

ENT 53819 BK 4007 PG 71
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
1996 JUN 28 11:46 AM FEE 50.00 BY BT
RECORDED FOR SPRINGVILLE CITY

**DECLARATION OF PROTECTIVE
COVENANTS FOR
Pheasant Meadows Subdivision
Plat "A"**

KNOW ALL MEN BY THESE PRESENTS:

That whereas, the undersigned being the owner of the following described real property situated in Utah County, State of Utah, to wit:

All of lots in Plat "A" of the Pheasant Meadows Subdivision.

In consideration of the premises and as part of the general plan for improvement of the property comprising Pheasant Meadows Subdivision, I do hereby declare the property and covenant here in recited.

**PART A
RESIDENTIAL AREA COVENANTS**

1. Planned Use and Building Type

No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than detached single family dwellings not to exceed two stories in height and a private garage for not more than four vehicles and not less than two vehicles.

2. Architectural Control

No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure upon the lot have been approved by Pheasant Meadows Subdivision Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures, and as to location in respect with topography and finish grade elevation. The approval or disapproval of any home must be given by letter from Pheasant Meadows Subdivision Architectural Committee. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback line unless similarly approved. Approval shall be provided in part B.

3.A Dwelling Size

No dwelling shall be permitted on any lot wherein the ground floor area of the main structure, exclusive of open porches and garages is less than 1400 square feet for a single story, split level or split entry structure; or less than 1000 square feet on the main floor with the aggregate footage of above ground floors of the structure to total a minimum of 2000 square feet for two-story structures, exclusive of basement, garage, and open porches. No modular, prefabricated or mobile home of any type is permitted.

3.B Dwelling Quality

(a) Exterior Building Wall Materials. Brick, stone, stucco and wood are permitted for use in the exterior walls or Living Units and accessory buildings. The use of any other materials for such buildings shall require the prior approval of the Architectural Control Committee. Reflective materials other than glass are prohibited. No metal or vinyl siding is allowed on the front of any home. Metal or vinyl siding on sides of home is limited to 33% of area. Metal or vinyl siding is allowed for 100% coverage on rear of home.

(b) Roof, Soffit and Facia. Roof, soffit and facia material shall be restricted to wood shingles or shakes, asphalt, fiberglass, slate, metal, tile, or other materials approved by the Architectural Control Committee. Tar and gravel roofs are prohibited. The use and design of roof, soffit and facia materials is subject to the approval of the Architectural Control Committee. The use of architectural 25 year or better asphalt shingles is encouraged.

(c) Sheet Metal, Flashing and Vents. All sheet metal, flashing, vents and pipes must be colored to match the material to which they are attached or from which they project, with the exception of copper.

(d) Mailboxes. Mailboxes shall be installed to match the color and material of each residence.

(e) Fences and Walls. Fencing and walls shall be stucco, colored chain link, masonry, stone, wood or wrought iron. Fences and walls re to be color coordinated with the approved dwelling colors.

(f) Paving Driveway and other flat paved areas may be concrete, exposed aggregate concrete, stamped concrete, asphalt, quarry tile, brick or paving blocks. Gravel areas are not permitted.

(g) Antennas. All antennas are restricted to the attic or interior of the Living Unit. Satellite dish antennas shall be allowed provided they are screened from view and their location is approved by the Architectural Control Committee. Satellite dish antennas shall not be permitted on roofs.

(h) Mechanical Equipment All air conditioning and heating equipment must be screened from view. Air conditioning units are not permitted on roofs unless screened from view and approved by the Architectural Control Committee.

(i) Gas and Electric Meters. Meter locations are to be designed into the architecture of the dwelling and screened from view.

(j) Machinery and Equipment. No machinery or equipment of any kind shall be placed, used, operated or maintained in or adjacent to any Lot except such machinery or equipment as is usual and customary in connection with the use, maintenance or construction of a Living Unit or appurtenant structures.

4. Building Location

- a) No building shall be located on any lot nearer to the front lot line than 40 feet.
- b) No building shall be located nearer than 15 feet to an interior lot line.
- c) For the purpose of this covenant, eaves, steps, and open porches shall not be considered as a part of a building, provided, however, that this shall not be constructed to permit any portion of a building on a lot to encroach upon any other lot.

5. Easements

Easements for installations and maintenance of utilities are reserved as noted on the recorded map. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements, if any, for which a public authority or utility company is responsible.

6. Nuisances

No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. No storage of any articles which are unsightly in the opinion of Pheasant Meadows Subdivision Architectural Control Committee will be permitted, unless in enclosed area built or designed for such purposes. Automobiles, trailers, boats, or other vehicles are not to be stored on the street at any time.

7. Temporary Structures

No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other out building shall be used on any lot at any time as a residence either temporarily or permanently.

8. Garbage and Refuse Disposal

No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste, and garbage shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. Each lot and its abutting street are to be kept free of trash, weeds, and other refuse by the lot owner. No unsightly material or objects are to be stored on any lot in view of the general public.

9. Animals and Pets

Any household pet may be kept, as permissible within current zoning regulations provided that they are not kept, bred, or maintained for any commercial purpose and are restricted to the owner's premises and under handler's control.

If in the opinion of Pheasant Meadows Subdivision Architectural Control Committee, any or the forenamed animals or pets become an annoyance, nuisance or obnoxious to other owners throughout the subdivision, the committee may require a reduction in the number or animals or pets permitted. The committee may also require the elimination of any such animal or pet considered dangerous or unsafe to the neighborhood.

10. Landscaping

Trees, lawns, shrubs, or other plantings provided by the owner of each respective lot shall be properly nurtured and maintained or replaced at the property owner's expense upon request of Pheasant Meadows Subdivision Architectural Control Committee. There is a maximum of 6 months to complete the landscaping.

11. Outbuildings

Low profile out buildings such as barns, garages and etc. will be allowed as long as they are approved by the Architectural Control Committee.

PART B**PHEASANT MEADOWS SUBDIVISION ARCHITECTURAL CONTROL COMMITTEE****1. Membership**

Pheasant Meadows Subdivision Architectural Control Committee is comprised of R. Lynn Bjarnson, Mike Tagliabue & David R. Simpson. Neither the members or the committee nor their designated representative shall be entitled to any compensation for services performed pursuant to this covenant.

2. Procedure

The committee's approval or disapproval as required in these covenants shall be in writing. In the event the committee or its designated representatives fails to approve within 30 days after plans and specifications have been submitted to it, or in the event there is no suit to enjoin the construction which has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.

PART C
GENERAL PROVISIONS

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1. Terms

These covenants are to run with the land and should and shall be binding upon all parties and all persons claiming under them for a period of 30 years from the date these covenants are recorded, after which time said covenants shall be automatically extended for a successive period of 10 years unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to change said covenants in whole or in part.

2. Enforcement

Enforcement shall be by proceedings at law in equity against every person or persons violating or attempting to violate any covenant by either restraint or violation or a recovery of damages.

3. Severability

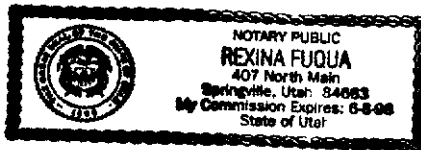
Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

Pheasant Meadows Subdivision

R. Lynn Bjarison
R. Lynn Bjarison

Mike Tagliabue
Mike Tagliabue

David R. Simpson
David R. Simpson



State of Utah)
 SS:
County of Utah)

R. Lynn Bjarison On the 24 day of June 1996 personally appeared me
Mike Tagliabue ~~David Simpson~~ sworn did say that he executed the foregoing instrument in behalf of
Simpson
PHEASANT MEADOWS SUBDIVISION.

Rexina Fuqua

My Commission Expires: 6-8-98

SURVEYOR'S CERTIFICATE

I, ROBERT D. GUNNELL, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 142870 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

BOUNDARY DESCRIPTION

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BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF WEST CENTER STREET, SPRINGVILLE, UTAH WHICH POINT IS NORTH 00°06'18" WEST ALONG THE SECTION LINE 26.67 FEET AND WEST 322.24 FEET FROM THE EAST 1/4 CORNER OF SECTION 32, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 89°32'07" WEST ALONG SAID RIGHT OF WAY LINE 1286.12 FEET TO A FENCELINE; THENCE SOUTH 00°52'50" WEST ALONG SAID FENCELINE 325.00 FEET; THENCE SOUTH 89°32'07" EAST 183.79 FEET; THENCE NORTH 64°04'17" EAST 91.66 FEET; THENCE SOUTH 71°59'49" EAST 135.53 FEET; THENCE SOUTH 89°32'07" EAST 591.94 FEET; THENCE SOUTH 00°27'34" WEST 136.17 FEET; THENCE SOUTH 72°00'08" WEST 176.83 FEET; THENCE SOUTH 00°29'33" WEST 140.59 FEET; THENCE NORTH 89°32'07" WEST 6.61 FEET; THENCE SOUTH 00°29'33" WEST 131.01 FEET; THENCE SOUTH 39°44'23" EAST 73.32 FEET; THENCE SOUTH 00°26'02" WEST 136.42 FEET TO A FENCELINE; THENCE S89°49'58" EAST ALONG SAID FENCELINE 256.04 FEET; THENCE NORTH 00°15'00" EAST 333.22 FEET; THENCE SOUTH 89°34'24" EAST 174.80 FEET TO A FENCELINE; THENCE NORTH 00°25'45" EAST ALONG SAID FENCELINE 252.25 FEET; NORTH 00°19'33" EAST ALONG SAID FENCELINE 394.37 FEET TO THE POINT OF BEGINNING.

AREA = 14.49 ACRES

BASIS OF BEARING: NORTH 00°06'18" WEST ALONG THE SECTION LINE FROM THE EAST 1/4 CORNER OF SECTION 33, TO THE NORTHEAST CORNER OF SECTION 32.

May 15, 1996
DATE

Robert D. Gunnell
SURVEYOR
(SEE SEAL BELOW)

PLAT "A"

PHEASANT MEADOWS