

43160

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

TO THE PUBLIC:

We, the undersigned holders of interest in Utah County, State of Utah, which property is located as follows: (legal description)*
Commencing at a point North 200 feet from West $\frac{1}{4}$ corner of Section 25, Township 8 South, Range 1 East, Salt Lake Base and Meridian; thence East 435.6 feet; thence South 200 feet; thence East 2204.4 feet; thence North 1930.5 feet to the South right-of-line of the State Road; thence West along said right-of-line 2277 feet more or less to the property of the State Road Commission of Utah as described in a deed recorded November 9, 1948, in book 513, page 448, Official Records; thence along said property South 26.7 feet; thence Southwesterly along the arc of a curve 182 foot radius to the left 286.4 feet more or less to a point 33 feet East of the section line; thence Southerly 114.3 feet to a point 25.7 feet East from the section line; thence West 25.7 feet; thence South 1157.47 feet; thence East 2024.22 feet; thence South 143.03 feet; thence West 2024.22 feet; thence South 100 feet to point of beginning.

have the intent to qualify for the exemption from filing an approved subdivision plat, which exemption is provided for in section 17-27-27 UCA 1953 as amended and section 4-3-53 of the 1976 Revised 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; or (3) upon repeal of the requirements for such a covenant under section 4-3-53 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 judgment 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)' heir's 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 manner as the court may order.

David W. Crofton
November 1, 1979

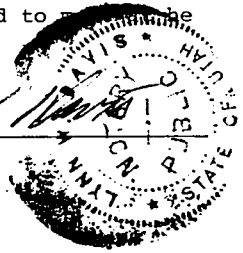
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Change or amendment of these covenants may be effected only if such is in compliance with the laws and ordinances of the State of Utah and its political subdivisions. This covenant, and any changes or amendments hereto, must first be approved in writing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

Signed David W. Crofton

State of Utah)
 : ss
County of Utah)

On the 1st day of NOVEMBER, 1979 personally appeared before me DAVID W. Crofton, the signer of the above instrument, who duly acknowledged to me and executed the same.

David W. Crofton
NOTARY PUBLIC


Residing at: Cedar, Utah
Commission expires: FEBRUARY 1982

APPROVED AS TO FORM:

Iva Snell
BUILDING INSPECTOR

RECORDED AT THE OFFICE OF THE COUNTY CLERK OF
County Attorney
1979 NOV -2 AM 10:48
NINA T. FIELD
CLERK
UTAH COUNTY BUILDING INSPECTOR
EPUTY
PR. AHS. No. 847
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