

32843

DECLARATION OF FARM UNIT

RECORDED  
1983 OCT 27 AM 10:23  
UTAH COUNTY RECORDER  
BY [Signature]  
FILED

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TO THE PUBLIC:

We, the undersigned owners of real property in Utah County, State of Utah, which property is more particularly described as follows:

A.) REAL PROPERTY

See attached Exhibit "A" for legal description of real property

B.) PERSONAL PROPERTY

The following livestock are to maintained on the farm unit:

40 range cows

have the intent to maintain a farm unit necessary to qualify for farm caretaker dwellings under the provisions of sections 4-3-50 and 4-3-51 of the 1976 Revised Zoning Ordinance of Utah County, Utah.

We hereby covenant and agree as follows:

1. That the above-described property shall be maintained as one unit and considered as one zoning lot, which is a bona fide farming operation qualifying for each and all farm caretaker dwellings approved, subject to the above-cited (or successor) Ordinance.
2. That neither we, nor any of our heirs, executors, administrators or assigns shall allow residential use of the above-described real property, except properly approved primary and secondary farm dwellings for caretakers employed on the premises.
3. This covenant shall run with the land and shall be binding upon all persons owning or leasing the above-described real property.

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4. This covenant shall terminate and be of no further force or effect at such time as the Utah County Zoning Ordinances are repealed or amended to no longer require the farm unit as set forth above; (2) portions of the property above described become a part of an incorporated city or town; or (3) the above-described real property is rezoned to permit residential uses of the above-described property, where the owners or their successors are able to comply with the then existing zoning ordinances of Utah County.

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 owners, or their heirs, executors, administrators, agents, or assigns shall violate, or attempt to violate any of the provisions of this instrument, Utah County may enforce said agreement through the withholding of building permits, or appropriate civil proceeding including injunctive relief which may include enjoining construction, abatement, mandamus, or other appropriate civil remedies; or may institute criminal proceedings for misdemeanor violations as provided for violation of a zoning ordinance; further, any aggrieved party having a legal interest may seek similar civil relief, and where successful, such party may be awarded any Court costs or attorney's fees required for enforcement.

Signed:

Law Leon Christmas  
Joy Christmas

STATE OF UTAH )  
COUNTY OF UTAH ) ss.

On the 27th. day of October, 1983, personally appeared before me Law Leon Christmas and Joy Christmas

the signer(s) of the above instrument, who duly acknowledged to me that they executed the same.

Jane H. Hull  
NOTARY PUBLIC

Commission Expires:  
Oct 21, 1986

Residing at:  
Spanish Fork, Utah

NOV 20 1983 PM 6:29

EXHIBIT "A"

Commencing at the Northwest corner of the Southwest Quarter of Section 10, Township 8 South of Range 2 East, Salt Lake Base and Meridian, thence North 440.88 feet, thence South 40 deg. 10' East 630 feet, thence South 420 feet, thence East 800 feet, more or less, to the center of Spanish Fork River, thence Southerly along the center of Spanish Fork River 755 feet, more or less, to a point 100 feet, more or less, north of a line running East and West through the center of the Southwest Quarter of Section 10, Township 8 South, of Range 2 East, Salt Lake Meridian, thence West 320 feet, and South 100 feet, more or less along the center of the Spanish Fork River, thence South 29 deg. 45' East 289.08 feet, thence South 20 deg. East 81.18 feet, thence South 54 deg. East 114.84 feet, thence South 1 deg. East 287.01 feet, thence West 1,380 feet, thence North 660 feet, thence West 410 feet, thence North 660 feet, thence West 200 feet, thence North 660 feet, thence East 870 feet to the place of beginning.

AREA APPROXIMATELY 70 acres more or less