

13850 So. 4000 W
RIVERTON, UT 84065

Recorded NOV 16 1978 at 833
Request of GLEN W. GARDINER
KATIE L. DIXON, Recorder
Salt Lake County, Utah
\$ 600 By David D. Dore Deputy
REC.

3198093

DECLARATION OF PROTECTIVE COVENANTS

FOR

GARDINER ESTATES, SALT LAKE COUNTY, UTAH

THIS declaration is made by Glen W. Gardiner and Ethel F. Gardiner, his wife, hereafter referred to as Grantor, of the property known as "Gardiner Estates" and to be recorded in the Salt Lake County Recorder's office. Grantor hereby makes and declares the following qualifications, limitations, restrictions, and uses upon and of such real property as restrictive and protective covenants running with the land, and binding upon all future owners of any part of such real property described as "Gardiner Estates."

I. GENERAL PURPOSES: These covenants are made for the purpose of creating and keeping the subdivision, insofar as possible, desirable, attractive, beneficial and suitable; and guarding against unnecessary interference with the natural beauty of the subdivision; all for the mutual benefit and protection of the Owners of lots in the subdivision.

II. COMMERCIAL DEVELOPMENT: Commercial and manufacturing development is prohibited in the Gardiner Estates.

III. TRAILER PARKS: Mobile home developments and subdivisions are prohibited as are trailer court developments and subdivisions.

IV. MOBILE HOMES: Mobile homes may not be placed in the Gardiner Estates Subdivision except for a 1 time period per lot not to exceed 18 months.

V. PRIVATE ROADS: Each lot owner must maintain his/her section(s) of private road at his/her expense in a manner sufficient to allow access and egress to persons owning land in the Gardiner Estates Subdivision. Each lot owner, must at his/her expense dedicate his/her section(s) of private roads and improve the same to the City of Bluffdale, Utah standards, when and if the City of Bluffdale requests them to do so. Each lot owner shall allow a right-of-way for access and egress over their sections of private road to other owners of land in the Gardiner Estates Subdivision and to the public at large.

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VI. DITCHES: Each lot owner shall maintain the presently existing ditches in a manner sufficient to allow irrigation water to be supplied to each lot owner. Each lot owner will allow the construction of a new ditch on his property at a reasonable location by another lot owner if the said lot owner needs the ditch to assure an adequate supply of irrigation water.

These conditions shall run with the land and shall be binding upon all parties and all persons claiming under them.

PROVIDED, FURTHER, that if any paragraph, section, clause or phrase of the restrictions, conditions and covenants herein contained shall be or become illegal, null, or void, for any reason or shall be held by any court of competent jurisdiction to be illegal, null, or void, the remaining paragraphs, sections, sentences, clauses or phrases herein contained will not be deemed invalid, irrespective of the fact that any one or more other paragraphs, sections, sentences, clauses or phrases are or shall become or be illegal, null or void.

PROVIDED, FURTHER, that if any owner of any lot in said property or his heirs, or assigns, shall violate or attempt to violate any of the conditions, covenants and/or restrictions herein, it shall be lawful for any other person or persons owning any other lots in said property to prosecute any preceeding at law or in equity against the person or persons violating or attempting to violate any such conditions, covenants and/or restrictions, and either to prevent him or them from so doing or to recover damages or other dues for such violation.

PROVIDED, FURTHER, that a breach of any of the foregoing conditions, covenants, and/or restrictions shall not defeat or render

