

RESTRICTIVE COVENANT PRECLUDING THE RESIDENTIAL  
OR OTHER NON-AGRICULTURAL USE OF THE LAND

TO THE PUBLIC:

I, the undersigned owner of real property in Utah County, State of Utah, which property is located as follows (legal description):

*See attached Exhibits "A" and "B" for legal descriptions.*

ENT 81459 BK 3825 PG 492  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
1995 NOV 27 12:31 PM FEE 41.00 BY BT  
RECORDED FOR CAROL KNAPP

have the intent to qualify for the exemption from filing an approved subdivision plat, which exemption is provided for in Section 17-27-103, UCA 1953 as amended, and Section 3-53-B of the "Utah County Zoning Ordinance" of Utah County, Utah, for the division of agricultural land for agricultural purposes. I hereby covenant that neither I nor my heirs, executors, administrators, or assigns will ever allow residential or other non-agricultural use of this land without properly obtaining an approved subdivision plat as required by law.

This covenant shall run with the land and shall be binding upon all persons owning or leasing the above-described real property. It shall not apply (1) to those portions of the property contained in a properly approved and recorded subdivision plat; (2) those portions of the property placed into an incorporated city or town; (3) upon repeal of the requirements for such a covenant under Section 3-53-B or its successor statute. Further, this covenant shall hereinafter be included in any deed dealing with the above-described property, or portions thereof, in whole or by reference hereto.

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

If the owner or owners of the above-described real property, or any portion thereof, or the owner's heirs or assigns shall violate or attempt to violate any of the covenants above set forth, Utah County, or any other person owning a portion thereof, may enjoin such transfer, sale, or use by action for injunction brought in any court of equity jurisdiction or may pursue any other remedy at law or equity. All costs and all expenses of such proceedings shall be taxed against the offending party or parties and shall be declared by the court to constitute a lien

against the real estate wrongfully deeded, sold, leased, used, or conveyed until paid. Such lien may be enforced in such a manner as the court may order.

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Change or amendment of these covenants may be effected only if such is in compliance with the laws and ordinances of the State of Utah and its political subdivisions. This covenant, and any changes or amendments hereto, must first be approved in writing by the Utah County Building Official before recording with the County Recorder. Any change or amendment without such approval is hereby made null and void.

Carol Carter Knapp

Mark Hampton

Toni Carter Kenneth Carter

Signed: PIONEER DEVELOPMENT:

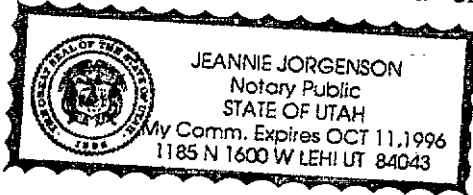
Jim Jones

ACKNOWLEDGMENT

STATE OF UTAH )

COUNTY OF UTAH )

On the 16 day of November, 1995, personally appeared before me, Carol Carter Knapp, Mark Hampton, Toni Carter, Kenneth Carter, Jim Jones the signer(s) of the above instrument, who duly acknowledged to me that he/she executed the same.



Jeannie Jorgenson  
NOTARY PUBLIC

Reviewed prior to recording:

By: Buell Rose for Jeff Mendenhall  
Building Official

Date: Nov 22, 1995

against the real estate wrongfully deeded, sold, leased, used, or conveyed until paid. Such lien may be enforced in such a manner as the court may order.

Change or amendment of these covenants may be effected only if such is in compliance with the laws and ordinances of the State of Utah and its political subdivisions. This covenant, and any changes or amendments hereto, must first be approved in writing by the Utah County Building Official before recording with the County Recorder. Any change or amendment without such approval is hereby made null and void.

ENT 81459 BK 3825 PG 494

Carma C. Hampton

Signed: \_\_\_\_\_

Darrell M Carter & Fawn T. Carter

Frank D. Muse

+

Eleanor J. Muse

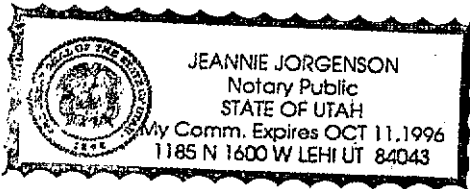
ACKNOWLEDGMENT

STATE OF UTAH )

COUNTY OF UTAH )

On the 14 day of November, 1995,

personally appeared before me, Darrell Fern Carter - Fawn T. Carter - Eleanor J. Muse  
Carma C. Hampton  
the signer(s) of the above instrument, who duly acknowledged to me that he/she executed the same.



Jeannie Jorgenson  
NOTARY PUBLIC

Reviewed prior to recording:

By: Buck Rose for Jeff Mendenhall  
Building Official

Date: Nov 22, 1995

## EXHIBIT A

PAGE 1

ENT 81459 BK 3825 PG 495

#1. Ivan &amp; Eleanor J. Muse

## LEGAL DESCRIPTIONS

Commencing at a point located North 89°55'51" East along the Section line 291.46 feet and South 635.06 feet from the Northwest quarter corner of Section 4, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence North 89°55'51" East 337.71 feet; thence South 01°27'07" West 579.65 feet; thence South 89°50'49" West 586.06 feet; thence North 0°01'43" West along the Easterly boundary of Center Street 266.00 feet; thence North 89°50'49" East 264.00 feet; thence North 0°09'11" West 313.92 feet to the point of beginning.

AREA = 6.00 ACRES

#2. Carol Carter Knapp

Commencing at a point located North 89°55'51" East along the Section line 28.43 feet and South 1215.36 feet from the Northwest quarter corner of Section 4, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence North 89°50'49" East 900.68 feet; thence South 0°01'43" East 266.00 feet; thence South 89°50'49" West 900.68 feet; thence North 0°01'43" West along the Easterly boundary of Center Street 266.00 feet to the point of beginning.

AREA = 5.50 ACRES

#3. Darrell M. &amp; Fern Carter

Commencing at a point located North 89°55'51" East along the Section line 158.33 feet from the Northwest quarter corner of Section 4, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence North 89°55'51" East along the Section line 131.43 feet; thence South 0°09'11" East 288.98 feet; thence North 36°10'52" West 223.45 feet; thence North 0°09'11" West 108.46 feet to the point of beginning.

AREA = 0.60 ACRE

#4. Darrell M. &amp; Fern Carter

Commencing at a point located North 89°55'51" East along the Section line 629.17 feet and South 635.06 feet from the Northwest quarter corner of Section 4, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence North 89°55'51" East 64.94 feet; thence North 01°27'07" East 53.69 feet; thence North 89°55'51" East 403.72 feet; thence South 03°05'51" West along a fence line 250.32 feet; thence South 02°45'40" West along a fence line 685.60 feet; thence South 88°53'44" West 105.98 feet; thence South 02°35'31" East 140.16 feet; thence South 89°18'41" West along Carter Ridge Subdivision 64.10 feet; thence South 67°11'36" West along Carter Ridge Subdivision 211.25 feet; thence South 89°18'41" West along Carter Ridge Subdivision 665.55 feet; thence North 0°01'43" West along the Easterly boundary of Center Street 266.20 feet; thence North 89°50'49" East 900.68 feet; thence North 0°01'43" West 266.00 feet; thence South 89°50'49" West 314.62 feet; thence North 01°27'07" East 579.65 feet to the point of beginning.

AREA = 12.75 ACRES

#5. Darrell M. &amp; Fern Carter

Commencing at a point located North 89°55'51" East along the Section line 953.44 feet and South 2099.87 feet from the Northwest quarter corner of Section 4, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence North 66°50'28" East 355.01 feet; thence South 01°42'00" West 337.83 feet; thence South 89°18'41" West 316.22 feet; thence North 0°03'14" West 201.86 feet to the point of beginning.

AREA = 1.98 ACRES

## EXHIBIT A

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#6. *Carma Hampton*

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Commencing at a point located North 89°55'51" East along the Section line 710.21 feet from the Northwest corner of Section 4, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence North 89°55'51" East along the Section line 420.45 feet; thence South 03°05'51" West along a fence line 582.27 feet; thence South 89°55'51" West 403.72 feet; thence North 01°27'07" East 581.59 feet to the point of beginning.

AREA = 5.50 ACRES

#7. *Carma Hampton*

Commencing at a point located North 89°55'51" East along the Section line 1076.43 feet and South 1811.81 feet from the Northwest quarter corner of Section 4, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence along the arc of a 473.03 foot radius curve to the left 222.72 feet (chord bears North 39°07'02" East 220.67 feet); thence South 52°38'00" East 90.65 feet; thence South 01°42'00" West 264.90 feet; thence South 66°50'28" West 73.62 feet; thence North 37°23'40" West 223.48 feet to the point of beginning.

AREA = 1.00 ACRE

#8. *Mark Hampton*

Commencing at a point located North 89°55'51" East along the Section line 946.68 feet and South 1518.00 feet from the Northwest quarter corner of Section 4, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence North 88°53'44" East 105.98 feet; thence South 52°38'00" East 147.75 feet; thence along the arc of a 417.03 foot radius curve to the right 311.64 feet (chord bears South 45°26'00" West 304.44 feet); thence North 0°03'14" West along Carter Ridge Subdivision 161.25 feet; thence North 02°35'31" West 140.16 feet to the point of beginning.

AREA = 1.00 ACRE

#9. *Pioneer-Yates*

Commencing at a point located North 89°55'51" East along the Section line 289.76 feet from the Northwest quarter corner of Section 4, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence North 89°55'51" East along the Section line 420.45 feet; thence South 01°27'07" West 635.28 feet; thence South 89°55'51" West 402.66 feet; thence North 0°09'11" West 635.06 feet to the point of beginning.

AREA = 6.00 ACRES

#10 *Kenneth Carter*

Commencing at a point located North 89°55'51" East along the Section line 27.05 feet from the Northwest quarter corner of Section 4, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence North 89°55'51" East along the Section line 131.28 feet; thence South 0°09'11" East 108.46 feet; thence South 36°10'52" East 223.45 feet; thence South 89°50'49" West 264.00 feet; thence North 0°06'08" East 289.36 feet to the point of beginning.

AREA = 1.15 ACRES

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Parcel 11: Ivan & Eleanor J Muse

Commencing North 89 deg. 55' 51" East along the section line 291.41 feet and South 618.98 feet from the Northwest corner of Section 4, Township 5 South, Range 1 East, Salt Lake Base and Meridian, Utah County, State of Utah, thence as follows (all in said Section 4):

South 0 deg. 11' 13" East 16.08 feet;

South 0 deg. 09' 11" East 313.92 feet;

South 89 deg. 50' 49" West 264.00 feet;

North 0 deg. 09' 16" West 330.00 feet;

North 89 deg. 50' 49" East 264.00 feet to the point of beginning.

Parcel 12: Pioneer-Yates

Commencing North 89 deg. 55' 51" East along the section line 290.53 feet and South 288.98 feet from the Northwest corner of Section 4, Township 5 South, Range 1 East, Salt Lake Base and Meridian, Utah County, State of Utah, thence as follows (all in said Section 4):

South 0 deg 09' 03" East 165 feet;

South 89 deg. 50' 49" West 264 feet;

North 0 deg. 09' 03" West 165 feet;

North 89 deg. 50' 49" East 264 feet to the point of beginning.

Parcel 13: Mark Hampton

Commencing North 89 deg. 55' 51" East along the section line 1170.07 feet and South 1605.90 feet from the Northwest corner of Section 4, Township 5 South, Range 1 East, Salt Lake Base and Meridian, Utah County, State of Utah, thence as follows (all in said Section 4):

South 52 deg. 37' 46" East 57.36 feet;

along the arc of a 473.04-foot-radius curve to the left 222.72 feet (chord bears South 39 deg. 07' 02" West 220.67 feet);

South 60 deg. 43' 43" West 3.79 feet;

North 29 deg. 16' 17" West 45.27 feet;

South 55 deg. 51' 34" West 110.96 feet;

South 66 deg. 50' 28" West 6.49 feet;

North 0 deg. 03' 07" East 19.58 feet;

along the arc of a 417.03-foot-radius curve to the right 311.64 feet (chord bears North 45 deg. 26' East 304.49 feet) to the point of beginning.

Parcel 14: Darrall & Fern Carter

Commencing South 0.1 foot and East 610 feet from the West quarter corner of Section 4, Township 5 South, Range 1 East, Salt Lake Base and Meridian, Utah County, State of Utah, thence as follows (all in said Section 4):

EXHIBIT A

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Parcel 14, description continued:

North 70.72 feet;  
North 86 deg. 49' 05" East 25.38 feet;  
North 81 deg. 37' 36" East 49.53 feet;  
North 77 deg. 54' 47" East 106.08 feet;  
North 65 deg. 01' 45" East 77.8 feet;  
North 52 deg. 22' 53" East 47.16 feet;  
North 53 deg. 57' 32" East 55.6 feet;  
North 38 deg. 26' 02" East 55.54 feet;  
North 78 deg. 15' 28" East 296.58 feet;  
South 1 deg. 42' West 299.89 feet;  
West 646.91 feet to the point of beginning.