

1789

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

TO THE PUBLIC:

I, the undersigned owner of real property in Utah County, State
of Utah, which property is located as follows (legal description):

For legal description see Exhibit A, which is attached hereto and made a part
hereof by this reference,

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 4-3-45 of the "Utah County 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 4-3-45 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 heirs 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.

UTAH COUNTY
CLERK
NICHOLAS
JAN 17 1953
12 35 PM

1953 JAN 17 PM 12 35

RECORDED AT THE OFFICE OF THE
CLERK OF THE COUNTY OF
UTAH

1789

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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 Official before recording with the County Recorder. Any change or amendment without such approval is hereby made null and void.

Signed: _____

John A. Riding

Jean W. Riding

ACKNOWLEDGEMENT

STATE OF UTAH)

COUNTY OF UTAH)

On the 17 day of January, 1986, personally appeared before me, John A. Riding, Jean W. Riding, the signer(s) of the above instrument, who duly acknowledged to me that he/she executed the same.

Constance B. [Signature]
Notary Public

Residing At: Provo, UT

Commission Expires: 10-21-87

Reviewed prior to recording:

By: Buck Rose for Jeff Mendenhall
Building Official

Date: Jan 17, 1986

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EXHIBIT A

Commencing at the Northwest corner of the Southwest quartc. of Section 2, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence South 5.71 chains; thence South $88\frac{1}{4}^{\circ}$ East 2.15 chains; thence North 2° East 30.15 chains; thence North $88\frac{1}{4}^{\circ}$ West 3.18 chains; thence South 24.33 chains to beginning.

Also Commencing 5.71 chains South and 2.15 chains South $88\frac{1}{4}^{\circ}$ East of the Northwest corner of the Southwest Quarter of Section 2, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence South $88\frac{1}{4}^{\circ}$ East 4.20 chains; thence North 2° East 29.88 chains; thence North $88\frac{1}{4}^{\circ}$ West 4.20 chains; thence South 2° West 29.88 chains to beginning.

Also Commencing at the Southeast corner of the Northeast quarter of Section 3, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence North 24.21 chains; thence North $89\frac{1}{4}^{\circ}$ West 11.83 chains; thence North $2\frac{1}{4}^{\circ}$ East 10 chains; thence North $89\frac{3}{4}^{\circ}$ West 12.12 chains; thence South $0^{\circ} 50'$ West 30 chains; thence South $89\frac{3}{4}^{\circ}$ East 11.22 chains; thence North $2\frac{1}{4}^{\circ}$ East 10 chains; thence South $89\frac{1}{4}^{\circ}$ East 9.82 chains; thence South $2\frac{1}{4}^{\circ}$ West 14.22 chains, more or less, to the section line running East and West through the center of Section 3; thence South $1\frac{1}{2}^{\circ}$ West 5.68 chains; thence South $89\frac{3}{8}^{\circ}$ East 2.79 chains; thence North 5.71 chains to the place of beginning.