

WHEN RECORDED, MAIL TO:

TODD N. HALLOCK
HALLOCK & HALLOCK,
A PROFESSIONAL CORPORATION
P.O. BOX 4171
LOGAN, UTAH 84323-4171

Ent 898814 Bk 1370 Pg 1504
Date 2-Sep-2005 4:22PM Fee \$54.00
Michael Gleed, Rec. - Filed By MG
Cache County, UT
For COTTAGE DEVELOPMENT

**DECLARATION OF PROTECTIVE EASEMENTS,
COVENANTS, CONDITIONS AND RESTRICTIONS
(Including Homeowner Association By-Laws)**

for

**THE COTTAGES OF NIBLEY
A PLANNED UNIT DEVELOPMENT**

Nibley, Cache County, Utah

EXHIBIT "D" – DESIGN STANDARDS

1. All proposed improvements shall be consistent with the use requirements and/or prohibitions of the Declarations.
2. All proposed improvements shall meet the requirements of the Nibley City Ordinances in effect from time to time in addition to any Design Standards set forth herein or established from time to time by the Board.
3. Roofs: The pitch on roofs shall meet or exceed 6:12.
4. Residence Size: Houses shall maintain a one story appearance with maximum exterior wall height of ten (10) feet except for gable walls. Lofts for living space or storage are acceptable with dormers if single level appearance is preserved.
5. Exterior: The exterior of all homes must be composed of at least 50% front facing approved masonry product with the remaining exterior consisting of stucco or siding. Colors should be earth tone and consistent with the overall tenor of the development.
6. Garages: Each residence shall be constructed with an attached garage with a minimum of 400 square feet.
7. Driveways: Driveways and parking areas shall be concrete, Maintenance of driveways utilized by individual Lot Owners shall be the responsibility of such Lot Owner.
8. General: The Architectural Committee reserves the right to disapprove of designs depictions, colors, statues, landscaping elements, etc. which are unusual or which may detract from the family neighborhood image of the area.
9. **NOTICE IS HEREBY GIVEN THAT BECAUSE OF THE HIGH WATER TABLE AND OTHER UNIQUE UNDERGROUND CONDITIONS THAT EXIST IT IS HIGHLY RECOMMENDED THAT A SOILS ENGINEER BE CONSULTED PRIOR TO ANY DIGGING OR OTHER EXCAVATION ON A LOT.**

Doc 098814 Bk 1370 Pg 1548

**ARTICLES OF INCORPORATION
OF
THE COTTAGES OF NIBLEY HOMEOWNERS ASSOCIATION
a Utah Non-Profit Corporation**

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, residents of the State of Utah, do hereby associate ourselves together for the purpose of forming a corporation under the non-profit corporation act of the State of Utah and for that purpose adopt the following Articles of Incorporation.

**ARTICLE I
CORPORATE NAME**

The name of this corporation shall be: THE COTTAGES OF NIBLEY HOMEOWNERS ASSOCIATION, a Utah non-profit corporation, hereafter sometimes called "Association".

**ARTICLE II
TIME OF DURATION**

This corporation shall be perpetual unless dissolved as provided by law.

**ARTICLE III
PURPOSE**

This corporation shall be a not-for-profit corporation. The specific purposes for which it is formed are: to provide for the maintenance, preservation and architectural control of the development known as The Cottages of Nibley; to promote the health, safety and welfare of the residents within the above described property and any additions thereto as may hereafter be brought within the jurisdiction of this Association; and to undertake all actions allowable in accordance with the Bylaws and Declarations of Covenants, Conditions and Restrictions.

**ARTICLE IV
MEMBERS**

The Members of this Association shall be those individuals granted membership rights pursuant to the Declaration of Covenants Conditions and Restrictions.

**ARTICLE V
STOCK**

Shares of stock will not be issued as evidence of membership in the Corporation.

**ARTICLE VI
BOARD OF TRUSTEES**

20 898814 Bk 1370 Pg 1549

A Board of Trustees shall manage the affairs of this Association. The initial number of Trustees shall be four (4). The number may be changed by amendment of the Bylaws of the Association. The names and addresses of the persons who are to act in the capacity of Trustees until the selection of their successors are:

NAME

ADDRESS

Jay S. Harrison

793 West 3200 South, Nibley, Utah 84321

Clayne Liechty

2566 South 800 West, Nibley, Utah 84321

W. Dan Farnsworth

2650 South 660 West, Nibley, Utah 84321

R. Bryan Hutchings

302 West Meadow View Lane, Nibley, Utah 84321

ARTICLE VII
INCORPORATOR

The name and address of the Incorporator is: Cottage Developments, Inc. 2650 South 660 West, Nibley, Utah 84321.

ARTICLE VIII
PRINCIPLE OFFICE/REGISTERED AGENT

The address of this corporation's initial registered office is 793 West 3200 South, Nibley, Utah 84321. The name of the initial registered agent at such address is Jay S. Harrison.

I hereby accept the responsibility as Registered Agent:


Jay S. Harrison

IN WITNESS WHEREOF, I sign and verify in duplicate these Articles of Incorporation
this 24 day of August 2005.

Incorporator:
Cottage Developments, Inc.:

