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Filed By: CT  
L.S. BARKER, Recorder  
GARFIELD COUNTY CORPORATION  
For: LARRY HUGHES

**DECLARATION OF COVENANTS AND RESTRICTIONS  
GOVERNING THE CREEK SIDE ESTATES SUBDIVISION  
IN GARFIELD COUNTY, STATE OF UTAH**

THIS DECLARATION is executed this 3<sup>rd</sup> day of April, 2007, by CREEK SIDE ESTATES SUBDIVISION, and all lots included in the recorded plat thereof, which is on record in the Office of the County Recorder of Garfield County, State of Utah.

1. All restrictions set forth herein shall run with the land, and shall be binding upon all property owners in the CREEK SIDE ESTATES SUBDIVISION, subsequent to their formal adoption by the membership of CREEK SIDE ESTATES HOMEOWNERS ASSOCIATION, until amended by the majority vote of the shareholders thereof.

2. No further subdivision of lots shall be permitted.

3. An easement is hereby declared over, across and through each lot in the subdivision for the construction, installation, and continued maintenance of utility services, development of water springs, and pipelines for the development of water. Such easement shall be five (5) feet in width, along each side of all interior lot lines within the subdivision, and no structure shall be built within the area covered by such easement upon any lot within the subdivision.

4. Sewage, waste and trash disposal must be in accordance with the requirements of the Utah State Health Department. Open pit toilets are prohibited, and trash shall not be permitted to accumulate on any property. No septic tank or waste tank shall be allowed within one hundred (100) feet of any fresh water spring, without a variance authorized by the Utah State Health Department. All septic systems must have a permit issued by the Utah State Health Department.

5. Lots shall be restricted to residential use only and only one family dwelling shall be permitted on any single lot. There shall be no exposed metallic or cement block siding or roofing, unless painted in a natural color. Prior to construction of any dwelling on any lot, plans

must first be submitted to and approved by the CREEK SIDE ESTATES HOMEOWNERS ASSOCIATION. Construction shall be harmonious with the natural environment in the subdivision. All construction must be completed within three (3) years after it is commenced, and must be in strict compliance with all applicable laws and building codes. All dwellings must be either log or log siding.

6. No living trees shall be removed within the subdivision unless necessary for construction to be completed, or unless otherwise approved by the Governing Board of the CREEK SIDE ESTATES HOMEOWNERS ASSOCIATION.

7. All fresh water springs shall remain the property of CREEK SIDE ESTATES HOMEOWNERS ASSOCIATION.

8. All open fires shall be enclosed by fire rings, and shall not be left unattended.

9. No firearms shall be discharged within the boundaries of the subdivision.

10. All oil, gas, and mineral rights shall remain the property of CREEK SIDE ESTATES HOMEOWNERS ASSOCIATION.

11. Mobile homes are prohibited, and may not be installed on any lot within the subdivision. Recreation vehicles (travel trailers and motor homes) may, with prior approval of the Governing Board of the CREEK SIDE ESTATES HOMEOWNERS ASSOCIATION, be utilized for a limited time, during construction of a permanent dwelling, but in no event shall remain upon any lot within the subdivision beyond the onset of fall weather, in any given year.

12. The recommended speed limit within the CREEK SIDE ESTATES SUBDIVISION shall be fifteen (15) miles per hour.

13. The Governing Board of the CREEK SIDE ESTATES HOMEOWNERS ASSOCIATION may impose such other restrictions as, in its judgment, may be necessary for the benefit of the residents of the CREEK SIDE ESTATES SUBDIVISION.

14. Invalidation of any of these covenants or restrictions, by a court of competent jurisdiction, shall in no way affect any other covenant or restriction contained herein, which shall remain in full force and effect.

15. A water company will be established and incorporated with a fee, established by the Governing Board of the CREEK SIDE ESTATES HOMEOWNERS ASSOCIATION.

This Declaration shall be binding upon all present and future owners of lots within the CREEK SIDE ESTATES SUBDIVISION.

DATED this 3 day of April, 2007.

CREEK SIDE ESTATES SUBDIVISION

By: [Signature]  
Larry Hughes

By: [Signature]  
William Cartwright

STATE OF \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

On this 3 day of April, 2007, before me Carrie Block, a notary public, personally appeared Larry Hughes and William Cartwright the Owners, of Creek Side Estates Subdivision personally known to me to be the person(s) whose name(s) is (are) subscribed to this instrument, and acknowledged that they executed the same.

[Signature]  
Notary Public

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My Commission Expires on May 13 2007