

DECLARATION OF PROTECTIVE COVENANTS

THIS DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS, AND RESTRICTIONS IS MADE ON THE DATE HEREINAFTER SET FORTH BY:

THE HAROLD J. HAWKINS FAMILY LIMITED PARTNERSHIP, HAROLD J. HAWKINS AND LARAE K. HAWKINS AS ITS GENERAL PARTNERS; AND LEE K. KIRK FAMILY LIMITED PARTNERSHIP, LEE K. KIRK AND LARUE M. KIRK AS ITS GENERAL PARTNERS; AND GLEN W. CHUGG FAMILY LIMITED PARTNERSHIP, GLEN W. CHUGG AND ELNA DAWN CHUGG AS ITS GENERAL PARTNERS.

HEREINAFTER COLLECTIVELY REFERRED TO AS "DECLARANT."

WHEREAS, DECLARANT IS NOW THE OWNER OF CERTAIN REAL PROPERTY IN UTAH COUNTY, STATE OF UTAH, DESCRIBED AS FOLLOWS:

ALL OF LOTS 50 THRU 56, AND 110-117 OF PLAT "K", KIRKLAND ESTATES SUBDIVISION, LINDON, UTAH, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE OFFICE OF THE UTAH COUNTY RECORDER,

NOW THEREFORE, THE DECLARANT HEREBY DECLARES THAT THE REAL PROPERTY DESCRIBED HEREIN IS AND SHALL BE HELD CONVEYED, HYPOTHECATED OR ENCUMBERED, SOLD, LEASED, RENTED, USED, OCCUPIED AND IMPROVED SUBJECT TO THE COVENANTS, RESTRICTIONS, AND USES AS FOLLOWS:

ARTICLE I

NO BUILDING, DWELLING, FENCE, WALL OR OTHER IMPROVEMENTS OR STRUCTURES SHALL BE COMMENCED, DIRECTED, PLACED, MOVED, ALTERED OR MAINTAINED UPON THE ABOVE SAID LOTS, NOR SHALL ANY EXTERIOR ADDITION TO OR CHANGE, OR OTHER ALTERATION THEREUPON BE MADE UNTIL THE COMPLETE PLANS AND SPECIFICATIONS SHOWING COMPLIANCE WITH APPLICABLE LOCAL ORDINANCES AND CODES AND THE LOCATION, NATURE, SHAPE, HEIGHT, MATERIAL, COLOR, TYPE OF CONSTRUCTION AND/OR OTHER PROPOSED FORM OF CHANGE (INCLUDING, WITHOUT LIMITATION ANY OTHER INFORMATION SPECIFIED BY THE ARCHITECTURAL CONTROL COMMITTEE) SHALL HAVE BEEN SUBMITTED TO AND APPROVED IN WRITING AS TO SAFETY, HARMONY OF EXTERNAL DESIGN, COLOR AND LOCATION IN RELATION TO SURROUNDING STRUCTURES AND TOPOGRAPHY AND CONFORMITY WITH THE DESIGN CONCEPT FOR THE COMMUNITY BY THE ARCHITECTURAL CONTROL COMMITTEE.

THE CHAIRMAN OF THE ARCHITECTURAL CONTROL COMMITTEE SHALL BE HAROLD J. HAWKINS OF: 1536 SOUTH 850 EAST, OREM, UTAH, 84058, LOCAL PHONE # (801) 226-1938.

THE CHAIRMAN SHALL SERVE IN THIS CAPACITY UNTIL 31 OCTOBER 2011, AT WHICH TIME THESE COVENANTS SHALL EXPIRE.

THE CHAIRMAN SHALL SELECT ONE OR MORE PERSONS TO SERVE ON THE COMMITTEE, AND SAID PERSONS SHALL SERVE AT THE SOLE AND EXCLUSIVE DIRECTION OF THE CHAIRMAN UNTIL SUCH TIME AS DIRECTED BY THE CHAIRMAN.

SUBJECT TO THE SAME LIMITATIONS AS HEREINABOVE PROVIDED FOR, IT SHALL BE PROHIBITED TO INSTALL, ALTER, OR CONSTRUCT ANY AERIALS, ANTENNAS, RADIO OR TELEVISION BROADCASTING OR RECEIVING DEVICES, SLABS, SIDEWALKS, CURBS, GUTTERS, PATIOS, BALCONIES, PORCHES, DRIVEWAYS, WALLS OR TO MAKE ANY CHANGE OR OTHERWISE ALTER IN ANY MANNER WHATSOEVER THE EXTERIOR OF ANY IMPROVEMENTS CONSTRUCTED UPON ANY LOT OR UPON ANY OF PORTION OF THE DWELLING WITHOUT THE EXPRESS WRITTEN CONSENT OF THE COMMITTEE.

UPON APPROVAL BY THE COMMITTEE OF ANY PLANS AND SPECIFICATIONS SUBMITTED, A COPY OF SUCH PLANS AND SPECIFICATIONS, AS APPROVED, SHALL BE DEPOSITED AMONG THE PERMANENT RECORDS OF THE COMMITTEE AND A COPY OF SUCH PLANS AND SPECIFICATIONS BEARING SUCH APPROVAL IN WRITING SHALL BE RETURNED TO THE APPLICANT SUBMITTING THE SAME.

APPLICANT SHALL SUBMIT 4 COPIES OF PLANS AND SPECIFICATIONS TOGETHER WITH A WRITTEN REQUEST FOR APPROVAL. IN THE EVENT THE COMMITTEE FAILS TO APPROVE OR DISAPPROVE ANY PLANS AND SPECIFICATIONS WHICH MAY BE SUBMITTED TO IT PURSUANT TO THESE

PROVISIONS WITHIN (60) DAYS AFTER SUCH PLANS ARE SUBMITTED, THEN APPROVAL WILL NOT BE REQUIRED AND THIS PROVISION WILL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.

CONSTRUCTION OF ALTERATIONS IN ACCORDANCE WITH PLANS AND SPECIFICATIONS APPROVED BY THE COMMITTEE SHALL BE COMMENCED SIX (6) MONTHS FOLLOWING THE DATE OF APPROVAL, AND SHALL BE SUBSTANTIALLY COMPLETED WITHIN TWELVE (12) MONTHS FOLLOWING DATE OF COMMENCEMENT, UNLESS OTHERWISE EXTENDED IN WRITING BY THE COMMITTEE.

UPON COMPLETION OF CONSTRUCTION OF IMPROVEMENTS OR ALTERATIONS THE APPLICANT SHALL SECURE A WRITTEN NOTICE OF ACCEPTANCE AND NOTICE OF COMPLETION FROM THE COMMITTEE.

ARTICLE II
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PROHIBITED USES AND NUISANCES.

NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY LOT OR WITHIN ANY DWELLING.

NO KEEPING, MAINTENANCE, BOARDING AND OR RAISING OF ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND, REGARDLESS OF NUMBER SHALL BE AND IS HEREBY PROHIBITED ON ANY LOT OR WITHIN ANY DWELLING, EXCEPT THAT THIS SHALL NOT PROHIBIT THE KEEPING OF DOGS, CATS, AND OR CAGED BIRDS AS DOMESTIC PETS PROVIDED THEY ARE NOT KEPT, BRED, OR MAINTAINED FOR COMMERCIAL PURPOSES, AND PROVIDED FURTHER, THAT SUCH DOMESTIC PETS ARE NOT A SOURCE OF ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD OR OTHERS.

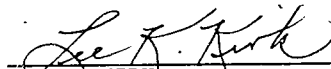
NO BURNING OF TRASH OR ACCUMULATION OR STORAGE OF LITTER, LUMBER, SCRAP, OR REFUSE OF ANY KIND SHALL BE PERMITTED ON ANY LOT.

NO JUNK VEHICLE SHALL BE PERMITTED ON ANY LOT.

THESE COVENANTS SHALL BE CONSTRUED TO LAWS OF THE STATE OF UTAH.

WITNESS THE HAND OF SAID DECLARANTS THIS 23 APRIL 1992.

THE LEE K. KIRK FAMILY LIMITED PARTNERSHIP



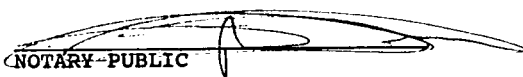
LEE K. KIRK

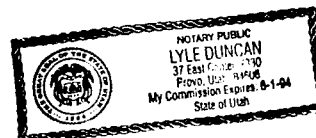


LARUE M. KIRK

STATE OF IDAHO }
COUNTY OF ADA } ss

On the 04th day of April 1992 personally appeared before me LEE K. KIRK and Larue M. KIRK, General Partners of the Lee K. Kirk Family Limited Partnership, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same, and that they do by these presents CONFIRM and RATIFY all of the above.


NOTARY-PUBLIC



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THE GLEN W. CHUGG FAMILY LIMITED PARTNERSHIP

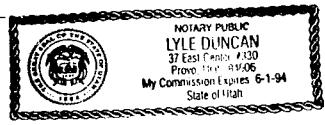
Glen W. Chugg
GLEN W. CHUGG

Elna Dawn Chugg
ELNA DAWN CHUGG

STATE OF UTAH)
COUNTY OF DAVIS) SS

On the 5/4/92, personally appeared before me GLEN W. CHUGG and ELNA DAWN CHUGG, General Partners of the GLEN W. CHUGG Family Limited Partnership, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same, and by these presents CONFIRM and RATIFY all of the above.

[Signature]
NOTARY PUBLIC



THE HAROLD J. HAWKINS FAMILY LIMITED PARTNERSHIP

Harold J. Hawkins
HAROLD J. HAWKINS

Larae K. Hawkins
LARAE K. HAWKINS

STATE OF UTAH)
COUNTY OF UTAH) SS

On the 5/4/92, personally appeared before me HAROLD J. HAWKINS and LARAE K. HAWKINS, General Partners of the Harold J. Hawkins Family Limited Partnership, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same, and by these presents do CONFIRM and RATIFY all of the above.

[Signature]
NOTARY PUBLIC

