selected from the plant palette (See Appendix C for approved plant and tree selection) will complement indigenous regional species to provide thematic drama at community or public level entries and facilities.
- Tree-lined streets will provide a comfortable pedestrian scale and quality to traditional neighborhood environments. Large shade trees, flowering accent trees, shrubs and ground covers will be used in formal or naturalized plantings at entries and in parks.
- At landscape edges, or transitional zones, such as sidewalk to trails or trails and parks to natural open spaces, selected palette plants will be combined with native regional and on-site species to accomplish a naturalized transition from the built to the natural environment.

Landscape Responsibility

The Master Developer in Traverse Mountain will provide the following:

- Landscapes along arterial roads and collectors
- Community neighborhood entry and identification monuments
- Community park and recreation facility
- Open Space areas
- Community walls and/or fences (along boulevards)

Neighborhood Builders/Parcel Developers

Individual Neighborhood / Parcel Developers are responsible for providing:

- Landscapes along neighborhood streets - Parkway planting (See Appendix B for approved park strip trees)
- Individual lots - front yard landscaping - Front yard paving
- Pedestrian trails/links (within parcel) to adjacent neighborhoods, streets and parks
- Neighborhood parks (within parcel)
- Community walls, retaining walls, and/or fences as required by the master developer within each parcel

The above landscape elements shall be designed and installed in accordance with the Traverse Mountain Community Landscape plan and specific parcel packages if any. Prior to installing landscaping, neighborhood builders/parcel developers must submit plans to the Traverse Mountain Design Review Committee for approval. (see Design Review Process for Landscaping, section V) Parkway planting, front yard landscaping, paving, and side yard return fencing must be installed and inspected prior to occupancy of a home.

LANDSCAPE ELEMENTS:

Parcel Entries & Identification

In order to maintain a sense of continuity throughout Traverse Mountain, parcel entries will be provided, designed and planted in character with corresponding entry/identification monuments. These shall be designed using the "Utah Mountain Contemporary" community style palette to reinforce all community, village and neighborhood level signs and monumentation. Plantings must include at least three to five primary trees selected from the Traverse Mountain Community Plant Palette (see appendix).

All entry and identification monument plans are subject to design review and approval

Neighborhood Street Landscapes

Internal neighborhood street landscapes are the responsibility of each neighborhood / parcel builder. This includes the installation of curb separated sidewalks, parkways, street trees, parkway planting and an automatic irrigation system. Irrigation and maintenance of all of these elements during the construction period is the responsibility of the neighborhood builder. Sidewalks and driveway aprons are to receive a medium broom finish and a score pattern that complies with City of Lehi standards. Hardscape at corners should be minimized as much as possible while still maintaining standards for accessibility.

Parkways

Parkways are to be planted with ground cover or turf and street trees as specified in the plant palette and park strip tree planting plan. Parkway trees must be cut back 6" below curb and filled with top soil prior to landscaping, ground cover, turf, or street trees being installed. Parkway street trees must be a minimum caliber of 1.5". Street trees are to be planted in parkways at a maximum of 30' on center to insure a visible planting pattern. This may result in more than one tree per lot and must be adjusted according to locations of utilities, driveways, etc. In cases where parkways do not exist, street trees should be planted at 5' back of curb.

Individual Lot Landscapes

Landscape designs should be complementary to the architectural style of each home, providing a variety of plans in each neighborhood.

- Plantings must include at least two front yard trees, minimum caliber of 2" (in addition to street trees), 8-10 shrubs, a minimum of 10 gal., to define spaces and screen utility/trash elements, and a minimum lawn area to be determined by the Traverse Mountain Design Review Committee.
- Front entry walks should be designed using a variety of materials and forms that complement each individual home.
- Incorporating lighting into landscaping is encouraged.

All elements of landscape design are subject to design review and approval. (See Design Review Process for landscaping, Section V)

Landscape

Pedestrian Trail Connections

Pedestrian trail connections to adjacent neighborhoods, parks and open space are required in some neighborhoods where shown on plans. Depending on their location in the community, these may require sidewalks or other trail surfaces that transition to softscape in open space areas. Maintenance of these areas and related plantings are the responsibility of the neighborhood builder until occupancies have been established. Specific requirements are noted in parcel packages.

Neighborhood Parks

A park and/or open space is to be integral to each neighborhood design to provide a gathering place for residents and a focal point upon entry to the neighborhood. These open space elements shall be located along the edge or at the end of the entry street as a common element for builders to model homes around. Enhanced landscaping for shade and aesthetics and added play elements or site furnishings should be provided to help convey the character of the neighborhood.

Neighborhood Walls and Fences

Publicly visible fences and gates, tastefully designed, add to the character of a neighborhood and provide the desired separation of space while eliminating or diminishing the appearance of more solid barriers.

Permitted fencing and wall materials include wood, masonry, stone, wrought iron and some wood-like products may be approved on a case by case basis (see Appendix F - "Fence Types" for approved designs). Plywood systems are prohibited. Chain link is prohibited except along Murdock Canal only for safety and security. All wood fencing and gates must be stained and sealed or painted.

Lighting

Fundamentals

- **Light for visibility, security and aesthetics.**
- **Design in character with community image**
- **Contain individual parcel lighting on site**

All lighting should be designed with both vehicular and pedestrian use and movement/safety in mind. Areas that require lighting include parking areas, walkways and stairs, entries and other spaces that may be used after dark. All exterior lighting shall be controlled automatically by photo cells and timers.

Landscape

All public or non-gated neighborhoods and/or parcels must use poles, bases, fixtures and related components from the Traverse Mountain Community Lighting Palette (see Appendix E). Private parcels may use poles and fixtures appropriate to the architectural character of that development, subject to design review and approval.

Lighting that produces excessive glare or shines on adjacent parcels is not permitted. Inconspicuous fixtures and those that shield light overflow are preferred for landscape and recreation use. Decorative fixtures are appropriate for use on architectural elements.

Street Lighting

Street lighting shall be provided on all public and private streets in Traverse Mountain. Poles, bases, fixtures and other related lighting components must be selected from the Community Lighting Palette. (See Appendix E) The master developer will provide street lighting along primary community collector roads. Street lighting within individual parcels is the responsibility of that parcel/neighborhood builder and per Lehi City.

Site Lighting

Landscape lighting of trees as focal elements is encouraged where both direction and definition are needed. Unless they are a decorative part of an architectural design palette, fixtures should remain unseen and should be placed within a planted area or mounted above the focal point.

Structures are typically lit for aesthetic and directional uses. They should be washed or spotted with inconspicuous/concealed fixtures and accented with applied decorative fixtures that are part of an approved architectural design palette. Addresses (public or private) are encouraged to be lit for ease of location. All lighting plans, equipment and relative components are subject to design review and approval.

Site Furnishings

A community image palette for site furnishings has been developed for Traverse Mountain. (See Appendix E) The examples within this palette represent the intended character for these furnishings. Unique items that are not specified, customized furnishings or others that represent the appropriate character may be submitted for review and approval. Site furnishings and other improvements besides landscaping are permitted in private yards not visible from the street. All equipment must be completely screened from view from the street. All improvements must be submitted and approved in writing prior to installation.

Rear Yard Landscaping

Guidelines and requirements for rear yard landscaping are found in the Traverse Mountain Master Association Architectural Guidelines. Rear yard landscaping including property fencing must be completed by 12 months from possession of the home by buyer. Plans must be submitted to and approved in writing by the Traverse Mountain Aesthetic Review Committee by 6 months from possession of the home or prior to installation.

Landscape

Model Home Complex

The model complex should be tastefully designed and landscaped, providing an example for future homeowners.

- Overall plantings should reflect the architectural theme of the neighborhood.
- Individual planting schemes should complement each model, accenting entries with color and providing massed planting to screen adjacent construction sites.
- Lighting is highly encouraged, provided that visible fixtures are in keeping with architectural styles and others are concealed or placed inconspicuously.
- Fencing should be used consistently throughout the complex in a style that complements the neighborhood architectural image.

Construction Control

Protection of the natural beauty of the immediate natural landscapes is of the utmost importance. Environmental sensitivity shall be respected by all those performing any construction or any related business that occurs on or near any parcels in Traverse Mountain.

Parcel developers and their subcontractors shall exercise extreme care to protect public health, safety and welfare during all phases of construction. This includes proper warning signs, fencing of any hazardous areas and security services when determined necessary by Traverse Mountain.

- Any/all elements related to construction including but not limited to people, machinery, vehicles and equipment shall remain within the immediate designated and approved construction zones at all times.
- Erosion control shall be provided as necessary by parcel developers to prevent silt or debris from being washed onto streets, adjacent parcels or community open space during construction.
- Access roads to and from construction zones will be provided by the master developer. Ingress and egress routes to individual site construction shall be strictly followed at all times.
- Removal of any vegetation outside of the approved construction area is strictly prohibited.
- All areas shall be kept free of trash, materials and waste. Construction sites shall be left in a neat and orderly condition at the end of each workday, with trash being disposed of in covered receptacles that are emptied at least once per week.

Fines will be imposed on any/all builders, contractors or individuals that fail to meet these environmental and/or safety requirements.

SECTION FIVE

" There are many facets that go into creating a well-rounded life. It begins with a community inspired by nature. And never ends, if one is fortunate enough to live here."

DESIGN REVIEW PROCESS

In order to maintain the highest quality in architecture and overall community appearance, all new architecture improvements and landscaping shall be subject to review by the Traverse Mountain Design Review Committee. The Traverse Mountain Design Review Committee shall consist of the Traverse Mountain Project Team, and an Architect or professional Design consultant employed by Mountain Home Development Corp. This Committee will review designs for architecture in the community for conformance with this document. Approval from the Traverse Mountain Design Review Committee does not guarantee approval or a permit from other jurisdictions or entities, but is the first step in the process.

The Traverse Mountain Design Review Committee must approve and sign all plans prior to submittal to the City of Lehi for a building permit. In addition, they will track all other requirements including percentages of plan mix, materials and other elements noted in this document. Each individual builder is responsible for all applicable permits and approvals from the City of Lehi, and any other currently applicable agencies.

The Traverse Mountain Design Review Committee reserves the right to waive or vary any of the guidelines set forth herein at its discretion. Furthermore, approval by the Traverse Mountain Design Review Committee of any plans, drawings or specifications for any work done or proposed shall not be deemed to constitute a waiver of any right to withhold approval of any similar plan, drawing or specification subsequently or additionally submitted for approval. Failure to enforce any of the Design Guidelines shall not constitute a waiver of same.

Design Review Process

CUSTOM/INDIVIDUAL HOME BUILDERS

Overview

Custom/Individual residential architecture will be reviewed by the following design review process.

The Traverse Mountain Design Review Committee ("TMDRC") meetings are held weekly. All plan submittals accepted before Thursday at 5pm will be placed on the agenda for the next TMDRC meeting, the following week. Depending upon the number of plans being reviewed, it could take up to 10 working days (2 weeks) for review and approval. The TMDRC will notify the buyer/builder in writing of the review results within those 10 working days. If the TMDRC requires changes to the plans, all changes will need to be made to meet the design guideline requirements and the committee's recommendations then be resubmitted. Resubmissions accepted before Monday at 5pm will be placed on the agenda for the TMDRC meeting of the same week.

PLAN SUBMITTALS FOR DESIGN REVIEW WILL TAKE ABOUT 30 MINUTES AND ARE BY APPOINTMENT ONLY; INCOMPLETE SUBMITTALS WILL NOT BE ACCEPTED. For a plan submittal appointment Monday - Thursday, 10am - 5pm. please contact Jenny Hickman at (801) 407-6714 or email jennyh@travermountain.com

Step 1 - Preliminary Plan Submittal:

The custom/individual homebuilder may submit rough or conceptual level architectural drawings and site plans with the architectural style called out to the TMDRC for review and to get feedback before the final plans are drafted. An appointment needs to be made to submit preliminary drawings. The preliminary TMDRC will return drawings within seven (7) working days of submittal with a written memorandum outlining comments/direction for the home design and any specific requirements needed.

Design Review Process

Step II - Final Plan Submittal and Review Process

1. Call and set up an appointment to submit all required exhibits for review. Only complete submittals will be accepted.

Required Submittal Exhibits

- One (1) complete full sized set of plans.
- One (1) complete set of plans on 11 x 17 paper.
- Two (2) plot plans on 8^{1/2} x 11 paper, with lot number, subdivision identification, dimension building setbacks, architectural styles, lot address, and lot size indicated. The top of foundation elevation and the final grade elevation (in relation to top back of curb) must be indicated on plot plans.
- One (1) plot plan showing final grading on 8.5 X 11 paper with topography elevations for each building corner and lot corner, and call out all walls and materials used for any necessary retaining. All slopes must be a minimum of 2:1 and compacted.
- One (1) full or partial colored rendering of the project (or a picture) on 8^{1/2} x 11 paper.
- One (1) paragraph written statement identifying the architectural style from within the Architectural Design Guidelines, and describing how the proposed exterior elevations use the required style elements.
- Provide material and color samples with pictures or brochures, as applicable, for stucco, siding, shingles, brick, stone, roof, fascia, window treatments, shutters, trim, soffits, garage door and entry door.
- A typed list, on 8^{1/2} x 11 paper, of all material and color samples listed in the bullet point above with manufacturer number or reference.
- Filled out "Connection Request: New CE&F (Communications Equipment and Facilities) Service" form (See Appendix E of Addendum 4 of REPC).

** All required exhibits must have lot #, subdivision identification, architectural style and builder information on the plans.*

2. The TMDRC will notify the homebuilder in writing of approval or of any suggestions and changes that need to be made in the plans within 10 working days (2 weeks) from the date of the TMDRC meeting. Suggestions and changes must be incorporated into the plans and resubmitted. This step may require repeated re-submissions until suggestions and changes have been completed to the satisfaction of the TMDRC.

3. Final submitted exhibits will be taken to TMDRC meeting to be stamped and approved by the committee. The homebuilder will be notified in writing of the final review results or approval.

4. The homebuilder will need to pick up the stamped and approved full size set of plans and purchase impact fees certificates from Mountain Home Development (see Required Certificates in Section 7 of Addendum 1 of REPC) before submitting plans to Lehi City for a building permit.

***** All plans must be approved by the TMDRC and stamped with a committee member's signature before submitting to Lehi City to pull building permits. LEHI CITY WILL NOT ISSUE A BUILDING PERMIT WITHOUT A STAMPED APPROVED PLAN BY THE TMDRC.***

Design Review Process For Landscaping

Overview

Front yard and parkway landscaping must be installed by each parcel builder, both custom and merchant, prior to compliance and final inspection. All landscaping plans must be submitted to the Traverse Mountain Design Review Committee ("TMDRC") and approved in writing before commencement of any construction

The TMDRC meetings are held weekly. All plan submittals accepted before Thursday at 5pm will be placed on the agenda for the next TMDRC meeting the following week.

LANDSCAPE PLAN SUBMITTALS FOR DESIGN REVIEW ARE BY APPOINTMENT ONLY. INCOMPLETE SUBMITTALS WILL NOT BE ACCEPTED. For a Landscape Plan Submittal appointment Monday - Thursday, 10am - 5pm, please contact Julia Martindale at (801) 407-6722 or email juliam@traversemountain.com or Jenny Hickman at (801) 407-6714 or email jennyh@traversemountain.com

The Design Review Process for rear yard landscaping or subsequent landscaping improvements can be found in the Traverse Mountain Master Association Architectural Guidelines.

Custom/Individual Home Builders Landscaping Review Process

1. Set up an appointment to submit all required exhibits for the TMDRC to review.

Required Submittal Exhibits

- Two (2) Landscaping Plot Plans on paper size min. 11 x 17 - max. 24 x 36. Plans must be drawn to scale, preferred scale is 1/8" = 1'-0". Plans must be of adequate size to be completely legible. Identify the location, type, size and quantity of all plants proposed. All plants must be on the Approved Plant Materials list (see appendix D - Approved Plant Selection).
- Attach photographs, construction details, and brochures for any special features. These items will not be returned.
- TMDRC Front Yard and Parkway Landscaping Checklist (see Appendix H of the REPC).

** All landscaping plans must have Lot #, subdivision identification, and buyer/builder information.*

2. The TMDRC will notify the builder in writing of approval or of any suggestions and changes that need to be made in the landscaping plans within ten (10) working days (2 weeks) from the date of the TMDRC meeting.

3. If any changes need to be made, a written memorandum will be attached with landscaping plans. Suggestions and changes must be incorporated into the landscaping plans and resubmitted. Resubmissions

Design Review Process For Landscaping

accepted before Monday at 5pm will be placed on the agenda for the TMDRC of the same week. The TMDRC will notify the builder in writing of the review results for resubmissions within five (5) working days after the TMDRC meeting.

4. The homebuilder can pick up one (1) copy of the stamped and approved landscaping plans once notified that they are approved. All plans must be approved by the TMDRC and stamped with a committee member's signature before landscaping can be commenced.

APPENDIX

Community Style Palette

Utah Mountain Contemporary Community Style Palette

Traverse Mountain's community style palette includes the following design elements, colors and materials:

Wood:

Only the highest quality wood or cementitious, wood-appearing materials are permitted. Heavy timber may be used as a structural or accent material. Architectural elements that express the structure should be stockier.

Colors - dark shades of green, brown, brick red, indigo, teal blue, gray, black.

Stone:

Natural, cut and/or finished stone, cultured stone may be used as a base or accent material.

Colors - range from warm light beiges to dark browns and reds, gray to black. The use of river rock is not permitted. Stone must be in the appropriate proportion and scale for the style and elements to which it is being applied.

Brick:

Real brick used as a base or accent material (Brick-look or veneers are prohibited). The desired materials are individual "wood mould" brick.

Colors - range from warm light golden tones to browns, reds, dark plums, grays. The desired materials are individual "wood mould" brick. Reasonable care shall be taken to create a variety of colors and styles.

Metal:

Copper, iron or steel used as a primary base or accent material.

Colors - may be left natural, powder coated or painted deep tones of green, brown, brick red, teal or dark metal tones including bronze, gunmetal, copper, burnished brass.

Concrete:

Textured or patterned used as a base element. Must be combined with a minimum of one other material.

Colors - natural range of warm, light to cool, dark grays.

Stucco Finish:

Finish shall be smooth, light, medium or coarse sand finish. Lace finishes are prohibited. May be used in combination with stone and other materials.

Soffit/Fascia:

Aluminum or vinyl may be used. Soffits and fascia should be 10" wide.

Landscape Maintenance Guidelines

Introduction

Utilization of the following guidelines will improve efficiency and reduce overall maintenance costs while creating a more aesthetically pleasing and environmentally sound landscape.

General Maintenance Guidelines

- All paper, trash, debris, and unsightly items shall be picked up and disposed of from all areas.
- Replace topsoil, mulch, etc. lost from washouts and reconstruct grade failures.
- All planting areas and lawns shall be weeded as necessary to maintain a clean and weed-free condition. Weeding shall be implemented by chemical or mechanical methods.
- Maintain mulch in a clean and neat condition with a minimum of three (3") inches coverage over all planter beds and tree wells. Restore as necessary with mulch, which is clean and free from foreign material and seed. Mulch shall match that of the initial installation.
- Fertilizer shall be applied according to manufacturer's specifications and/or maintain plant material in a vigorous, thriving condition.
- Any dead or severely damaged plant material shall be removed and replaced with the same material and size as the original installed.
- Careful inspection of plants shall be undertaken on a weekly basis. Spraying of insecticide/miticide or fungicide shall only be done in response to a particular problem. Spraying shall be done in accordance to manufacturer's specifications by a licensed applicator. Products leaving an undesirable odor or residue shall not be used.

Irrigation System Maintenance

- Irrigation shall be cycled to provide deep-water saturation and to minimize runoff and erosion. Watering cycles shall be adjusted to seasonal and microclimate requirements and operate prior to sunrise.
- All lawn and turf areas are to receive 100% head-to-head coverage by use of rotors and/or pop-up sprays. All planter beds are to be watered using drip irrigation.
- Rigid risers for sprinkler purposes shall not be allowed.
- Irrigation systems, including pump stations and deionization units shall be maintained in proper working order at all times. Necessary repairs shall be made immediately.
- Sprinklers shall be adjusted as necessary to correct overspray on all paved areas and structures.
- A start up and shut down process shall be carried out each season. This process shall involve draining the system of any water (including the backflow preventer) at shut down and at start up closing/sealing system to allow pressurization.
- All irrigation controllers shall be checked monthly for functionality. Controller back-up batteries shall be checked monthly for proper charge and replaced when necessary.
- Any broken parts of sprinkler system shall be repaired quickly and with parts of equal or greater quality.

Landscape Maintenance Guidelines

Trees

Mulching

Use at least (3") inches thick of organic mulch material in at least a 2-foot radius around the trunk of a deciduous tree. Use at least three (3") inches thick of organic mulch material at least to the dripline of a conifer tree. Replenish as required.

Pruning

As a general rule all pruning shall be Natural Target Pruning as defined gby the International Society of Aboriculture. Pruning within the first 3-5 years of a newly planted tree should be kept to a mininum, except to remove dead material, crossing branches or damages branches. After 3-5 years a tree may be pruned to reduce foliage density, promote flowering, or correct storm damage.

Staking

Trees should be staked upon installation to help support tree during establishment. Remove all staking as soon as trees can support themselves. Timing varies by species and plant age; however, a general rule is 1-2 years after planting.

Shrubs

Fertilization

A broadleaf weed pre-emergent for shrub beds shall be applied in early to mid April every year to assist in keeping weeds to a minimum. Reapply as needed during the rest of the year.

Fertilized in early spring before the plant leafs out (February or March). Broadleaf evergreen and other acid loving plants shall be fertilized with an appropriate acid fertilizer. Make an additional application, in early summer, of a slow-release organic fertilizer, if plants appear chlorotic or show yellowing of new growth, apply chelated iron as per manufacturer's recommendations on package.

Mulching

Mulch all shrub beds with three (3") inches of organic mulch material. Replenish as required.

Pruning

As a general rule all pruning shall be Natural Target Pruning as defined by the International Society of Aboriculture. Pruning shall be done only to remove dead or diseased branches or to improve shape and stucture. Avoid gouging and clipping hedges too closely as it is unsightly and harms the plant.

Landscape Maintenance Guidelines

Groundcovers

Fertilization

A broadleaf weed pre-emergent for shrub beds shall be applied in early to mid April every year to assist in keeping weeds to a minimum. Reapply as needed during the rest of the year.

Mulching

Mulch all groundcover with three (3") inches of organic mulch material. Replenish as required.

Trimming

Groundcovers should only be trimmed when they overgrow their planter bed or to remove dead or damaged branches. As a general rule, do not mow groundcovers. Some species do respond to the rejuvenating effects of mowing.

Turfgrass

Aeration

Turfgrass areas in regions of clay, caliche, and highly compacted soils require regular aeration. Aeration should be accomplished in the early spring or before soils freeze in late autumn in colder climates. Aeration shall be done at least two times a year.

Fertilization

Fertilizing shall take place three times throughout the year. First, between March 15th and April 15th a pre emergent for crabgrass combined with an ammonium sulfate fertilizer shall be applied as per manufacturer's specifications. Second, between June 15th and July 15th a sulfur coated area or other slow release equivalent shall be applied as per manufacturer's specifications. Third, between August 15th and September 15th a mixture of approximately 75% ammonium sulfate and 25% ammonium nitrate shall be applied as per manufacturer's specifications.

Apply a broadleaf weed spray once in May and then again in September to assist with weed suppression or as needed.

Mowing

Mowing shall occur on a regular basis to maintain the turf at a height between 2-1/2" - 3-1/2".

Turfgrass mowing should be accomplished as required to maintain aesthetic appeal and vigor. As a general rule, never trim off more than 1/3 the height of a grass blade. The direction of mowing shall be alternated weekly.

If more than an inch of length is being trimmed, bagging shall be required. All material being bagged shall be removed from site and not thrown onto adjacent property. Otherwise, all mowing shall be carried out with mulching mowers.

Trimming and Edging

All edges between grass, shrub beds, paved surfaces and structures shall be maintained by using a sharp edging tool at least once a month. Weed whip machines shall not be used for edging. Only equipment specifically designed for edging shall be used.

Weed eating shall not come within 6" of any tree trunk. Excess grass from mowing and trimming that falls on pavements or roads shall be cleaned and removed from site.

Landscape Maintenance Guidelines

Perennials

Perennials are a diverse assortment of plants. Typically, perennials have one blooming season each year. After blooming, the plant may continue to grow; it might die back and virtually disappear, or it may retain the same appearance throughout the year. Most perennials are grown for their flower color or interesting foliage.

Fertilization

A broadleaf weed pre-emergent for shrub beds shall be applied in early to mid April every year to assist in keeping weeds to a minimum. Reapply as needed during the rest of the year.

Fertilize in early spring before the plant leafs out. (February or March). Broadleaf evergreen and other acid loving plants shall be fertilized with an appropriate acid fertilizer. Make an additional application, in early summer, of a slow-release organic fertilizer, if plants appear chlorotic or show yellowing of new growth, apply chelated iron as per manufacturer's recommendations on package.

Mulching

Mulch all perennials with three (3") inches of organic mulch material. Replenish as required.

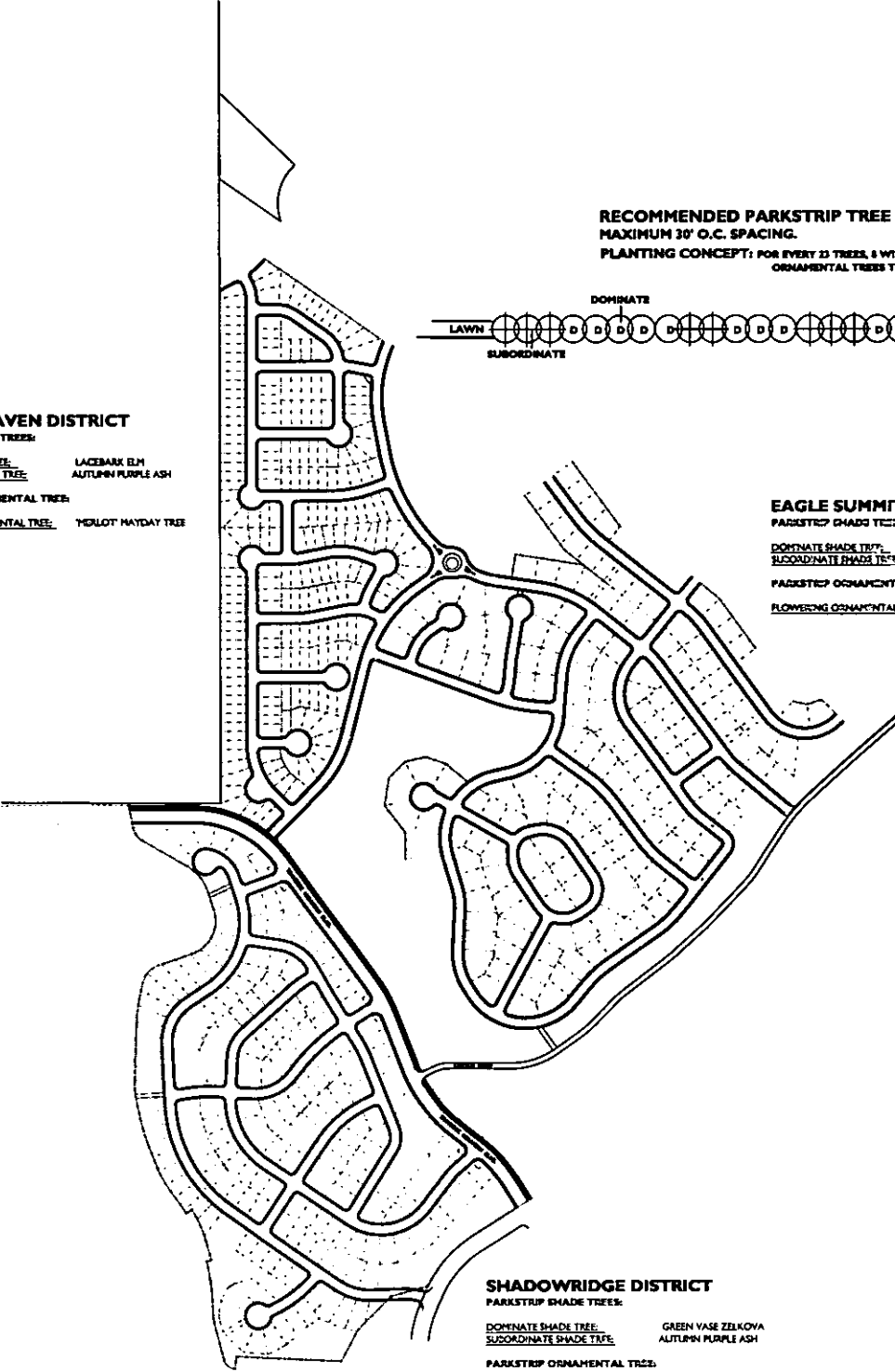
Walkways, Trails and Bike Paths

All paved walkways, trails and bike paths and other paved areas shall be kept in clean and neat conditions, free of all trash and debris. Sweeping of these areas shall be necessary to avoid sediment build up and debris collection along curbs and wheelstops. Asphalt and concrete walks and paths may require repair of cracks, rejuvenation by spray sealing, or even replacement as they age. Consult with a civil engineer to determine the most efficient and appropriate method of maintenance.

Fire Suppression

All weeds in vacant lots shall be maintained so that height shall not exceed twelve (12") inches. All cut material over twelve (12") inches shall be removed from site as to not pose a fire hazard.

Mountain Cove District - Parkstrip Tree Selection



RECOMMENDED PARKSTRIP TREE PLANTING SEQUENCE
 MAXIMUM 30' O.C. SPACING.
 PLANTING CONCEPT: FOR EVERY 22 TREES, 8 WILL BE SUBORDINATE AND 2 WILL BE ORNAMENTAL. ORNAMENTAL TREES TO BE LOCATED AT POINTS OF INTEREST.



INTER HAVEN DISTRICT

- PARKSTRIP SHADE TREES:**
DOMINATE SHADE TREE: LACEBARK ELM, AUTUMN PURPLE ASH
SUBORDINATE SHADE TREE:
PARKSTRIP ORNAMENTAL TREES:
FLOWERING ORNAMENTAL TREE: 'HOLLOT' MAYDAY TREE

EAGLE SUMMIT DISTRICT

- PARKSTRIP SHADE TREES:**
DOMINATE SHADE TREE: BUR OAK, AUTUMN PURPLE ASH
SUBORDINATE SHADE TREE:
PARKSTRIP ORNAMENTAL TREES:
FLOWERING ORNAMENTAL TREE: 'CANADA RED' CHOKECHERRY











SHADOWRIDGE DISTRICT














- PARKSTRIP SHADE TREES:**
DOMINATE SHADE TREE: GREEN VASE ZELKOVA, AUTUMN PURPLE ASH
SUBORDINATE SHADE TREE:
PARKSTRIP ORNAMENTAL TREES:
FLOWERING ORNAMENTAL TREE: GOLDEN RAINTREE
























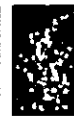


TRAVERSE MOUNTAIN
















Chapel Ridge District Approved Plant Selection











Evergreen Trees		Scientific Name	Common Name	Sun/Shade	Water Req.	Zone	Needle Color	Deer Tol.
		<i>Abies concolor</i>	White Fir	Full Sun/Part Shade	Medium	3	Silver Blue-Green	Yes
		<i>Abies concolor 'Candicans'</i>	Candican White Fir	Full Sun/Part Shade	Medium	3	Silver Blue-Green	Yes
		<i>Cedrus atlantica glauca</i>	Blue Atlas Cedar	Full Sun	Medium	4	Silver Blue-Green	Yes
Not Avail.		<i>Cedrus atlantica glauca fastigiata</i>	Columnar Blue Atlas Cedar	Full Sun	Medium	5	Silver Blue-Green	Yes
		<i>Juniperus osteosperma</i>	Utah Juniper	Full Sun	Low	4-7	Green	
		<i>Juniperus scopulorum</i>	Rocky Mountain Juniper	Full Sun	Low-Medium	4-7	Green	
		<i>Picea pungens glauca 'Bakeri'</i>	Bakeri Spruce	Full Sun/Part Shade	Medium	3	Blue-Green	
		<i>Picea pungens glauca 'Hoopsii'</i>	Hoopsii Blue Spruce	Full Sun/Part Shade	Medium	3	Blue-Green	
		<i>Pinus edulis</i>	Pinyon Pine	Full Sun	Low	3	Green	
		<i>Pinus flexilis glauca 'Vanderwolfie'</i>	Vanderwolfie's Pine	Full Sun	Medium	4	Green to Blue-Green	
		<i>Pinus ponderosa</i>	Ponderosa Pine	Full Sun	Low-Medium	3	Green	














Deciduous Trees									
Picture	Scientific Name	Common Name	Sun/Shade	Water Req.	Zone	Flower/Color/Season	Deer Tol.		
	<i>Pinus sylvestris</i>	Scotch Pine	Full Sun	Low	3	Blue-Green	No		
	<i>Pinus sylvestris fastigiata</i>	Columnar Scotch Pine	Full Sun	Low	3	Blue-Green	No		
	<i>Acer grandidentatum</i>	Bigtooth Maple	Full Sun	Low	3	Red, Yellow, Orange Fall Leaf	No		
	<i>Acer grandidentatum</i> 'Rocky Mountain Glow'	Rocky Mountain Glow Bigtooth Maple	Full Sun	Low	3	Red, Yellow, Orange Leaf	No		
	<i>Acer ginnato</i>	Amur Maple	Full Sun/Part Shade	Low-Medium	2	Red Fall Leaf	No		
	<i>Amelanchier X grandiflora</i> 'Autumn Brilliance'	Autumn Brilliance Serviceberry	Full Sun/Part Shade	Medium	4	White/Spring	No		
	<i>Celtis occidentalis</i>	Common Hackberry	Full Sun/Part Shade	Low	5	Yellow Fall Leaf	Yes		
	<i>Crataegus crus-galli</i> 'Inermis'	Thornless Codespur Hawthorn	Full Sun	Low	4	White/June-Aug.	Yes		
	<i>Crataegus laevigata</i> 'Crimson Cloud'	Crimson Cloud English Hawthorn	Full Sun	Medium	4	Red/June-Aug.	Yes		
	<i>Gleditsia triacanthos</i> 'Shademaster'	Shademaster Honeylocust	Full Sun	Low	4	Yellow Fall Leaf	Yes		
	<i>Gleditsia triacanthos</i> 'Skyline'	Skyline Honeylocust	Full Sun	Low	4	Yellow Fall Leaf	Yes		
	<i>Gleditsia triacanthos</i> 'Sunburst'	Sunburst Honeylocust	Full Sun	Low	4	Yellow Fall Leaf	Yes		
Not Avail.	<i>Liquidambar styraciflua</i> 'Burgundy'	Burgundy Sweetgum	Full Sun	Medium	5	Range of leaf color	Yes		
	<i>Liquidambar styraciflua</i> 'Festival'	Festival Sweetgum	Full Sun	Medium	5	Range of leaf color	Yes		















	<i>Liquidambar styraciflua</i> 'Rotundiloba'	Rotundiloba Sweetgum	Full Sun	Medium	5	Range of leaf color
	<i>Populus tremula</i> 'Erecta'	Swedish Columnar Aspen	Full Sun	Medium	2	Yellow Fall Leaf
	<i>Populus tremuloides</i>	Quaking Aspen	Full Sun	Medium	2	Yellow Fall Leaf
	<i>Prunus cerasifera</i> 'Minnesota Newport'	Minnesota Newport Flowering Plum	Sun	Medium	3	Pink/Spring
	<i>Prunus virginiana</i> 'Canada Red'	Canada Red Chokecherry	Full Sun/Part Shade	Low-Medium	2	White/Spring
	<i>Quercus gambelii</i>	Gambel Oak	Full Sun	Low	4	Red Fall Leaf
	<i>Quercus macrocarpa</i>	Bur Oak	Full Sun/Part Shade	Low	3	Yellow Fall Leaf
	<i>Sorbus aucuparia</i>	European Mountain-Ash	Full Sun	Low	2	Rusty Fall Leaf
	<i>Ulmus parvifolia</i>	Lacebark Elm	Full Sun/Part Shade	Low	5	Yellow-Orange Fall Leaf
	<i>Zelkova serrata</i> 'Green Vase'	Green Vase Zelkova	Full Sun/Part Shade	Low	5	Bronze Fall Leaf
	<i>Zelkova serrata</i> 'Village Green'	Village Green Zelkova	Full Sun/Part Shade	Low	5	Bronze Fall Leaf
	<i>Zelkova serrata</i> 'Wireless'	Wireless Zelkova	Full Sun/Part Shade	Low	5	Bronze Fall Leaf
	Not Avail.					







Evergreen Shrubs		Scientific Name	Common Name	Sun/Shade	Water Req.	Zone	Flower/Color/Season	Deer Tol.
		<i>Artemisia cana</i>	Silver Sage	Full Sun	Low	4		No
		<i>Artemisia tridentata wyomingensis</i>	Wyoming Big Sage	Full Sun	Low	3	Pink/May-June	No
		<i>Cercocarpus intricatus</i>	Little Leaf Mountain Mahogany	Full Sun	Low	3		No
		<i>Cercocarpus ledifolius</i>	Curl-Leaf Mountain Mahogany	Full Sun	Low	3		No
		<i>Mahonia aquifolium 'Compacta'</i>	Dwarf Oregon Grape	Full Sun/Part Shade	Low	4	Yellow/Spring	
		<i>Picea pungens glauca 'Globosa'</i>	Dwarf Blue Globe Spruce	Full Sun/Part Shade	Medium	3	Blue-Green	
		<i>Pinus mugo 'Pumilio'</i>	Shrubby Swiss Mountain Pine	Full Sun	Medium	3		
Not Avail.		<i>Pinus mugo 'Tyrolean'</i>	Tyrolean Mugo Pine	Full Sun	Medium	3		
		<i>Taxus boccata repandens</i>	Dwarf Spreading Yew	Part Sun/Full Shade	Low-Medium	4	Small Red Fruit	
		<i>Taxus media 'Dark Green Spreader'</i>	Dark Green Spreader Yew	Part Sun/Full Shade	Low-Medium	4	Small Red Fruit	
Deciduous Shrubs		Scientific Name	Common Name	Sun/Shade	Water Req.	Zone	Flower/Color/Season	Deer Tol.
		<i>Amelanchier alnifolia</i>	Saskatoon Serviceberry	Full Sun/Part Shade	Low-Medium	2	White/April-June	No
		<i>Amelanchier utahensis</i>	Utah Serviceberry	Full Sun/Part Shade	Low-Medium	2	White/April-June	No
		<i>Corylopsis X daniolensis</i>	Blue Mist Spirea	Full Sun	Low	4	Blue/August	Yes
		<i>Corylopsis X daniolensis 'Dark Knight'</i>	Dark Knight Caryopteris	Full Sun	Low	4	Blue/August	Yes

	<i>Caryopteris X clandonensis</i> 'Longwood Blue'	Longwood Blue Caryopteris	Full Sun	Low	4	Blue/August	Yes
	<i>Caryopteris X clandonensis</i> 'Worcester Gold'	Worcester Gold Spiraea	Full Sun	Low	5	Golden Yellow/August	Yes
	<i>Cercocarpus montanus</i>	Beechleaf Mountain Mahogany	Full Sun	Low-Medium	3	Pink/May-June	
	<i>Chaenomeles japonica</i> 'Texas Scarlet'	Japanese Flowering Quince	Full Sun	Low-Medium	5	Red/Spring	Yes
	<i>Chamaebotaria millefolium</i>	Fernbush	Full Sun/Part Shade	Low	4	White/Mid-Late Summer	No
	<i>Chrysothamnus nauseosus</i>	Rubber Rabbitbrush	Full Sun	Low	3	Yellow/Late Summer	No
	<i>Cornus sericea</i> 'Bailey'	Bailey's Red Twig Dogwood	Full Sun/Part Shade	Medium-High	3		
	<i>Cornus sericea</i> 'Flaviramea'	Yellow Twig Dogwood	Full Sun/Part Shade	Medium-High	3		
	<i>Cornus sericea</i> 'Kelsey'	Kelsey's Dogwood	Full Sun/Part Shade	Medium-High	3		
	<i>Potentilla fruticosa</i>	Shubby Cinquefoil	Full Sun/Part Shade	Medium	2	Varies/All Summer	
	<i>Ribes alpinum</i>	Alpine Currant	Full Sun/Part Shade	Medium-High	2		Yes
	<i>Ribes aureum</i>	Golden Currant	Full Sun/Part Shade	Medium-High	3	Yellow/April-May	Yes
	<i>Rosa woodsii</i>	Woods Rose	Full Sun/Part Shade	Low	2	Pink/June	Yes
	<i>Sorbus scopulina</i>	Rock Mountain-Ash	Full Sun/Part Shade	Low		Red Fall Leaf	
	<i>Syringa patula</i> 'Miss Kim'	Miss Kim Lilac	Full Sun/Part Shade	Low-Medium	4	Lavender/Early Spring	Yes

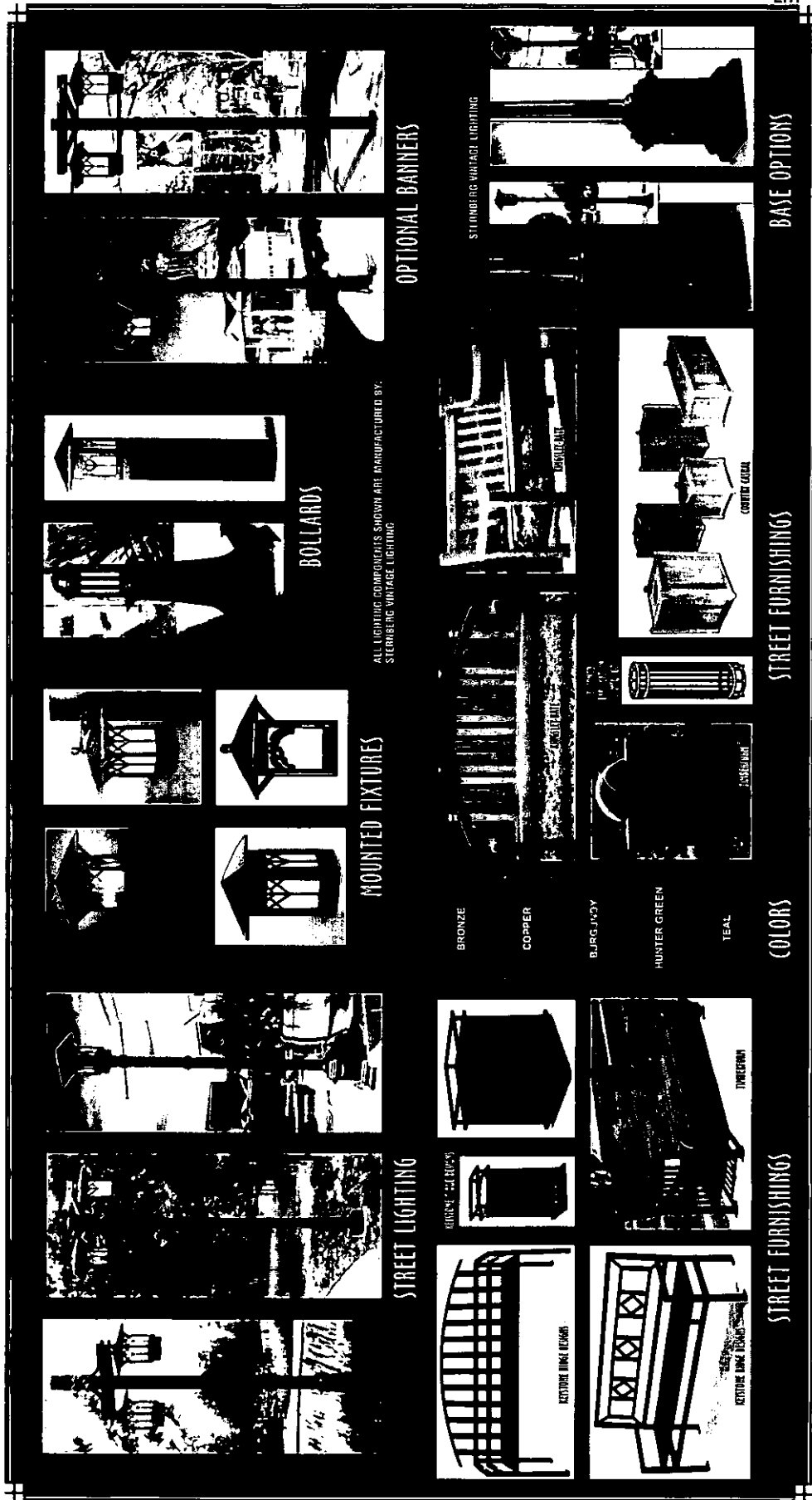
Picture	Scientific Name	Common Name	Sun/Shade	Water Req.	Zone	Flower/Color/Season	Deer Tol.
	<i>Syringa vulgaris</i>	Common Lilac	Full Sun/Part Shade	Low-Medium	2	Varies/May-July	Yes
	<i>Syringa X prestoniae</i>	Hardy Lilac	Full Sun/Part Shade	Low-Medium	2	Varies/May-July	Yes
	<i>Viburnum opulus</i>	Cranberry Bush Viburnum	Sun/Shade	Low-Medium	3	White/May-June	Yes
Ornamental Grasses							
Picture	Scientific Name	Common Name	Sun/Shade	Water Req.	Zone	Flower/Color/Season	Deer Tol.
	<i>Calamagrostis X acutiflora 'Karl Foerster'</i>	Karl Foerster Feather Reed Grass	Full Sun/Part Shade	Low	5	Bronze Plumes	Yes
	<i>Calamagrostis X acutiflora 'Overdam'</i>	Overdam Feather Reed Grass	Full Sun/Part Shade	Low	5	Bronze Plumes	Yes
	<i>Festuca ovina glauca 'Elijah Blue'</i>	Elijah Blue Fescue	Full Sun/Part Shade	Low	4	Blue Gray Foliage	Yes
	<i>Helictotrichon sempervirens</i>	Blue Oat Grass	Full Sun/Part Shade	Low	4	Blue Gray Foliage	Yes
	<i>Imperata cylindrica rubra</i>	Japanese Blood Grass	Full Sun/Part Shade	Low	5	Red/Green Foliage	Yes
	<i>Panicum vergatum 'Heavy Metal'</i>	Heavy Metal Switch Grass	Full Sun	Low	4	Blue Gray Foliage	Yes
	<i>Panicum vergatum 'Shenandoah'</i>	Shenandoah Switch Grass	Full Sun	Low	4	Burgundy Foliage	Yes

Perennials		Scientific Name	Common Name	Sun/Shade	Water Req.	Zone	Flower Color/Season	Dear Tol.
		<i>Agastache rupestris</i> 'Blue Fortune'	Blue Fortune Hyssop	Full Sun/Part Shade	Low	2	Blue/Late Summer-Fall	Yes
		<i>Aster alpinus</i>	Alpine Aster	Full Sun/Part Shade	Medium	3	Varies/May-June	Yes
Not Avail.		<i>Aster engelmannii</i>	Engelmann Aster	Full Sun/Part Shade	Medium	4	White/July-Sept.	Yes
		<i>Aster frikartii</i>	Frikart Aster	Full Sun/Part Shade	Medium	5	Varies/Mid Summer	Yes
		<i>Aster nove-angliae</i> 'Purple Dome'	New England Aster	Full Sun/Part Shade	Medium	3	Purple/Late Summer	Yes
		<i>Aster scopulorum</i>	Crag Aster	Full Sun	Low	5	Purple/April-June	Yes
		<i>Castilleja angustifolia</i>	Narrowleaf Paintbrush	Full Sun	Low	4	Varies/May-July	Yes
		<i>Castilleja chromosa</i>	Desert Paintbrush	Full Sun	Low	4	Red/April-June	Yes
		<i>Castilleja flava</i>	Yellow Paintbrush	Full Sun	Low	4	Yellow/June-Aug.	Yes
		<i>Delphinium elatum</i> 'Magic Fountain'	Magic Fountain Delphinium	Full Sun/Part Shade	Low	3	Varies/June-Aug.	Yes
		<i>Erigeron exoniif</i>	Eaton Daisy	Full Sun	Low	4	White, Pink or Blue/May-Aug.	Yes
		<i>Erigeron speciosus</i>	Showy Daisy	Full Sun	Low	4	Varies/May-July	Yes
		<i>Erigeron utahensis</i> var. <i>utahensis</i>	Utah Daisy	Full Sun	Low	4	White, Pink or Blue/May-June	Yes
		<i>Gaillardia aristata</i>	Blanket Flower	Full Sun/Part Shade	Low	2	Yellow-Red/June-Aug.	Yes

	<i>Gaillardia grandiflora</i> 'Burgundy'	Burgundy Blanket Flower	Full Sun/Part Shade	Low	2	Burgundy/June-Aug.	Yes
	<i>Gaillardia grandiflora</i> 'Goblin'	Goblin Blanket Flower	Full Sun/Part Shade	Low	2	Yellow-Red/June-Aug.	Yes
	<i>Geranium viscosissimum</i>	Sticky Purple Geranium	Part Shade	Low-Medium	2	Purple/May-Aug.	No
	<i>Hymenocys ocellus</i>	Angelita Daisy	Full Sun	Low	2	Yellow/May-July	
	<i>Linum lewisii</i>	Blue Flax	Full Sun/Part Shade	Low	2	Blue/May-Aug.	
	<i>Manarda dioyna</i>	Rocky Mountain Bee Balm	Full Sun/Part Shade	Medium	4	Varies/July-Aug.	Yes
	<i>Perovskia atriplicifolia</i>	Russian Sage	Full Sun	Low	5	Purple/May-Aug.	
	<i>Rudbeckia fulgida</i> 'Goldsturm'	Black Eyed Susan	Full Sun	Low	4	Yellow/July-Sept.	Yes
	<i>Salvia dorrii</i>	Dorr Sage	Full Sun	Low	5	Blue-Purple/Spring	
	<i>Salvia superba nemorosa</i> var.	Perennial Salvia	Full Sun/Part Shade	Low	4	Purple-Pink/June-July	
	<i>Sedum spectabile</i> 'Autumn Joy'	Autumn Joy Sedu	Full Sun/Part Shade	Low-Medium	3	Red/August-Frost	
	<i>Teucrium chamaedrys</i>	Germander	Full Sun	Low	5	Lavender/Summer	
Groundcovers							
	<i>Lysimachia nummularia</i>	Creeping Jenny	Part Shade/Part Sun	Medium	4	Yellow/Summer	
	<i>Lysimachia nummularia aurea</i>	Creeping Jenny	Part Shade/Part Sun	Medium	4	Yellow/Summer	

	<i>Mahonia repens</i>	Creeping Mahonia	Full Sun/Part Shade	Low	3	Yellow/Spring	
	<i>Potentilla verna nana</i>	Spring Cinquefoil	Part-Full Shade	Medium	5	Yellow	
	<i>Sedum acre</i>	Utah Sedum	Full Sun	Low	3	Yellow/Spring	
	<i>Sedum spurium 'Dragon's Blood'</i>	Dragon's Blood Sedum	Full Sun	Low	3	Red/Summer	
	<i>Sedum spurium 'Tricolor'</i>	Tricolor Sedum	Full Sun	Low	3	Red/Summer	
Deciduous Trees (added Dec. 15, 2004)							
	Scientific Name	Common Name	Sun/Shade	Water Req.	Zone	Flower/Color/Season	Deer Tol.
	<i>Pyrus calleryana 'Aristocrat'</i>	Aristocrat Flowering Pear	Full Sun	Low	5	White/Early Spring	
	<i>Pyrus calleryana 'Bradford (new)'</i>	Bradford Callery Pear	Full Sun	Low	5	White/Spring	
	<i>Pyrus calleryana 'Capital'</i>	Capital Flowering Pear	Full Sun	Low	4	White/Spring	
	<i>Pyrus calleryana 'Chanticleer'</i>	Chanticleer Flowering Pear	Full Sun	Low	5	White/Spring	
	<i>Pyrus calleryana 'Redspire'</i>	Redspire Flowering Pear	Full Sun	Low	4	White/Spring	
	<i>Pyrus calleryana 'Stonehill'</i>	Stonehill Flowering Pear	Full Sun	Low	4	White/Spring	

Fruit trees may be approved on a case by case basis. Fruit trees may only be planted in private rear yards not visible from main boulevards, public streets, parks, open space, trails, etc. All Fruit trees must be semi-dwarf in size and placed a minimum distance of their drop zone from all property lines. The drop zone is the mature diameter of the tree, how far out the branches will reach.

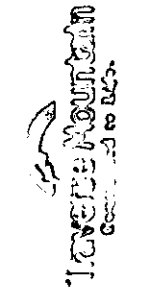


ALL LIGHTING COMPONENTS SHOWN ARE MANUFACTURED BY:
STERNBERG VINTAGE LIGHTING

Appendix E

WM
WILLIAM HEZMALMACH
ARCHITECTS, INC.
1000 W. 10TH ST., SUITE 100
DENVER, CO 80202
TEL: 303.733.1100
FAX: 303.733.1101

COMMUNITY IMAGE - LIGHTING AND STREET FURNISHINGS
TRAVERSE MOUNTAIN
LEHI, UTAH
FOX RIDGE LLC



APRIL 28, 2003
2003140
Traverse Mountain Design Guidelines

Fence Types

BLACK POWDER COAT FINISH

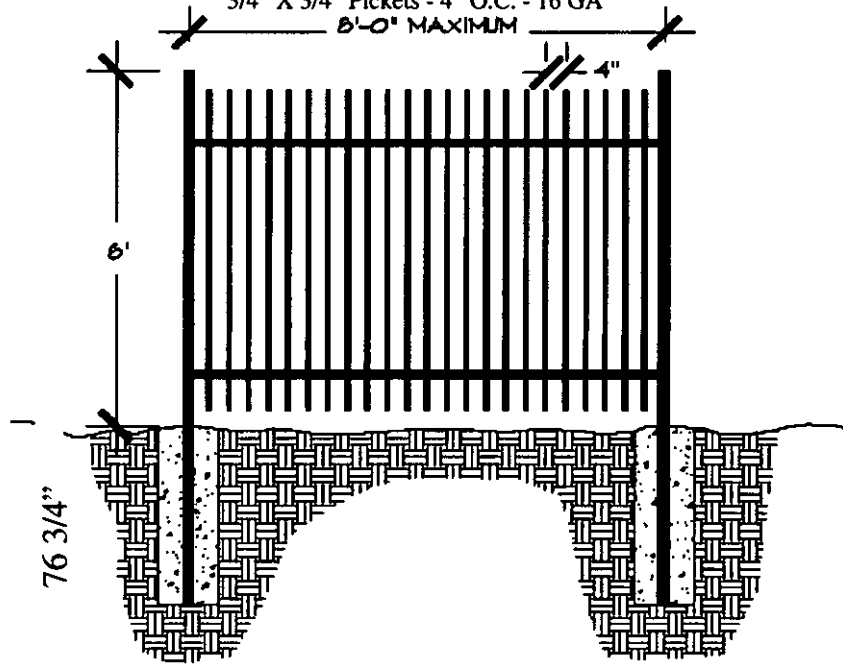
Ameristar Wrought Iron Fencing

2 1/2" X 2 1/2" - Posts 12GA

1 1/2" X 1 1/2" Forerunner Rails 14 GA

3/4" X 3/4" Pickets - 4" O.C. - 16 GA

8'-0" MAXIMUM

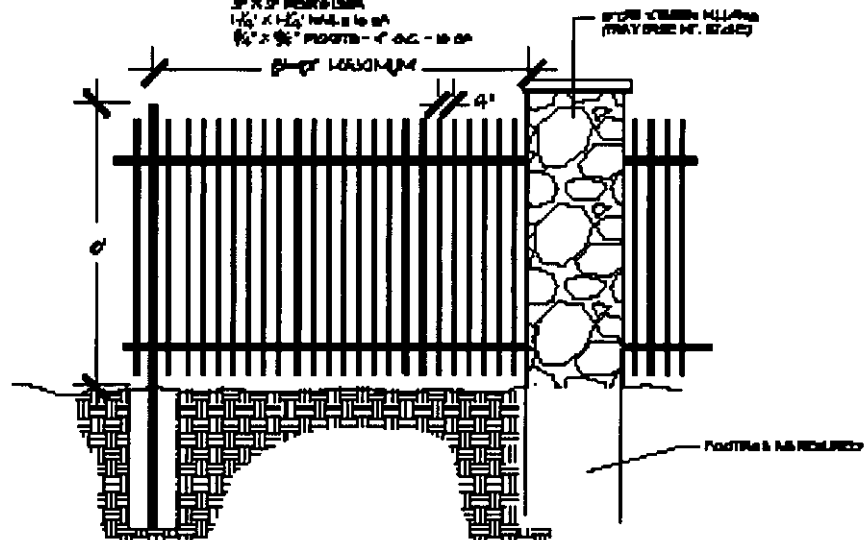


BLACK POWDER COAT FINISH

STANDARD STYLE (FINISHED)

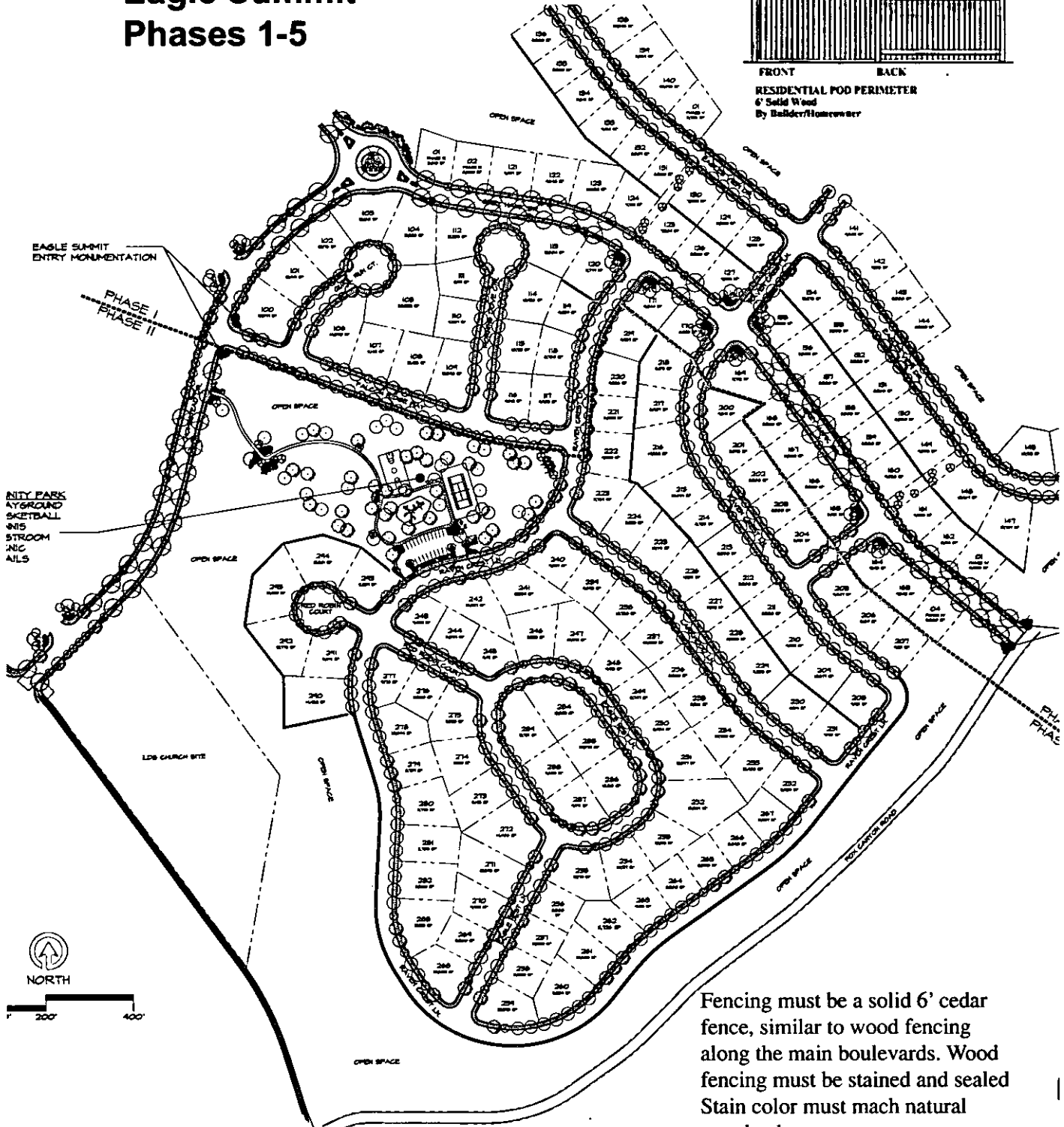
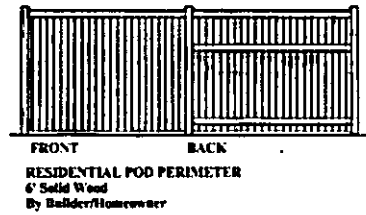
2" X 2" PICKETS 12GA
1 1/2" X 1 1/2" RAILS 14 GA
3/4" X 3/4" PICKETS - 4" O.C. - 16 GA

8'-0" MAXIMUM

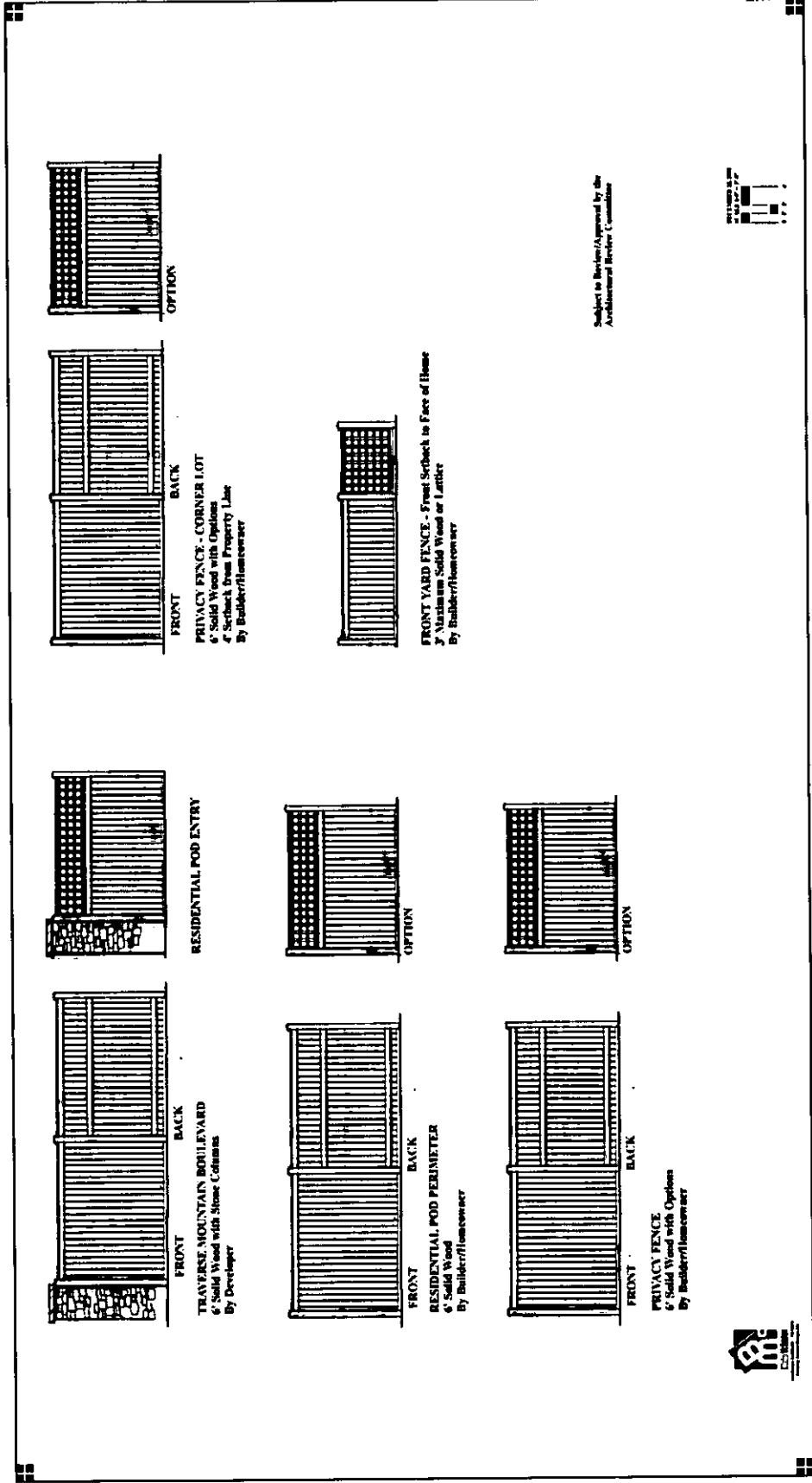


Fencing Location Map

Eagle Summit Phases 1-5



Fencing must be a solid 6' cedar fence, similar to wood fencing along the main boulevards. Wood fencing must be stained and sealed. Stain color must match natural wood color.



OPTION

BACK

FRONT

PRIVACY FENCE - CORNER LOT
 6' Solid Wood with Options
 4' Scruback Over Property Line
 By Builder/Homesaver

FRONT YARD FENCE - Front Scruback to Face of House
 2' Maximum Solid Wood or Lattice
 By Builder/Homesaver

Subject to Review/Approval by the
 Architectural Review Committee

OPTION

BACK

FRONT

RESIDENTIAL POD ENTRY

TRaverse MOUNTAIN BOULEVARD
 6' Solid Wood with Stone Columns
 By Developer

OPTION

BACK

FRONT

RESIDENTIAL POD PERIMETER
 6' Solid Wood
 By Builder/Homesaver

OPTION

BACK

FRONT

PRIVACY FENCE
 6' Solid Wood with Options
 By Builder/Homesaver

MARCH 13, 2002
 2000140

Traverse Mountain
 CONSULTING ENGINEERS

Traverse Mountain Design Guidelines

FENCE TYPES
 TRaverse MOUNTAIN
 LENI, UTAH
 FOX HIRE LLC

WILLIAM HEZVALHACH
 ARCHITECT
 207107/1500 AV. SUITE 100 PLUMASOTA, IDAHO 83427
 208 233 0827
 208 233 1028
 208 233 1728

Appendix F

Performance Deposit Agreement

Performance Deposit

At closing of the transactions contemplated by the Agreement of Sale for purchase of real property in the Traverse Mountain Master Planned Community (the "TMMPC"), the Owner shall deposit with Mountain Home Development Corporation ("MHDC") the sum of TWO HUNDRED AND NO/100 DOLLARS (\$200.00) for each residential lot purchased from MHDC up to a maximum of TWENTY THOUSAND DOLLARS (\$20,000.00) (the "Performance Deposit"). The Deposit must be in the form of cash or a letter of credit or performance bond, in a form reasonably satisfactory to MHDC, and must be delivered to MHDC (or an escrow agent designated by MHDC) at or prior to closing on the purchase of residential lots in the TMMPC.

The Performance Deposit shall be held in escrow pending the completion (including clean up) of all home, front yard landscape and park strip landscape improvement presented and described in the final, home and landscaping plans for all real property owned by Owner in the TMMPC (which plans must receive prior written approval from the Traverse Mountain Design Review Committee (the "TMDRC")) (the "Improvements").

In the event that the Owner, the contractor or their respective agents, representatives or employees: (i) cause any damage, (ii) fail to construct the Improvements in accordance with the approved plans, or (iii) fail to comply with the Design Guidelines, the Declarations or any rules or regulation adopted or promulgated by either the MHDC or the TMDRC, MHDC has the right, but not the obligation, to draw upon and use the Performance Deposit to, among other things: (i) repair and/or rectify the damage, or (ii) enforce the Guidelines, the Declarations and any other rule or regulation thus violated and cure any defect or problem caused by said non-compliance. Following MHDC's use of all or any portion of the Performance Deposit, the Owner shall immediately pay to the MHDC or their designated agent, as the case may be, the amount sufficient to replenish the Performance Deposit to the sum initially deposited. Failure to replenish the Performance Deposit within ten (10) days following the MHDC's or TMDRC's delivery of written demand shall be deemed a material breach of the Design Guidelines and the Declarations and shall entitle the MHDC to (i) deny Contractor's access to the community (including any of Contractor's suppliers, subcontractors, employees and material men) and (ii) lien any real property owned by Owner in the TMMPC in an amount equal to the Performance Deposit deficiency. Upon tendering the Performance Deposit, the Owner shall execute and deliver to the MHDC a Notice of Voluntary Lien in the form of Exhibit "A" attached hereto.

Upon completion of the Improvements (including clean up) for all real property owned by Owner in the TMMPC, the Owner shall certify in a letter to MHDC and the TMDRC that:

- (i) The Improvements have been constructed, built and installed in compliance with

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(a) the approved home and landscaping plans, (b) the Declarations, (c) the Design Guidelines and all other rules and regulations adopted for the community;

- (ii) All appropriate clean up has been made; and
- (iii) Neither the Owner, the contractor, nor their respective agents, employees or representatives have caused any damage or, in the alternative, that all damage caused by said individuals/entities has been repaired or rectified to the satisfaction of MHDC and TMDRC.

Concurrently with writing said letter Owners must schedule a compliance inspection with the TMDRC. Owners must pass the compliance inspection and have the approved compliance inspection certification paper prior to setting up an appointment for Final Inspection with Lehi City.

Upon completion and approval of the Improvements with the TMDRC compliance inspection, MHDC shall have fifteen (15) days from approval date to release or return the Performance Deposit to Owner less any funds expended in enforcement and /or correction.

Owner hereby agree to indemnify the MHDC, the TMDRC and their agents and to defend and hold those same parties harmless from all claims, costs, fees (including court costs and witness and attorneys' fees), expenses, loss, damage and liability of any kind, including, without limitation, mechanics' or material men's liens, which may be asserted against or incurred by MHDC, the TMDRC, the TMMPC or their agents as a result of the construction activities by contractor or Owner or any damage caused by contractor, Owner, or their respective agents, representatives and employees. This indemnity shall survive the final completion of the construction activities conducted on the Owner's real property within the Traverse Mountain Master Planned Community.

Inspection of Work in Process

The Traverse Mountain Design Review Committee ("TMDRC") may, but shall not be required to, enter onto real property owned by Owner in the TMMPC to inspect and review all work in progress and give notice of noncompliance. The absence of such inspection, review or notification during the construction period does not constitute an approval by the TMDRC of work in progress or compliance with the Design Guidelines.

Subsequent Changes

Additional construction or other improvements to a residence or home site, changes during construction or after completion of an approved structure, including but not limited to landscaping and color modification, must be submitted to the TMDRC for written approval

prior to making such changes or additions.

Individual Lot/Residence Inspections

Upon completion of any residence or other improvement to an individual residential lot, the Owner shall give written notice of completion to the ("TMDRC") and request a compliance inspection.

A representative of the TMDRC shall inspect the residence or other improvements for compliance with approved plans, the Design Guidelines and Declarations. If it is found that the work was not done in strict compliance with approved plans, Design Guidelines or Declarations the TMDRC shall give the Owner written notification of noncompliance, specifying the particulars of noncompliance. The Owner shall have fifteen (15) days from the date of notice of noncompliance within which to remedy the noncompliance portions of his/her home and property as outlined from the inspection. If, by the end of this time period the Owner has failed to remedy the noncompliance then the TMDRC may impose a fine to be taken from the Performance Deposit or take other actions as outlined for the Performance Deposit.

Right of Waiver

The TMDRC reserves the right to waive or vary any of the procedures set forth herein at its discretion, for good cause shown.

Nonwaiver

The approval by the TMDRC of any plans, drawings or specification for any work done or proposed shall not be deemed to constitute a waiver of any right to withhold approval of any similar plan, drawing or specification subsequently or additionally submitted for approval. Failure to enforce any of the Design Guidelines shall not constitute a waiver of same.

IN WITNESS WHEREOF, this Performance Deposit Agreement is executed by the parties on this ___ day of _____, 200__.

MOUNTAIN HOME DEVELOPMENT CORPORATION, a Utah corporation

By: _____
Name: _____
Its: _____

OWNER:

By: _____

Name: _____

Its: _____

WHEN RECORDED, PLEASE RETURN TO:

Mountain Home Development Corporation
3940 N. Traverse Mountain Blvd.; Suite 200
Lehi, UT 84043
Telephone: (801) 407-6700
Facsimile: (801) 407-6701

NOTICE OF VOLUNTARY LIEN

On _____, 20____, the undersigned, as Owner of real property in the Traverse Mountain Master Planned Community in Lehi City, Utah County, State of Utah entered into that certain Performance Deposit Agreement (the "Agreement") with the Mountain Home Development Corporation, a Utah corporation ("MHDC"), which provides, among other things, that in the event of the failure of the undersigned to timely replenish the Performance Deposit (as defined in the Agreement) mandated in the Agreement, there shall be recorded this "Notice of Voluntary Lien" in respect of the real property stated above.

The amount due and owing from the undersigned, as of the date of recordation hereof, is _____ (the "Unpaid Deposit" plus recording costs). The undersigned hereby covenant and agree that MHDC shall have a voluntary, consensual lien upon the real property in the amount of the Unpaid Deposit, said lien to continue until such time as the MHDC receives full payment of the Unpaid Deposit.

The undersigned herewith represents and warrants that, as of the date of execution hereof, the undersigned own(s) fee simple title to the real property described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Property"). This Notice of Voluntary Lien constitutes a continuing lien upon the Property and shall continue in full force and effect until released by a properly recorded instrument executed by MHDC.

Dated this _____ day of _____, 20____.

OWNER:

By: _____
Name: _____
Its: _____
STATE OF _____)

) ss COUNTY OF _____)

On this ____ day of _____, 20____, before me, the undersigned officer, personally appeared _____, known to me to be the person whose name is subscribed in the foregoing instrument and acknowledged that he/she executed the same for the purposed herein contained.

Notary Public
Commission Expires: