

RESTRICTIVE COVENANTS

Stanley E. Miller and Sharon J. Miller ("Miller") and Zions First National Bank, the trustee of the Afton Gardner Family Trust ("Gardner"), hereby agree and declare the following restrictions and covenants:

1. The properties in question are known as 2600 North 560 East and 2560 North 560 East and more particularly described as follows:

ENT 4 1791 BK 2846 PG 255
NINA B REID UTAH CO RECORDER BY MB
1991 OCT 22 10:18 AM FEE .00
RECORDED FOR PROVO CITY

Miller Parcel

All of Lot 9, Plat "A", Wilson Subdivision, Provo, Utah.

Gardner Parcel

All of Lot 8, Plat "A", Wilson Subdivision, Provo, Utah.

2. The restrictions and covenants in this instrument are to run with the land and shall be binding upon all parties and all persons now owning any interest in the above-described property or who may at any time hereafter acquire any interest in the property.

3. Gardner acknowledges that the overhang of the roof of the garage on the property of Stanley E. Miller is located 3.5 feet from the common boundary line. Gardner agrees and covenants that no building, improvement or above ground structure shall be constructed or erected on the Gardner parcel described above within 16.5 feet of the shared property line of the Stanley E. Miller parcel described above. This restriction shall apply only to the side yard where the existing structures on the Miller Parcel impact. Nothing in this restriction shall prevent Gardner from constructing a stairwell cover or the construction of a concrete slab. The remaining side yard set back shall be ten feet and subject only to current zoning ordinances.

4. Miller agrees to pay to Gardner Ten Dollars (\$10.00) and other good and valuable consideration in return for the covenants and restrictions herein.

5. These covenants and restrictions shall be in addition to any pre-existing covenants and restrictions of record. ENT4 1791 BK 2846 PG 256

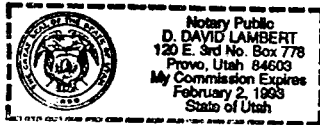
6. Miller agrees that under no circumstances shall the overhang of the roof of the garage on the Miller parcel be enclosed or otherwise converted to a different use.

IN WITNESS WHEREOF, the parties affix their signatures hereto.

DATED this 21 day of August, 1991.

Stanley E. Miller
STANLEY E. MILLER

SUBSCRIBED and sworn to before me this 21st day of August, 1991.



D. David Lambert
NOTARY PUBLIC

DATED this 3 day of September, 1991.

THE AFTON GARDNER FAMILY TRUST

Dann E. Latham
By:

SUBSCRIBED and sworn to before me this 3 day of September, 1991.

Kathleen D. Harmon
NOTARY PUBLIC

APPROVED AND ACCEPTED

Robert D. West
PROVO CITY
By: Assistant City Attorney

