

DECLARATION FOR CHANGE OF RESTRICTIVE COVENANTS
ON INTERNATIONAL BUILDING ASSOCIATION SUBDIVISION
TOOELE, UTAH

273209
RECORDED IN THE OFFICE OF THE COUNTY RECORDER
DATE *Sept 19 4 55 PM '39*
FILE *176-227*
TOOELE COUNTY RECORDER
D. H. JOHNSON

WHEREAS, on the 21st day of August, 1939, Charles A. McBride, President and W. H. Floyd, Secretary, of the International Building Association, and Estel L. Wright and F. J. Bradshaw, as the President and Secretary, respectively, of American Mutual Building & Loan Association duly executed and thereafter placed of record in the office of the County Recorder of Tooele County, Utah, an instrument in writing wherein they made a dedication of the Plat of said INTERNATIONAL BUILDING ASSOCIATION SUBDIVISION in Tooele City, Tooele County, State of Utah, and

WHEREAS, in the above mentioned dedication the said officers of the respective companies made and recorded, with said dedication, certain restrictive covenants regulating the rights of owners of the respective parcels of real property in said subdivision, and those covenants were set forth in Sections 4 to 16, inclusive in such instrument so executed and placed of record, as aforesaid, and

WHEREAS, it was specifically provided by the terms and provisions of Section 14 of such restrictive covenants as follows, "These covenants, agreements and restrictions shall remain in force until January 1, 1965, at which time said covenants will automatically be extended for periods of ten years unless by vote of the title holders of record of 55% of the land in said subdivision it is agreed to change or abandon said covenants or restrictions in whole or in part. Said vote must be taken at least 10 days prior to the day that any of the above terms expire and not earlier than six months prior to the day upon which any of the above terms expire", and

WHEREAS, because of a substantial change in conditions in Tooele City, Utah, since the date of the making and filing of said covenants and restrictions, it now appears to be just and reasonable to change such covenants and restrictions as set forth in such instrument so recorded as hereinafter provided.

BE IT NOW THEREFORE, declared and resolved as follows:

That, we the undersigned, being owners of record of land in the INTERNATIONAL BUILDING ASSOCIATION SUBDIVISION IN Tooele City, Tooele County, State of Utah, as shown by the Plat of said Subdivision, heretofore made and filed in the office of the County Recorder of Tooele County, State of Utah, and we collectively being the owners of more than 55% of the lands involved in said Subdivision, do by these presents hereby declare and resolve; that Sections IV, V, VI, VII, VIII, IX, X, XI, XIII, XIV, XV and XVI and the provisions therein contained and set forth are no longer beneficial to the proper use of lands within said Subdivision and are hereby declared to be vacated, terminated, set aside and abandoned, and determined to be no longer in force and effect after the 1st day of January, 1965.

It is hereby further declared and resolved that in place of said covenants and restrictions herein vacated that the use of the lands within said Subdivision be regulated and controled in conformity with the present Zoning Ordinances of the City of Tooele and said lands be regulated specifically by the provisions set forth in such Zoning Laws of the City of Tooele as relating to an RI-A zoning area.

IN WITNESS WHEREOF, we have hereto placed our signatures and executed this declaration and resolution this 17th day of December, 1964.

Name	Address
<u>Walter Johnson</u>	<u>417 East 3rd North</u>
<u>Karl W. McBride</u>	<u>381 East 2nd North</u>
<u>Florence S. McBride</u>	<u>381 E 2nd N</u>
<u>Leslie W. Duffen</u>	<u>311 Main to Lane</u>
<u>Walter D. Duffen</u>	<u>367 N Broadway</u>
<u>Norothy Carter</u>	<u>367 No Broadway</u>
<u>Montana K. Duffen</u>	<u>311 Main to Lane</u>
<u>Walter Duffen</u>	<u>334 S 2nd N</u>
<u>Herb W. Madson</u>	<u>300 East 3rd North</u>
<u>Howard Suddall</u>	<u>261 East 3rd North</u>
<u>Betty J. Suddall</u>	<u>261 East 3rd North</u>
<u>Arthur H. Madson</u>	<u>300 East 3rd North</u>

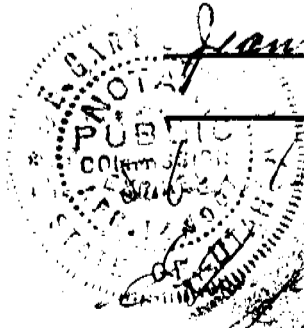
Witnessed by me the 17th day of December, 1964
George S. [Signature]



Name

Address

Howard P. Nelson	219 East 2nd North
Russ J. Nelson	" " "
Carl Peterson	234 E 2nd No
Thelma J. Peterson	234 E 2nd No
W. Ray Hall	298 East 2nd North
Repha J. Hall	298 East 2nd North
David M. Merom	287 Birch
David W. McPherson	251 Birch St.
Rocky Mountain Lodge #16 F&A M. Kenner	Orher Secretary
Edward J. Simpson	334 E 2nd No
John E. Stahl	225 Birch St.
Edna Stahl	225 Birch St.
Edna Stahl Leon Droubay	427 E 2 N
Leon Droubay	" " "
Edythe C. Droubay	427 E 2 N
Eugene Schreyer	465 E 3rd No
Norothy M. Schreyer	465 E 3rd No
William J. Fish	428 E 3rd No.
Gloria J. Fish	428 E 3rd No
Margaret L. Beach	534 No. Broadway
Arthur Smith	533 + 541 North Broadway
James H. Thierke	
Virginia Housherty	478 East 2nd North
Wanda Housherty	478 East 3rd North
Edward Sanchez	481 East 2nd North
Bonita P. Sanchez	481 E. 2nd N.
Edward J. Hogan	489 E 3rd No.
Jean E. Hogan	489 E 3rd North



Presented to you at the 21st day of December, 1960

Name

Address

Howard K. Homer	253 Birch St. Toole ut
Evelyn R. Homer	253 Birch St Toole, ut
Wille Alsop	530 So 2 nd West "
James F. Jones	225 East 3 rd No. Toole ut.
Helen M. Jones	225 East 3 rd No Toole ut
Harold Morgan	491 No Broadway Toole ut
Esther Morgan	491 No Broadway Toole ut
Jim Dugan	494 No Broadway Toole ut
Thomas Dugan	494 No Broadway Toole ut
Frederic J. Eversen	402 East 3 rd North Toole ut.
Eliza E. Eversen	402 East 3 rd North Toole ut.
Burton Lowry	189 East 3 rd North Toole ut
Lunette B. Lowry	189 East 3 rd No Toole ut.
Miss Lonsdale	511 East 2 nd North Toole ut.
Frej Morgan	517 " " " "
Edna Morgan	477 East 2 nd North Toole ut.
Anthony Bawico	465 East 2 nd North Toole ut.
Anna Maria Bawico	465 East 2 nd North Toole ut.
Eva Leon De Nieu	198 East 3 rd North
Clifford M. Fackrell	407 E. 3 rd N. Toole ut.
Clifford M. Fackrell	407 E. 3 rd N. Toole ut.
Clifford M. Fackrell	315 Birch St Toole ut.
Agnes D. Black	315 Birch St. Toole ut.
Blair C. Wright	303 East 3 rd North
Nora D. Wright	207 East 3 rd North
Howard Jensen	278 E 3 rd North

Mrs. Laverne Jensen
Farm & Home Builders Supply

Jess W. Duffin
President
Harold M. Gude U. S.



I am pleased to inform you that the 21st day of July 1964

Name	Address
Paul W Smith	357 No Broadway
Norman N Smith	" " "
Joseph Hunt	335 N. Broadway
John T. Smith	" " "
Bob E. ...	71 Broadway
...	" "
Paul D. Williams	269 Birch St.
Zella D. Williams	269 Birch St.
Maxine Kulliv	457 N. Broadway
George H. Kallin	" "
Chas. Barrens	77. Greenwood Ave.
May Cecil ...	
Robert M. Zupar	249 Birch Street
Sharon L. Zupar	249 Birch Street
James Eric Christensen	
Mildred Christensen	439 Brook St.

Togele City Corporation

By Wm. Van Allen Mayor Attest: [Signature] Recorder



I hereby certify to have read the ...
of Berkeley, 1964
[Signature]

BE IT NOW THEREFORE, declared and resolved as follows:

That, we the undersigned, being owners of record of land in the INTERNATIONAL BUILDING ASSOCIATION SUBDIVISION IN Tocoale City, Tocoale County, State of Utah, as shown by the Plat of said Subdivision, heretofore made and filed in the office of the County Recorder of Tocoale County, State of Utah, and we collectively being the owners of more than 55% of the lands involved in said Subdivision, do by these presents hereby declare and resolve; that Sections IV, V, VI, VII, VIII, IX, X, XI, XIII, XIV, XV and XVI and the provisions therein contained and set forth are no longer beneficial to the proper use of lands within said Subdivision and are hereby declared to be vacated, terminated, set aside and abandoned, and determined to be no longer in force and effect after the 1st day of January, 1965.

It is hereby further declared and resolved that in place of said covenants and restrictions herein vacated that the use of the lands within said Subdivision be regulated and controled in conformity with the present Zoning Ordinances of the City of Tocoale and said lands be regulated specifically by the provisions set forth in such Zoning Laws of the City of Tocoale as relating to an RI-A zoning area.

IN WITNESS WHEREOF, we have hereto placed our signatures and executed this declaration and resolution this 17th day of December, 1964.

Name	Address
<u>Edwin M. Cole</u>	<u>55 North Main Kayville, Ida</u>
<u>Ernest K. Cole</u>	<u>55 " " " "</u>
<u>Chad Sommerill</u>	<u>1245 E. Grand St. Salt Lake</u>
<u>Marie Sommerill</u>	<u>" " " "</u>
<u>Subscribed & sworn before Me the 17th day of Dec</u>	
<u>1964</u>	
<u>Edward K. Hoover</u>	
<u>My Commission expires 16th Dec 1967</u>	
<u>Residence at 253 West 1st South</u>	