

14-019-0069

NE 28-5N2W

2176121
BK 4054 PG 1098

E 2176121 B 4054 P 1098-1100
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
06/13/2006 03:50 PM
FEE \$15.00 Pgs: 3
DEP RT REC'D FOR MOUNTAIN VIEW TIT

AGREEMENT

The Zoning Ordinance of the City of Clinton provides for the use of buffer yards to reduce the impact of development between real properties, within the Performance Zone when one property is being developed adjacent to an existing developed property. The Zoning Ordinance, Section 19.22, provides that owners of adjacent parcels may enter into a contractual relationship to reduce or eliminate the buffer yard of abutting properties whenever a vacant land is developing. Pursuant to the ordinance, the owners of the described properties agree to eliminate the required buffer yard as outlined below

WHEREFORE, the parties agree as follows:

1. The parties are owners of real property in Clinton City and are identified as follows:

- a. Owner(s) of the vacant property, property to be developed where a buffer would be required

Name Kevin Ivins & Sean Elm

Address 3986 West 4200 South
West Haven, UT 84401

Address of property being developed: 2171 North 2000 West
Clinton, UT 84015

- b. Owner(s) of the adjacent residential property, agreeing to permit the reduction or elimination of a required buffer

Name Demar & Barbara Mitchell

Address 2123 North 2000 West
Clinton, UT 84015

Address of developed property 2123 North 2000 W
Clinton, UT 84015

2. Attached to this agreement and made part hereof are legal descriptions of the properties owned by the property owners identified in 1a, and 1b, above.
3. The property owner of the residential property (1b) agrees to the existing fence in lieu of the landscaped buffer
4. Should the owner(s) of the residential property, (1b) ever desire to change the use of the land, the owner(s) of this property (1b) would be limited to developing to a level no greater than the specified land use intensity class of the adjacent property (1a)
5. The owner(s) of the residential property, (1b) agrees to assume all responsibility of any kind for additional buffer requirements in the future, if a development requiring a different buffer than agreed upon is pursued in the future
6. The rights, benefits and burdens created by this agreement shall run with the land and be binding upon all successors

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**OWNER(S) OF THE VACANT PROPERTY
PROPERTY TO BE DEVELOPED WHERE BUFFER WOULD BE REQUIRED**

Kevin Ivins & Sean Elm

2171 N 2000 W Clinton

All of Lot 32, Snowberry Subdivision Phase 1, Davis County, Utah, according to the official plat thereof

**OWNER(S) OF THE ADJACENT RESIDENTIAL PROPERTY
AGREEING TO PERMIT THE REDUCTION OR ELIMINATION OF A REQUIRED BUFFER**

Demar & Barbara Mitchell

14-019-0069

BEGINNING 50 RODS SOUTH 195 FEET WEST FROM THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN; WEST 174 16 FEET, SOUTH 496.38 FEET, MORE OR LESS, EAST 369 15 FEET, THENCE NORTH 161.0 FEET, THENCE WEST 33 FEET TO THE EAST LINE OF MITCHELL PLACE, THENCE ALONG SAID SUBDIVISION 4 COURSES AS FOLLOWS: SOUTH 28 FEET; WEST 295 FEET; NORTH 131 FEET, EAST 328 FEET EXTENDED; THENCE NORTH 123 FEET, WEST 195.0 FEET NORTH 110 FEET TO BEGINNING.

DATED this 8 day of June, 2006

Demar Mitchell
DEMAR MITCHELL

Barbara Mitchell
BARBARA MITCHELL

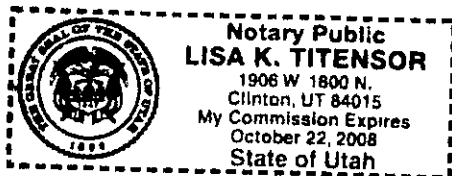
Kevin Ivins
KEVIN IVINS

Sean Elm
SEAN ELM

STATE OF UTAH)

COUNTY OF DAVIS)

On the 8 day of June, 2006, personally appeared before me,
Demar + Barbara Mitchell; Sean Elm + Kevin Ivins, proved
to me on the basis of satisfactory evidence to be the person(s) whose name(s) is (are) subscribed to this
instrument, and acknowledged that he (she) (they) executed the same



Lisa K. Titensor
NOTARY PUBLIC