Vintage Properties M. P.O.Box 1432 Provo. Ut 84603

ENT 1602:2006 PG 1 of 3 RANDALL A. COVINGTON UTAH COUNTY RECORDER 2006 Jan 05 12:49 pm FEE 16.00 BY SN RECORDED FOR UTAH COUNTY

RESTRICTIVE COVENANT BINDING TIMPHAVEN HOMES PLAT "11," A
PLANNED DWELLING GROUP, TO TIMPHAVEN HOMES PLAT "1-A," AND TO
THE PREVIOUSLY RECORDED DECLARATION OF COVENANTS, CONDITIONS,
AND RESTRICTIONS, AND FURTHER BINDING SAID DEVELOPMENT TO OTHER
DOCUMENTS AND AGREEMENTS

We, the undersigned, constituting all of the owners of that certain real property located in Utah County, State of Utah, and described as TIMPHAVEN HOMES PLAT "11," LOTS 1 AND 2, herein referred to as the "Property," do hereby declare that the Property shall be held, sold, conveyed, leased, rented, encumbered, and used, subject to the below described Declaration of Covenants, Conditions, and Restrictions, previously recorded in the Office of the Utah County Recorder, related to the TIMPHAVEN HOMES PLAT "1-A," A PLANNED DWELLING GROUP, herein referred to as the "Original Development,", and further subject to the additional below described documents, and the covenants, restrictions, limitations, and conditions contained therein, all of which shall constitute covenants which run with the land and shall be binding on and be for the benefit of the Property, the owners of the Property, and their grantees, successors, heirs, executors, administrators, devisees, and assigns, and all of which documents and agreements are incorporated herein by this reference as if fully set forth herein, to wit:

NAME OF DOCUMENT	RECORDED	RECORDING ENTRY NO.
Timphaven Homes Plat "1-A"		Entry No. 15666 and Map Filing No. 627
Declaration of Covenents, Conditions and Restrictions	8/8/65	Entry No. 12054, Book 1018, Page 373
Amendment of Declaration of Covenants, Conditions and Restrictions	2/21/03	Entry No. 25891:2003
Easement Deed and Conditions Contained Therein	12/18/86	Entry No. 43596, Book 2367, Page 219 Entry No. 43597, Book 2367, Page 222 Entry No. 43598, Book 2367, Page 225

Easements, Notes and/or Setback Lines as delineated and/or dedicated on the Official Recorded Plat of TIMPHAVEN HOMES PLAT "1-A," A PLANNED DWELLING GROUP and/or on the Official Recorded Plat of TIMPHAVEN HOMES PLAT "11," A PLANNED DWELLING GROUP,

together with any other dedication, easement, open space easement, open space maintenance agreement, other maintenance agreement, homeowner's agreement, restriction, condition of approval, all owner's dedications contained on the plat of the Original Development, and all other documents or agreements, related to the Original Development.

This covenant shall run with the land and shall be binding upon all persons owning or leasing the Property. Further, this covenant shall hereinafter be included in any deed dealing with the Property, or any portion thereof, in whole or by reference hereto.

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FREVIOUSLY RECORDED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, AND FURTHER BINDING SAID DEVELOPMENT TO OTHER DOCUMENTS AND AGREEMENTS, and subordinates the lien and interest of the Trustee and of the Beneficiary in the above described property arising out of the Trust Deed, to said Restrictive Covenant, and further consents to the recording of the Timphaven Homes Plat "11," A Planned Dwelling Group, plat, consents to the subdivision of said property into lots, and subordinates the lien and interest of the Trustee, arising out of the Trust Deed, to said Plat and to all areas dedicated to the public, or dedicated for public use, all roads and streets (public and private), all utility easements, all irrigation, water and well easements, all other easements, all common areas, and all open space areas, as shown on said Plat.

DATED this 12th day of December, 2005.	FAIR WEST BANK
	By (Trustee) Its: 1/1ce PRELEDENT
STATE OF <u>Urah</u>)	DGMENT
COUNTY OF <u>Urah</u>)	
The foregoing instrument was acknown of the foregoing instrument was signed on behalf of sa of directors or bylaws, and said . I Servey said entity executed the same.	of <u>Farz Wear Barve</u> , and that id entity by authority of a resolution of its board
AMY T. DUNKLEY NOTARY PUBLIC - STATE OF UTAH 1318 NORTH 500 EAST MAPLETON, UT 84664 COMM. EXPIRES 11-1-2007	ARY PUBLIC

CONSENT TO RECORD RESTRICTIVE COVENANT AND SUBORDINATION AGREEMENT

The undersigned,		, as Trustee	under a Trust D)eed dated
executed by			as 🛚	frustor(s),
and recorded	, as Entry No	, in Book	, at Page	, of the
records of the County Recorde	r of Utah County, Utal	h, (hereinafter the "Tr	ust Deed") pui	rsuant to a
written request of the Trustors	and of the Beneficia	ry thercunder, does h	ereby agree to	all of the
terms of the above RESTRICT	TVE COVENANT BI	NDING TIMPHAVE	N HOMES PI	.AT "11,"
A PLANNED DWELLING G	ROUP, TO TIMPHA	VEN HOMES PLAT	"1-A," AND	TO THE
PREVIOUSLY RECORDED	DECLARATION (OF COVENANTS,	CONDITION	IS, AND
RESTRICTIONS, AND FU	JRTHER BINDING	SAID DEVELOR	PMENT TO	OTHER
DOCUMENTS AND AGREE	MENTS, and subordin	ates the lien and inter	est of the Trus	tee and of
the Beneficiary in the above d	escribed property aris	ing out of the Trust I	Deed, to said F	Restrictive

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Invalidation of any of these covenant provisions by judgment or court order shall not affect any of the other provisions, which other provisions shall remain in full force and effect.

Date: 12-5-05

Signed: Howard Dedopment, LLC by Howards Management, LLC by Howard M. Robert, its Management, LLC by Howard Management, LLC by Howards Management

Reviewed prior to recording:

Ву: <u>·</u>		
	Building Official	

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Date:

CONSENT TO RECORD RESTRICTIVE COVENANT AND SUBORDINATION AGREEMENT

The undersigned,					under a Trus	t Deed dated
10/20/2005	executed by_	HAVENCRES	T DEV.	LLC	a	ıs Trustor(s),
and recorded /	1/2/2005	, as Entry No	126386,1	n Book U	A, at Page	U/fof the
records of the Co	unty Recorder	of Utah County, 1	Utah, (hercin	after the "T	rust Deed") p	oursuant to a
written request o	f the Trustors	and of the Benefi	iciary thereu	nder, does h	ereby agree	to all of the
terms of the abov	e RESTRICTI	VE COVENANT	BINDING	TIMPHAVE	EN HOMES	PLAT "11,"
A PLANNED D	WELLING GE	ROUP, TO TIMP	HAVEN HO	DMES PLAT	Γ "1-A." AN	D TO THE