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E# 2067610 PG 1 OF 33  
DOUG CROFTS, WEBER COUNTY RECORDER  
10-NOV-04 108 PM FEE \$74.00 DEP CC  
REC FOR: MOUNTAIN VIEW TITLE - OGDEN  
ELECTRONICALLY RECORDED

**DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS OF  
THE MEADOWS AT WEST HAVEN  
A PLANNED RESIDENTIAL UNIT DEVELOPMENT**

THIS DECLARATION is made and executed this 8 day of <sup>November</sup> ~~October~~, 2004, by PVH, LLC, a Utah Limited Liability Company, (the "Declarant").

**RECITALS:**

A. Declarant is the record owner of that certain tract of land (the "Property") in the city of West Haven, County of Weber, State of Utah, which is more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof. Declarant desires to create on said Property a residential development with various Common Areas as set forth in the plat of the recorded subdivision.

B. Declarant desires to provide for preservation of the values and amenities of the Property and for maintenance of the Common Areas in the official records of Weber County, State of Utah.

C. Declarant has deemed it desirable, for the efficient preservation of the values and amenities of the Property, to create an entity which possesses the powers to maintain and administer the Common Areas and collect and disburse the assessments and charges provided for in the Declaration and otherwise administer and enforce the provisions of the Declaration. For such purposes, Declarant has caused to be incorporated under the laws of the State of Utah, as a nonprofit corporation, The Meadows at West Haven Homeowners Association (the "Association").

NOW, THEREFORE, for the foregoing purposes, the Declarant declares that the Property shall be subject to this Declaration and that the Property is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens hereinafter set forth.

**ARTICLE I - DEFINITIONS**

When used in this Declaration (including in that portion hereof headed "Recitals") the following terms shall have the meaning indicated:

1.01 Association shall mean The Meadows at West Haven Homeowners Association, a Utah nonprofit corporation.

1.02 Board shall mean the Board of Trustees of the Association.

1.03 Common Areas shall mean all property, including streets, roadways, rights-of-way and utilities, clubhouse, swimming area, etc., owned or designated on the recorded plat as being intended ultimately to be owned by the Association for the common use and enjoyment of the Owners, together with all improvements thereon and all easements appurtenant thereto.

1.04 Declaration shall mean this Declaration of Covenants, Conditions and Restrictions of The Meadows at West Haven P.R.U.D.

1.05 Design Committee shall mean the Design Committee established by and referred to in Article VIII of this Declaration.

1.06 Living Unit shall mean a structure which is designed and intended for use and occupancy as a single-family residence, together with all improvements located on the same residential lot and used in conjunction with such residence.

1.07 Managing Agent shall mean any person or entity appointed or employed as Managing Agent pursuant to Section 4.01 of Article IV of this Declaration.

1.08 Mortgage shall mean any mortgage, deed of trust, or trust deed or the act of encumbering any property by a mortgage, deed of trust or trust deed; and mortgagee shall mean any mortgagee of a mortgage and any trustee or beneficiary of a deed of trust or trust deed.

1.09 Owner shall mean any person who is the owner of record (as reflected by the records in the office of the County Recorder of Weber County, Utah) of a fee or undivided fee interest in any Residential Lot, including contract sellers, but not including purchasers under contract until such contract is fully performed and legal title is conveyed of record. Notwithstanding any applicable theory relating to mortgages, no mortgagee shall be an Owner unless such party acquires fee title pursuant to foreclosure or sale or conveyance in lieu thereof. Declarant shall be an Owner with respect to each Residential Lot owned by it.

1.10 Property shall mean the Property described in Exhibit "A" attached hereto, which includes all land covered by this Declaration, including Common Areas.

1.11 Residential Lot shall mean and refer to any one of the eighty-six (86) lots of land within the boundary of the Property as shown upon and designated on the Plat as Residential Lots.

1.12 Plat shall mean and refer to the Plat of The Meadows at West at West Haven P.R.U.D., prepared and certified by Pinnacle Engineering and Land Surveying, Inc., a licensed professional engineer, executed and acknowledged by Declarant, which is being recorded in the official records of Weber County, Utah, shortly before the recording of this Declaration.

