

Recorded at Request of Geo. W. Conarty
at 4:43 P.M. April 2, 1948 Cornelia S. Land Recorder
By F. G. Shumaker Dep. 468 69-
RESTRICTIONS AND PROTECTIVE COVENANTS

APR 11 1948

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Misc Index #3

OF
EAST FOREST HILLS SUBDIVISION

SHEET 1 OF THREE

THAT THE FOLLOWING RESTRICTIONS ARE HEREBY CREATED AND DECLARED TO BE COVENANTS RUNNING WITH THE TITLE AND LAND CONSTITUTING THE SAID EAST FOREST HILLS SUBDIVISION AND EACH AND EVERY PART THEREOF, AND THE UNDERSIGNED OWNERS HEREBY DECLARE THAT THE AFORESAID LAND UPON THE PLAT OF EAST FOREST HILLS SUBDIVISION ABOVE REFERRED TO IS TO BE HELD AND SHALL BE CONVEYED SUBJECT TO THE FOLLOWING RESERVATIONS, RESTRICTIONS AND COVENANTS HEREINAFTER SET FORTH:

1. DEFINITION OF TERMS USED

THAT FOR THE PURPOSE OF THESE RESTRICTIONS THE WORD "STREET" SHALL MEAN ANY STREET OR PARKWAY OF WHATEVER NAME WHICH IS SHOWN ON THE PLAT OF EAST FOREST HILLS SUBDIVISION AND WHICH HAS BEEN DEDICATED TO SALT LAKE COUNTY FOR THE PURPOSES OF PUBLIC STREET, OR FOR PARKWAY PURPOSES.

THE WORD "LOT" SHALL MEAN EITHER ANY LOT AS PLATTED OR ANY TRACT OR TRACTS OF LAND AS CONVEYED WHICH MAY CONSIST OF ONE OR MORE LOTS OR A PART OR PARTS OF ONE OR MORE LOTS AS PLATTED; AND UPON WHICH A RESIDENCE MAY BE ERRECTED IN ACCORDANCE WITH THE RESTRICTIONS HEREINAFTER SET FORTH.

A "CORNER" LOT SHALL BE DEEMED TO BE ANY SUCH LOT PLATTED OR ANY SUCH TRACT OR TRACTS OF LAND AS CONVEYED HAVING MORE THAN ONE SIDE CONTIGUOUS TO A STREET.

2. PERSONS BOUND BY THESE RESTRICTIONS

THAT THE COVENANTS AND RESTRICTIONS ARE TO RUN WITH THE LAND AND ALL PERSONS AND CORPORATIONS WHO NOW OWN OR SHALL HEREAFTER ACQUIRE ANY INTEREST IN ANY OF THE LOTS IN THE ADDITION SHALL BE TAKEN AND HELD TO AGREE AND COVENANT WITH THE OWNERS OF THE LOTS SHOWN ON THIS PLAT AND WITH THEIR HEIRS, SUCCESSORS AND ASSIGNS, TO CONFORM TO AND OBSERVE THE FOLLOWING COVENANTS, RESTRICTIONS AND STIPULATIONS AS TO THE USE THEREOF AND CONSTRUCTION OF RESIDENCES AND IMPROVEMENTS THEREON FOR A PERIOD OF TWENTY-NINE (29) YEARS FROM THE EIGHTH DAY OF APRIL, 1948, AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS UNLESS BY A VOTE OF THE MAJORITY OF THE THEN OWNERS OF THE LOTS IT IS AGREED TO CHANGE THE SAID COVENANTS IN WHOLE OR IN PART.

3. USE OF LAND

ALL LOTS IN THE TRACT SHALL BE KNOWN AND DESCRIBED AS RESIDENTIAL LOTS. NO STRUCTURES SHALL BE ERRECTED, ALTERED, OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE SINGLE FAMILY DWELLING NOT TO EXCEED TWO AND ONE HALF STORIES IN HEIGHT AND A PRIVATE GARAGE FOR NOT MORE THAN FOUR CARS AND SERVANT'S QUARTERS.

4. COMMITTEE

NO BUILDING SHALL BE ERRECTED, PLACED OR ALTERED ON ANY BUILDING PLOT IN THIS SUBDIVISION UNTIL THE EXTERNAL DESIGN AND LOCATION THEREOF HAVE BEEN APPROVED IN WRITING BY A NEIGHBORHOOD COMMITTEE WHICH SHALL BE APPOINTED OR ELECTED BY THE OWNER OR OWNER'S OF THE MAJORITY OF THE LOTS WHICH ARE SUBJECT TO THE COVENANTS HEREIN SET FORTH; PROVIDED, HOWEVER, THAT IF SUCH COMMITTEE FAILS TO APPROVE OR DISAPPROVE SUCH DESIGN AND LOCATION WITHIN 30 DAYS AFTER SUCH PLANS HAVE BEEN SUBMITTED TO IT OR IF NO BUILT TO BEGIN THE ERRECTON OF SUCH BUILDING OR MAKING OF SUCH ALTERATIONS HAS BEEN COMMENCED PRIOR TO THE COMPLETION THEREOF, SUCH

APPROVAL WILL NOT BE REQUIRED. (NOTE: THE MANNER OF APPOINTMENT OF SAID COMMITTEE, ITS DUTIES AND AUTHORITY, ITS CONTINUATION, AND THE NAMES OF ITS MEMBERS SHALL BE RECORDED ON A SEPARATE INSTRUMENT. EACH OWNER SHALL HAVE VOTES EQUAL TO THE NUMBER OF LOTS OWNED.)

5. DWELLING SET BACK AND FREE SPACE.

NO BUILDING SHALL BE LOCATED ON ANY RESIDENTIAL BUILDING PLOT NEARER THAN 40 FEET TO THE FRONT LOT LINE, NOR NEARER THAN 15 FEET TO ANY SIDE LINE. EXCEPTIONS SHALL BE MADE ON SPECIFIC SHALLOW LOTS SUCH AS NUMBERS 3, 4, 5, 6, AND 13.

6. SIZE OF LOTS

NO RESIDENTIAL STRUCTURE SHALL BE ERECTED OR PLACED ON ANY BUILDING PLOT OTHER THAN ON THE PLOTS AS SHOWN ON THE RECORDED PLAN. THE PRESENT LOTS SHALL NOT BE RE-SUBDIVIDED INTO SMALLER LOTS, BUT LOTS MAY BE COMBINED TO FORM LARGER LOTS.

7. NUISANCES

NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY LOT NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

8. OWNERSHIP AND OCCUPANCY

NO PERSONS OF ANY RACE OTHER THAN THE CAUCASIAN RACE SHALL OWN, USE OR OCCUPY ANY BUILDING OR ANY LOT, EXCEPT THAT THIS COVENANT SHALL NOT PREVENT OCCUPANCY BY DOMESTIC SERVANTS OF A DIFFERENT RACE DOMICILED WITH AN OWNER OR TENANT.

9. TEMPORARY RESIDENCES PROHIBITED

NO TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER BUILDING (OUT) ERECTED IN THE TRACT SHALL AT ANY TIME BE USED AS A RESIDENCE TEMPORARILY OR PERMANENTLY, NOR SHALL ANY STRUCTURE OF A TEMPORARY CHARACTER BE USED AS A RESIDENCE.

10. COST FRONTAGE

NO DWELLING COSTING LESS THAN \$8000.00 SHALL BE PERMITTED ON ANY LOT IN THE TRACT. THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE-STORY OPEN PORCHES AND GARAGES, SHALL BE NOT LESS THAN 1200 SQUARE FEET IN THE CASE OF A ONE-STORY STRUCTURE NOR LESS THAN 1000 SQUARE FEET IN THE CASE OF A ONE AND ONE-HALF, TWO, OR TWO AND ONE-HALF STORY STRUCTURE.

11. UTILITY EASEMENT

A PERPETUAL EASEMENT IS RESERVED OVER THE REAR FIVE FEET AND FIVE FEET OF A SIDE LOT LINE WHEN NECESSARY, OF EACH LOT FOR UTILITY INSTALLATION AND MAINTENANCE.

12. COMMERCIAL AREA

THE DISTRICT IS NOT INTENDED TO BE DIVIDED FOR OR USED FOR A COMMERCIAL AREA, THEREFORE, LIVESTOCK AND FOWLS RAISED FOR THIS PURPOSE WILL NOT BE PERMITTED IN THE AREA. (THIS PARAGRAPH IS NOT INTENDED TO RESTRICT THE AREA SO AS TO PROHIBIT THE RAISING OF FINE SMALL BIRDS, FOWLS, OR ANIMALS AS PETS OR AS A SPECIAL HOBBY, HOWEVER, THE HOUSING FOR SUCH PETS MUST BE SO CONSTRUCTED THAT IT WILL NOT BE UNSIGHTLY OR A NUISANCE IN THE AREA. THE NUMBER OF SUCH BIRDS OR PETS AND THE HOUSING FOR THEM SHALL BE APPROVED BY THE COMMITTEE.

13. VIOLATIONS AND DAMAGES

IF THE PARTIES HERETO, OR ANY OF THEM, OR THEIR HEIRS OR ASSIGNS SHALL VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE COVENANTS HEREIN IT SHALL BE LAWFUL FOR ANY OTHER PERSON OR PERSONS OWNING ANY REAL PROPERTY SITUATED IN SAID DEVELOPMENT OR SUBDIVISION TO PROSECUTE ANY PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT AND EITHER TO PREVENT HIM OR THEM FROM SO DOING OR TO RECOVER DAMAGES OR OTHER DUES FOR SUCH VIOLATION.

14. SAVING CLAUSE

INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT

ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, THE OWNERS OF ALL OF SAID PLATTED LOTS AND THE TRACT OF REAL ESTATE HEREINABOVE MENTIONED, THIS EIGHTH DAY OF APRIL, 1946, HAVE CAUSED THESE PRESENTS TO BE EXECUTED.

George W. Cabbity
GEORGE W. CABBITY

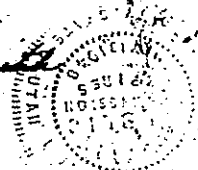
Gertude M. Cabbity
GERTUDE M. CABBITY

STATE OF UTAH)
) 88
COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO BEFORE ME THIS 11th
DAY OF April 1946.

MY COMMISSION EXPIRES 7/13/48

Myra J. Smith
NOTARY



George W. Cabbity
PLANNING ENGINEER

