

DECLARATION OF FARM UNIT

TO THE PUBLIC:

We, the undersigned owners of real property in Utah County, State of Utah, which property is more particularly described as follows:

Commencing 53 1/3 rods East of the Southwest corner of Section 35, Township 7 South, Range 2 East, of the Salt Lake Base and Meridian; thence East 106 2/3 rods; thence North 320 rods; thence West 106 2/3 rods; thence South 320 rods to the place of beginning. Area 213.32 acres.

Also having at all times at least 28 producing dairy cows on said property.

and who have recorded a previous Declaration of Farm Unit for a 113 acre portion of the above-described property with the Utah County Recorder under Entry No. 32092 on August 21, 1987, in Book 2444, Page 534, now have the intent to enlarge the farm unit previously described in the aforesaid instrument of Book 2444, Page 534, and to maintain a farm unit necessary to qualify for one primary and one secondary farm caretaker dwelling under the provisions of Sections 4-3-42 and 4-3-43 of the "Utah County Zoning Ordinance".

We hereby covenant and agree as follows:

1. That the above-described property shall be maintained as one unit and considered as one zoning lot, which is a bona fide farming operation qualifying for each and all farm caretaker dwellings approved, subject to the above-cited (or successor) ordinance.

2. That neither we, nor any of our heirs, executors, administrators, or assigns shall allow residential use of the above-described real property, except properly approved primary and secondary farm dwellings for caretakers employed on the premises.

3. This covenant shall run with the land and shall be binding upon all persons owning or leasing the above-described real property.

4. This covenant shall terminate and be of no further force or effect at such time as: (1) the Utah County Zoning Ordinances are repealed or amended to no longer require the farm unit as set forth above; (2) portions of the property above-described become a part of an incorporated city or town; or (3) the above-described real property is rezoned to permit residential uses of the above-described property, where the owners or their successors are able to comply with the then existing zoning ordinances of Utah County.

5. This covenant shall replace and supercede that "Declaration of Farm Unit" recorded on August 21, 1987, in Entry No. 32092, Book 2444, Page 534, in the office of the Utah County Recorder.

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

If the owners, or their heirs, executors, administrators, agents, or assigns shall violate, or attempt to violate any of the provisions of this instrument, Utah County may enforce said agreement through the withholding of building permits, or appropriate civil proceeding including injunctive relief which may include enjoining construction, abatement, mandamus, or other appropriate civil remedies; or may institute criminal proceedings for misdemeanor violations as provided for violation of a zoning ordinance; further, any aggrieved party having a legal interest may seek similar civil relief, and where successful, such party may be awarded any court costs or attorney's fees required for enforcement.

Signed:

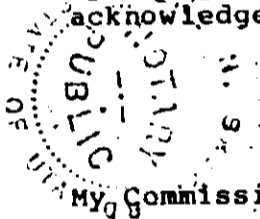
Angus Hales
ANGUS HALES

Fawn C. Hales
FAWN C. HALES

Lynn Ray Hales
LYNN RAY HALES

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

On the 3 day of Sept, 1977, personally appeared before me Angus Hales, Fawn C. Hales, and Lynn Ray Hales the signer(s) of the above instrument, who duly acknowledged to me that they executed the same.



John M. Shepherd
NOTARY PUBLIC

My Commission Expires:
6-26-89

Residing At:
Springville, Ut 84663