

# LESLIE ESTATES

## Protective Covenants and Building Restrictions

I, the undersigned owner of the following described real property, to wit: Lots 1 through 7 inclusive, Leslie Estates, Plat 'A', Lots 1 through 6 inclusive, Leslie Estates, Plat 'B', located in Pleasant Grove, Utah, do hereby make the following declarations as to limitations, restrictions and uses to which the lots and/or tracts may be put, hereby specifying that the said declarations shall constitute covenants to run with all of the land as provided by law and shall be binding upon all of the parties and all persons claiming under them, for the benefit of and limitations upon all future owners, including heirs and assigns, and any other person, corporation or institution which may have interest in or own, in whole or in part, any portion of the described real property.

NOW THEREFORE, for the purpose of developing and preserving the said subdivision in an aesthetically and functionally desirable, uniform, and suitable state, thereby providing a pleasant, secure, and well maintained living environment, and so as to protect the investment of all owners therein, present and future, the following declarations are made:

### I. Dwellings

#### A. Size

##### 1. Rambler

Rambler style dwellings (single-story) must have a minimum of 1800 square feet of living area above grade, exclusive of garages, porches and steps, patios, decks, walkways and basements.

##### 2. Two story

Two story dwellings must have a minimum of 2300 square feet of living area above grade, with at least 1400 square feet of that space on the main floor, exclusive of garages, porches and steps, patios, decks, walkways and basements.

##### 3. Bi-level

Bi-level dwellings must have a minimum of 2000 square feet of living area above grade, exclusive of garages, porches and steps, patios, decks, walkways and basements.

## B. Materials

### 1. Exterior

The dwellings front exterior facing the street shall be constructed of brick, stone, stucco, or a combination thereof. It is strongly recommended that the remaining sides use a combination thereof and if siding is to be used it must be a good quality vinyl siding.

a) An architectural style such as Victorian or cape cod which mandates a siding-look exterior, may use a high-quality 25-year wood siding or premium-quality vinyl siding if approved by the architectural Control Committee (see §I.B.3 below, which hereafter is frequently referred to as "the ACC").

### 2. Soffits & Facia

Aluminum soffit and facia material may be used.

### 3. Architectural Control Committee Approval (ACC)

Note that the use of all exterior building materials, including, but not limited to those explicitly mentioned in §I.B, are subject to approval by the ACC in order to guarantee that quality, color, appearance and usage of the materials is conducive to protecting the investment of all property owners.

## C. Architecture

### 1. General Style

a) To protect the investment of homeowners in this subdivision, homes of outstanding design are requisite. Designs shall be limited to those prepared by licensed contractors or architectural firms. All designs, exterior materials and colors are subject to approval by the ACC (samples will be required.)

b) No modular homes, prefabricated or pre-built homes, round homes, dome homes, log homes, earth homes, mobile homes, steel homes or aluminum homes shall be built or erected. Solar homes or envelope homes may not be built.

c) In accordance with local zoning ordinance, all dwellings are to be single-family residences; therefore, under no circumstances shall any auxiliary entrances(s) be designed so as to give the appearance of a third full story.

d) Homes shall not exceed two stories above grade, except that bonus-type attic rooms or lofts may be allowed within otherwise existing roof space so long as they do not have undue prominence or give the appearance of a third full story.

## 2. Roof Pitch

The minimum roof pitch for all roof surfaces on main portions of the dwelling shall be 6 to 12, and the maximum pitch shall be 12 on 12. Steeper or gentler pitches may be allowed in limited amounts where architecturally mandated (such as on top of a turret, or over a covered porch) if the appearance is judged proportionate and appropriate by the ACC.

## 3. Roof-mounted structures

It is strongly recommended that any roof-mounted structures, devices, flues, vents, intakes or exhaust ports be situated on the back side of the house so as not to be visible above the roof line from street viewpoints.

## 4. External Mechanical Equipment

Evaporative cooling devices ("swamp coolers") will be allowed, however, they must be located on the back side of the house so as not to be visible above the roof line from street viewpoints. Central heating/cooling related devices (condensers, compressors, fresh-air induction ports, etc.) shall not be located in front of houses, and side-yard installations must be reasonably screened from street view.

## 5. Garages

All dwellings shall have as an integral part of the structure a minimum of a two-car garage and not more than a three-car garage. (This does not exclude the possibility of additional garage space in an outbuilding, subject to the conditions of §II.B below. The use of outbuildings for additional garages, storage of recreational vehicles and maintenance equipment rather than storing such items outside is encouraged.) Carports are not allowed.

## D. Location and Orientation

No dwelling shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setbacks as required by Pleasant Grove City. Dwellings shall be oriented to face toward the street on which the lot fronts. Corner lots may choose the street upon which their dwelling will front.

# II. Exterior Improvements

## A. Mailboxes

Mailboxes shall either be enclosed in a brick structure matching the house materials or shall be of a high-quality cast aluminum or vinyl design. Mailboxes are to be provided at the homeowner's expense. Mailboxes must be approved by the ACC before installation.

## B. Outbuildings

1. Detached accessory buildings such as additional garages, storage for recreational vehicles, or storage for yard maintenance equipment shall be allowed, and are encouraged, if said buildings;

- a) meet all applicable zoning requirements with respect to size or location, or any other requirement, including the avoidance of recorded easements;
- b) conform in design and materials with the primary residential home on the lot (barn structures constructed of high-quality wood materials may be allowed); and
- c) they are not located adjacent to the front setback of the lot or closer than 10' to either the dwelling or another outbuilding.

## C. Landscaping

### 1. Completion Requirements

- a) The front and side yards of each lot shall be landscaped with at least a grass lawn and sprinkling system within a period of 12 months following completion or occupancy of the dwelling, whichever occurs first.
- b) The time limits given in the above paragraphs may be reasonably extended to overcome restrictions caused by weather or season which would prohibit proper installation of materials or which would compromise the survivability of plant materials.
- c) Each lot shall berm for storm water retention to handle its own water run off to avoid run off from running onto an adjacent lot.

### 2. Maintenance and Weed Control

All owners shall endeavor to maintain landscaped portions of their lots in a reasonable state of upkeep and orderliness so as not to detract from the appearance of the subdivision. Also, portions of any lot not yet landscaped shall be maintained so as to avoid unsightly infestation with weeds; such weed growths shall also be controlled as they may constitute a fire hazard during certain seasons of the year.

## D. Fencing

1. All fences, walls, and hedges are not to exceed 6' in height. Fences or walls may not be built forward of the 30' front setback line. Fences are to be constructed out of Cedar, Block, Chain link or Brick, and must have a minimum 20' setback from side or rear lot lines and from the 30' front yard setback line. Concrete walls are prohibited.

Rail fences shall be constructed of vinyl. All fence or wall materials and designs must be approved by the ACC.

2. In all cases, homeowners agree to abide by pertinent local zoning ordinances, both in letter and intent, especially as they relate to clear-sight driving safety conditions on corner lots or near driveways potentially obscured by curves in the roadway.

#### E. Driveways and Walkways

All driveways and walkways forward of the 35' front setback line shall be constructed of concrete, brick, flagstones, or similar high-quality materials, and not of asphalt. Appropriate adaptation of this provision to situations involving driveways or sidewalks which access the side yard of a corner lot will be determined by the ACC.

### III. Land Usage

#### A. Occupancy

All dwellings in this subdivision are for single-family occupancy, in accordance with local zoning ordinance.

#### B. Commercial Activities

No part of any lot shall be used for any commercial, manufacturing, mercantile, vending, distribution transfer hub, or other non-residential purposes, except that professional and administrative occupations may be carried on within a dwelling provided that such activity does not require frequent comings and goings of employees or contracted service providers, clients, delivery vehicles, etc. which would disturb the peace or safety of the subdivision for other residents.

#### C. Animals

##### 1. Pets

Dogs, cats, and other domesticated household pets may be kept but not in excessive numbers. Pets which are given outdoor access must be contained within the owner's backyard. Pets and their containment areas (if such area has been designated in the owner's backyard) must be maintained in a clean and humane state. Other restrictions may apply in accordance with local animal control ordinances, specifically leash laws.

##### 2. Large Animals

a) Large animals shall be kept in accordance with Pleasant Grove Cities applicable zoning laws.

b) On any lot allowing horse rights, proper structures for the upkeep of said horse(s) (e.g., barn, shelter, feeding bins, feed storage, etc.) shall be constructed of quality materials and the plans for said structure(s) shall be approved by the ACC.

#### D. Nuisances

1. Offensive or noxious activities or objects, which may become an annoyance or nuisance to the neighborhood, shall not be allowed on any lot; such nuisances include, but are not limited to, loud or disturbing noises, frequent or repetitive noises (whether produced artificially or by animals of any kind), the creation of unsafe or hazardous physical conditions, and the creation of offensive odors.
2. Noises due to legitimate construction or maintenance purpose are excluded from this provision. Hobby use of noise-producing machine tools or other noise-producing implements shall be performed in an environment that will insulate other residents from the noise; for example, in a solidly-built outbuilding, the doors and windows being closed during operation of the equipment.

#### E. Parking and Storage

1. For safety reasons and to protect the aesthetics of the subdivision, street parking shall not be allowed, the exceptions being vehicles belonging to short-term visitors (staying less than about 36 hours) or commercial vehicles, in the process of providing goods or services to the homeowner.
2. Additionally, no inoperative automobile shall be placed or remain on any lot or adjacent street for more than 2 weeks before being removed. No commercial vehicles, heavy machinery, construction equipment, junk, junk vehicles, commercial materials, dilapidated appliances or similar objects shall be stored on any lot or parked on any adjacent street.
3. Recreational vehicles, including but not limited to motor homes, trailers, campers, boats, hang-gliders, ultra-light airplanes, off-road vehicles, snowmobiles, motorcycles, or similar vehicles shall be parked or stored behind the front yard setback and screened from street view. The construction of an outbuilding garage for such vehicles or objects is encouraged and desirable. (See §II.B above for outbuilding restrictions.)

#### F. Trash, Debris

No trash, ashes, nor any other refuse or debris may be dumped, disposed of, or stored on any lot. All home owners must subscribe to the city garbage disposal service.

### G. Signs

No signs, billboards, or advertising structures may be erected or displayed on any lots, except for a single sign not more than 2' x 3' in size advertising a specific lot or house of sale or home for rent, or a political sign not more than 2' x 3'. The only other exception will be signs that are deemed necessary by the original owner/developer of the subdivision. Original owner/developer reserves the right to erect or maintain a sign on any lot for the purposes of marketing of the property.

### H. Temporary Structures

No structure of a temporary character, or trailer, camper, motor or mobile home, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently. The sole exception shall be the use of a trailer or outbuilding as an on-site residence while construction of the primary residence is ongoing; note that permission to do so must be granted by Pleasant Grove City.

## V. New Construction

### A. Preliminary Plan Approval

1. For purposes of judgement by the ACC, preliminary plans shall include as a minimum the following information (to which further requests may be appended by the committee):

- a) Plot plan to scale of entire lot with buildings located and elevation of floors shown above or below a designated reference point on the street.
- b) Specifications of all materials to be used on the exterior of the residence.
- c) Elevation drawings of all sides of the house and any detached buildings, clearly showing the usage of exterior construction materials.

### B. Final Plan Approval

1. For purposes of judgement by the ACC, final plans shall include as the minimum the following information to which further requests may be appended by the committee.

- a) plot plan to scale showing the entire lot, buildings, garages, walks, drives, fences, carriage lights, retaining walls, with elevations of the existing and finished grades and contours including those at the outside corners of the building and at adjacent property lines and street fronts, and elevations of floors from a designated reference point on the street.
- b) Detailed elevations of the exterior of all buildings, indicating all finish materials and finishing grades.

c) A copy of these covenants signed by the contractor, or signed written statement, showing that he/she has read them and shall abide by them. It is hereby noted that the contractors building spec. homes are responsible to pass a copy of these covenants to the buyer of such a home.

2. The ACC may approve or reject any or all portions of the proposed final plans, at its sole discretion.

3. One set of working plans for new construction projects shall be kept by the committee until the proper completion of the construction project, at which time the said plans will be returned to the owner.

C. Repair of improvements damaged by construction

Lot owners shall be responsible for the repair or replacement of any sidewalk, curb, gutter, road surface, utility stub-ins or other improvements that are damaged during constructions of the owner's house or other structures due to heavy machinery, cement trucks, tractors, etc., or by any other means.

## VI. General Provisions

A. Limitations of Verbal Statements

No verbal statements by any person, developer, contractor, marketing agent, banker, lot owner, or any other person associated with the development, marketing, or sale of lots in this subdivision shall be binding upon any person or entity. These written covenants and any written declarations of the Architectural Control Committee regarding approvals or variances constitute the sole and final embodiment of any warranties, promises, or commitments, whether explicit or implied.

B. Zoning and Governmental Compliance

All applicable zoning or governmental rules, regulations, and ordinances of Pleasant Grove City, Utah County, or higher governmental agencies must be complied with regarding all activities within the subdivision. When a subject is covered both by this set of covenants and a governmental or zoning rule, restriction, or ordinance, the more restrictive requirements shall be met.

C. Severability

Invalidation of any of these by judgement or court order shall in no way affect any of the other provisions of these covenants and restrictions, which shall remain in full force and effort.



IT IS REQUIRED that each and every buyer of a lot in this subdivision read and understand these Protective Covenants and Building Restrictions, and they must sign this document where indicated below, specifying that they have read a copy of this document and agree to abide by its provisions for the mutual benefit of all lot owners.

\_\_\_\_\_  
 Buyer

DATE: \_\_\_\_\_

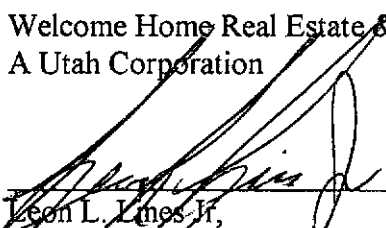
\_\_\_\_\_  
 Buyer

DATE: \_\_\_\_\_

IN WITNESS WHEREOF, the declarant, undersigned, has executed this instrument this 27th day of May, 1994

"DECLARENTS"

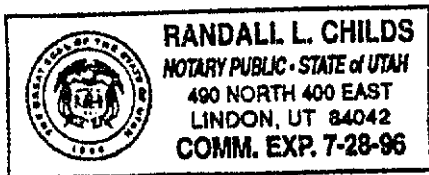
Welcome Home Real Estate & Investments Inc.  
 A Utah Corporation

  
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Leon L. Lines, Jr.,  
 President, Welcome Home Real Estate  
 & Investments.

State of Utah  
 County of Utah

On this 27th Day of May, 1994, personally appeared before me Leon L. Lines, the signer of this instrument, who duly acknowledged to me that they executed the same. IN WITNESS THEREOF, I have hereunto set my hand and affixed my Notarial Seal:



*Randall L. Childs  
 London Utah*