

Recorded JAN 11 1978 at 4:30 p.m.  
 Consent of Research Industries  
 KATHIE L. DIXON, Recorder  
 Salt Lake County, Utah  
 of 1300 By Patricia R. Brown Deputy  
 REF. Patricia R. Brown

**3049930**

RESTRICTIVE COVENANTS 1847 W. 2300 Rd.

84119

STATE OF UTAH )  
 ) : ss  
 COUNTY OF SALT LAKE )

KNOW ALL MEN BY THESE PRESENTS:

That RESEARCH INDUSTRIES CORPORATION, hereinafter referred to as RESEARCH, and other owners of property in the area described below, acting herein by and through the undersigned partner, and duly authorized, are the owners of the hereinafter described property:

Beginning at the intersection of the East line of 2700 West Street, with the North line of 2365 South Street, said point being N 00° 05' 10" W 334.44 ft. along 1/4 section line and S 89° 53' 38" E 50.00 ft. from the center of Section 21, T.1 S., R.1W., Salt Lake Base and Meridian and running thence N 00° 05' 10" W 334.44 ft. along the East line of said 2700 West Street, thence S 89° 53' 38" E 402.12 ft.; thence S 00° 05' 10" E 334.44 ft. to the North line of said 2365 South Street; thence N 89° 53' 38" W 402.12 ft. to the point of beginning. Contains 3.087 acres

Beginning at the intersection of the East line of 2700 West Street with the South line of 2365 South Street, said point being N 00° 05' 10" W 274.44 ft. along 1/4 section line and S 89° 53' 38" E 50.00 ft. from the center of Section 21, T.1S, R.1W, Salt Lake Base and Meridian and running thence S 89° 53' 38" E 465.96 ft. along the South line of said 2365 South Street; thence southeasterly 318.816 ft. along said road around a 188.33 ft. radius curve to the right ( chord bears S 41° 23' 50" E 282.088 ft.); thence southerly 1597.237 ft. along the West line of 2570 West Street along a 12,975.73 ft. radius curve to the left (chord bears S 03° 34' 24" W 1596.229 ft.); thence southwesterly 157.075 ft. along said road around a 100.0 ft. radius curve to the right (chord bears S 45° 02' 44" W 141.418 ft.); thence N 89° 57' 11" W 130.071 ft. along the North line of 2590 South Street; thence N 00° 05' 10" W 1734.79 ft.; thence N 89° 53' 21" W 320 ft. to the East line of said 2700 West Street; thence N 00° 05' 10" W 170.0 ft. to the point of beginning. Contains: 13.174 acres.

Beginning at a point on the East line of 2570 West Street said point being N 00° 05' 10" W 1241.458 ft. along section line and S 89° 57' 11" E 661.152 ft. from the South 1/4 corner of Section 21, T.1S, R.1W, Salt Lake Base and Meridian and running thence S 89° 53' 21" East 373.777 ft. to the West right of way line of I-215; thence southerly 751.870 ft. along said West right of way line along an 11,599.16 ft. radius curve to the left ( chord bears S 00° 22' 29" E 751.38 ft. to the North line of the proposed 2700 South Street right of way); thence S 88° 47' 28" W 440.343 ft. along said North right of way line; thence S 81° 57' 23" W 48.927 ft. along said South right of way line; thence N 00° 05' 10" W 486.936 ft.; thence N 89° 57' 11" W 50.070 ft. to the South right of way line of 2590 South Street; thence northeasterly 251.327 ft. along said road around a 160.0 ft. radius curve to the left (chord bears N 45° 02' 49" E 226.274 ft.; thence northerly 121.758 ft. along the East line of 2570 West Street along a 12,915.73 ft. radius curve to the right to the point of beginning. Contains: 7.809 acres.

and do hereby adopt the attached plat as its plan of subdivision

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~~of~~ the lands described herein and which shall be known as POLE LINE PARK, an addition in Salt Lake County, Utah.

<sup>Said</sup> WHEREAS, the undersigned is about to sell and/or develop the property ~~shown on said map~~, which it desires to be subject, pursuant to a general plan of improvement, to certain restrictions, conditions, covenants, and agreements; between it and the several purchasers of said property and between the several purchasers of said property themselves as hereinafter set forth;

NOW, THEREFORE, the undersigned declare that the property ~~shown on said map~~ is held and shall be sold, conveyed, leased, occupied and held subject to the following restrictions, conditions, covenants and agreements, between it and the several owners and purchasers of said property as between themselves and their heirs, successors and assigns:

MUTUAL AND RECIPROCAL BENEFITS, ETC.

I. All of said restrictions, conditions, covenants, and

agreements shall be made for the direct, mutual and reciprocal benefit of all of the land described above and shall be intended to create mutual and equitable servitudes upon said land in favor of all other land ~~shown on said map~~<sup>described</sup>, and to create reciprocal rights and obligations between the respective owners of all of the land ~~shown on said map~~ and to create a privity of contract and estate between the grantees of said land, their heirs, successors, and assigns, and shall, as to the owners of said land in said tract, their heirs, assigns, and successors, operate as covenants running with the land for the benefit of all of the land in said tract.

TERMS OF RESTRICTION

II. Each condition and covenant in the POLE LINE PARK shall terminate and be of no further effect on January 1, 2000. Provided, that POLE LINE PARK, or its successors or assigns and the owners of a majority of the acreage in the POLE LINE PARK acting in mutual agreement may by written declaration signed and acknowledged by them and recorded in the Deed Records of Salt Lake County, Utah, alter, amend, or extend such restrictions, conditions, and covenants and this right to so alter, amend, or extend shall exist as long as the then owners of a majority of the acreage in said district desire. The mere lapse of time shall not affect or alter the application of this section.

CREATION OF SPECIAL APPROVAL COMMITTEE

III. In order to administer and supervise the restrictions herein and to give the approvals required, authority is hereby granted to the officers of RESEARCH, to appoint the POLE LINE PARK PLANNING COMMITTEE (hereinafter called the "Committee") to consist of three (3) members, one member shall be appointed by the property owners other than RESEARCH and two members shall be appointed by RESEARCH. This Committee is to serve at the pleasure of RESEARCH and is to have all powers to approve plans and enforce their decisions in accordance with the covenants as outlined

herein. This Committee is to perpetuate itself. In the event of a vacancy on the Committee, the two remaining Committee members shall by mutual agreement fill the vacancy keeping the same ratio of two members representing RESEARCH and one representing the other property owners. Should they be unable to agree, then the partnership shall have the right to appoint the new member on a basis of the same ratio, one representing the property owners, other than RESEARCH, and two members representing RESEARCH.

PERMITTED USES

IV. The purpose of the POLE LINE PARK is to create a wholesome environment for the conducting of selective manufacturing and marketing enterprises which do not create a hazard or are not offensive due to appearance or to the emission of noxious odors, smoke, or noise, to conduct wholesaling and retailing operations, to promote research laboratories and central office facilities and selective recreational type facilities. To promote such an area all retailing, recreational and manufacturing businesses are allowed which fall within this general category. The POLE LINE PARK PLANNING COMMITTEE shall be required to review the proposed use of each parcel of land and approve each use, keeping in mind the broad outlines of the purpose of this Industrial Park.

PROHIBITED USES

V. No portion of the property may be occupied by any of the following uses:

- (1) Residential purposes except for the dwelling of watchmen or other employees attached to a particular enterprise authorized in the area.
- (2) Storage in bulk of junk, wrecked autos or secondhand material.
- (3) No portion of the premises or any portion thereof of any building or structure thereon at any time

shall be used for the manufacture, storage, distribution, or sale of any products or items which shall increase the fire hazard of adjoining property; or for any business which constitutes a nuisance or causes the emission of odors of a gas injurious to products manufactured or stored on adjoining premises or which emit undue noise or for any purpose which will injure the reputation of said premises or the neighboring property or for any use which is in violation of any of the laws of Salt Lake County or the State of Utah.

YARD SPACES

VI. All buildings which may be erected on any of the property contained in POLE LINE PARK shall maintain the following yard areas:

(1) Front Yards: Buildings shall not be nearer than 45' to curb line on 2700 West Street, no nearer than 35' to curb line on any other street in the district, except upon approval of the Committee.

(2) Side Yards: Any buildings constructed under one roof level which would include office and attached main plant section shall not be nearer than 20' from any side yard property line, unless the office section is separated from the main plant section by different roof levels in which case the office section, only, shall not be nearer than 20' from any side yard property line, in which case the main plant section may be placed on the property line provided that all concrete footings and foundations are contained within the property and that the front of the main plant section shall be no nearer than eighty feet from the front curb line; and in which case, this area in front of the main plant section and adjacent to the office shall be adequately landscaped.

(3) Rear Yards: Rear yard shall be 20'.

SIGNS

VII. Signs shall be allowed within the required setback area only when placed back from the front curb line at least 15'. In each case the signs shall be limited to not over 35' in height and may not project more than 6' into the setback area. All signs shall be approved by the Committee. All flashing and/or animated signs shall be prohibited.

STORAGE

VIII. No land or buildings shall be used so as to permit the keeping of articles, goods or materials in the open or exposed to public view; when necessary to store or keep such materials in the open, the lot or area shall be fenced with a screening fence at least six feet (6') in height; said storage shall be limited to 30' back of building line.

PARKING REQUIREMENTS

IX. Employee, customer, owner or tenant parking will not be permitted on any of the private or public dedicated streets in POLE LINE PARK and it will be the responsibility of the property owners, their successors and assigns to provide such parking facilities as needed on their own property. Minimum requirements are as follows:

(1) One parking space for every vehicle used in conducting the business plus one parking space for every 1,000 square feet of building area or one parking space for every two employees working on the highest shift, whichever is the greater.

(2) Where the parking area is to be located in front of the main building, at least 15' landscaped setback will be provided between the front property line and the parking area.

(3) All parking areas must be paved with a year-round surface (asphalt or concrete) and adequately drained.

LOADING DOCKS

X. Loading docks will not be permitted on any frontage road in POLE LINE PARK.

CONSTRUCTION REQUIREMENTS AND COMMITTEE APPROVAL

XI. Construction or alteration of all buildings in POLE LINE PARK shall meet the standards provided in these restrictions. Purchasers, prior to construction or alteration or any building must submit two (2) sets of plans and specifications for such building to the Committee, its successors, or assigns and written approval of such plans by this body, shall be proof of compliance with these restrictions.

The building codes of Salt Lake County in effect at the time of any construction shall apply to each construction.

Any building erected on the property shall be masonry, or concrete construction, or its equivalent as determined by the Committee. Metal buildings may be constructed only on approval of the Committee. The front and sides to a minimum depth of three (3) feet, must be finished with face brick, their equivalent, or better, as determined by the Committee. Should a duplex type building be constructed, the type and color of face brick, or equivalent, must be used on the entire front and the three (3) feet returns on sides of buildings. All other types of construction not covered in the above must first be submitted to and have the written approval of the Committee.

Plans and specifications for the construction, installation or alteration of all signs, loading docks, parking facilities, must be submitted to and have the written approval of the Committee, its successors, or assigns.

The Committee shall review the proposed use of the property and shall reserve the right to refuse to approve any plan for a use which, in their opinion, is not in keeping with the said stated purposes of POLE LINE PARK. Where a proposed development could become offensive, the Committee shall have the right to require special equipment or special design features to overcome such conditions. In all cases where Committee approval is required, the Committee shall act within twenty (20) days from date of request.

LANDSCAPING & MAINTENANCE

Lawn and shrubs shall be planted in the area between the front property line and the building and shall conform to reasonable minimum standards as proposed and on file with the Committee. The owners of the tracts in this district must at all times keep the premises, buildings, and improvements, including all parking and planting areas, in a reasonable, safe, clean, wholesome condition and all areas of the property not covered by improvements must be kept reasonably free from weeds and comply in all respects with all government, health, and police requirements and any owner will remove at his own expense, rubbish of any character which may accumulate on said property. Owner will at all times keep shrubs trimmed and lawns mowed and watered.

TIME LIMITATION ON CONSTRUCTION

XIII. If, after the expiration of two years from the date of execution of a sales contract agreement on any lot within this district, any purchaser shall not have begun in good faith the construction of an acceptable building upon said tract, RESEARCH retains the option to refund the purchase price and enter into possession of said land. At any time the committee, its successors, or assigns, may extend in writing the time in which such building may be begun.

TRAFFIC CONTROL

XIV. The Committee retains the right to designate the location of all streets within the district providing such streets do not encroach on property owned by others than POLE LINE PARK and to regulate and control the direction of traffic on streets in the district and the location or zoning of entrances or exits from properties into streets in the district until such controls legally become the responsibility of the County of Salt Lake, Utah, or other governing body.




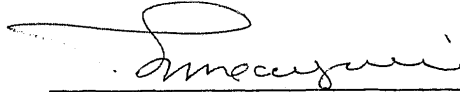
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INVALIDATION of any of the foregoing Restrictive Covenants shall not affect the validity of any other such covenants but the same shall remain in full force and effect.

SIGNED and dated this 11 day of January, 1978.

RESEARCH INDUSTRIES CORPORATION

  
HENRY D. MOYLE, President

  
LOUIS M. HAYNIE, Vice President

STATE OF UTAH            )  
                                  : ss  
COUNTY OF SALT LAKE    )

On the 11<sup>TH</sup> day of January, 1978, personally appeared before me Henry D. Moyle and Louis M. Haynie, who being by me duly sworn, did say each for himself that he, the said Henry D. Moyle is the President and he, the said Louis M. Haynie, is the Vice President of RESEARCH INDUSTRIES CORPORATION, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors and said Henry D. Moyle and Louis M. Haynie duly acknowledged to me that said corporation executed the same.

  
NOTARY PUBLIC, Residing at Salt Lake City, Utah

My Commission Expires:  
Nov 20, '79

