

## COVENANT CREATING RESTRICTIONS UPON USE OF LAND

The undersigned, owners (hereinafter referred to as OWNERS) of real property located in Salt Lake County, State of Utah, more particularly described as follows:

BEGINNING AT A POINT NORTH  $0^{\circ}15'49''$  WEST 40.000 FEET FROM THE SOUTHEAST CORNER SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH  $89^{\circ}56'00''$  WEST PARALLEL WITH THE SECTION LINE 1056.168 FEET; THENCE NORTH  $0^{\circ}43'04''$  EAST 189.500 FEET, THE NORTH  $1^{\circ}51'35''$  EAST 157.710 FEET, THENCE NORTH  $0^{\circ}18'10''$  EAST 42.880 FEET THENCE NORTH  $1^{\circ}00'22''$  EAST 173.600 FEET, THENCE NORTH  $0^{\circ}09'27''$  EAST 158.8 FEET; THENCE EAST 6.570 FEET; THENCE NORTH  $0^{\circ}09'27''$  EAST 73.747 FEET TO POINT ON A NON TANGENT CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 100.000 FOOT RADIUS CURVE TO THE LEFT 117.547 FEET TO A POINT OF TANGENCY; THENCE SOUTH  $67^{\circ}54'58''$  EAST 100.743 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 157.500 RADIUS CURVE TO THE RIGHT 64.517 FEET; THENCE NORTH  $40^{\circ}55'08''$  EAST 82.757 FEET; THENCE EAST 772.310 FEET; THENCE SOUTH  $0^{\circ}11'36''$  WEST 62.300 FEET; THENCE SOUTH  $0^{\circ}15'49''$  EAST; ~~672.429~~ <sup>671.429</sup> *JL* FEET TO THE POINT OF BEGINNING.

and Salt Lake County (hereinafter referred to as COUNTY), a body corporate and politic of the State of Utah, for the purpose of defining each party's rights and responsibilities under the provisions of the Storm Drainage and Flood Control Development Ordinance, Title 17, Chapter 20, of the Salt Lake County Code of Ordinances, 1986, do hereby covenant and agree with one another as follows:

1. The OWNERS, pursuant to the provisions of section 17.20.130 or 17.20.300, as applicable, hereby makes written election to exclude OWNERS' property described above from the CDS or DS benefitted area, and hereby covenants that OWNERS, and OWNERS' successors and assigns, shall not make any alterations or

improvements to the property that will result in excess waters from storm or flood drainage, whether surface or subsurface, flowing or draining into any drainage system which has been constructed or installed pursuant to COUNTY design, funding, supervision, or control, as those functions are authorized and administered by state law and/or county ordinance. This election and covenant shall be binding on all of OWNERS' successors and assigns to the property.

2. The COUNTY will not seek from the OWNERS those fees imposed by section 17.20.160 or 17.20.380, as applicable.

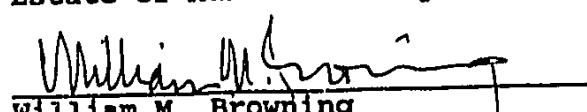
3. This covenant and agreement constitutes a mutual covenant running with the real property described above.

IN WITNESS WHEREOF, the parties have executed this agreement the \_\_\_ day of August, 1992.

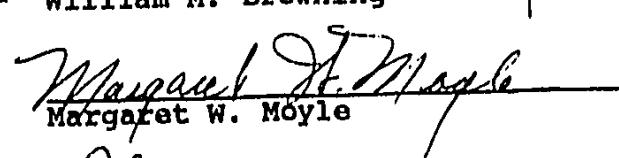
OWNERS:



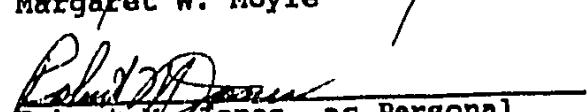
Richard Curtis Dreyer  
Personal Representative  
Estate of Marcia B. Dreyer



William M. Browning



Margaret W. Moyle



Robert M. Jones, as Personal  
Representative of the Estate of  
Robert H. Jones, Deceased

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Robert M. Jones  
Robert M. Jones

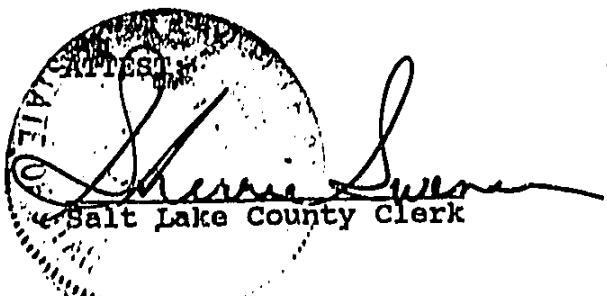
Dorothy Ann Moyle Palmer  
Dorothy Ann Moyle Palmer

O. Wood Moyle, III  
O. Wood Moyle, III as Personal  
Representative of the Estate of  
Marian M. Shenon, Deceased

O. Wood Moyle, III Trustee  
O. Wood Moyle, III as Successor  
Trustee of the Testamentary Trust  
created by the will of Harriett M.  
Jones

O. Wood Moyle, III Trustee  
O. Wood Moyle, III as Successor  
Trustee of the Testamentary Trust  
created by the will of Elizabeth M. Fitzgerald

O. Wood Moyle, III  
O. Wood Moyle, III



APPROVED AS TO FORM  
Salt Lake County Attorney's Office  
By Thorp  
Deputy County Attorney  
Date 8-28-92

16

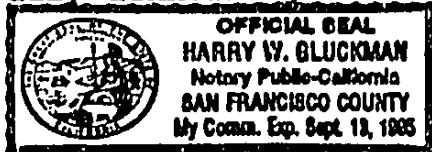
SALT LAKE COUNTY

By Jim Bradley 10-28-93  
Chairman  
Board of County Commissioners

OWNERS' Acknowledgments:

STATE OF CALIFORNIA )  
: ss.  
COUNTY OF San Francisco )

On the eleventh day of August, 1992, personally appeared before me Richard Curtis Dreyer, Personal Representative of the Estate of Marcia B. Dreyer the signer of the within instrument who duly acknowledged to me that he executed the above instrument.



HARRY W. Gluckman  
NOTARY PUBLIC  
Residing at: San Francisco

My Commission Expires:  
9/13/95

STATE OF UTAH )  
: ss.  
COUNTY OF SALT LAKE )

On the 17<sup>th</sup> day of August, 1992, personally appeared before me William M. Browning, the signer of the within instrument who duly acknowledged to me that he executed the above instrument.

Vera Menquci  
NOTARY PUBLIC  
Residing at: Salt Lake City, UT

My Commission Expires:  
Sept 20, 1992

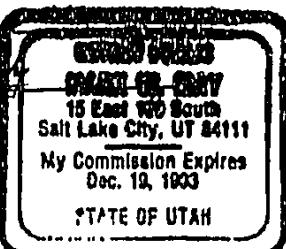


STATE OF UTAH )  
) ss.  
COUNTY OF SALT LAKE )

On the 4th day of August, 1992, personally appeared before me Margaret W. Moyle and as signer of the foregoing instrument who duly acknowledged to me that she executed the same.

My Commission Expires:  
Dec. 19, 1993

*Mark W. May*  
NOTARY PUBLIC  
Residing at: Davis County



STATE OF OHIO )  
) : ss.  
COUNTY OF BUTLER )

On the 6 day of August, 1992, personally appeared before me Robert M. Jones, the signer of the within instrument who duly acknowledged to me that he executed the above instrument.

My Commission Expires:  
THIS CERTIFY  
Notary Public, State of Ohio  
My Commission Expires March 19, 1997

STATE OF OHIO )  
) : ss.  
COUNTY OF BUTLER )

On the 6 day of August, 1992, personally appeared before me Robert M. Jones, as Personal Representative of the Estate of Robert H. Jones, deceased and as signer of the foregoing instrument who duly acknowledged to me that he executed the same.

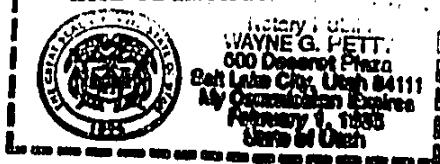
My Commission Expires:  
THIS CERTIFY  
Notary Public, State of Ohio  
My Commission Expires March 19, 1997

*Robert M. Jones*  
NOTARY PUBLIC  
Residing at: Butler County

*Robert M. Jones*  
NOTARY PUBLIC  
Residing at: Butler County

STATE OF UTAH )  
: ss.  
COUNTY OF SALT LAKE )

On the 4<sup>th</sup> day of August, 1992, personally appeared before me Dorothy Ann Moyle Palmer, the signer of the within instrument who duly acknowledged to me that she executed the above instrument.

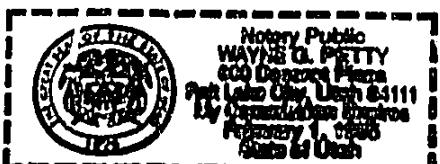


My Commission Expires:  
February 1, 1992

Wayne S. Petty  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

STATE OF UTAH )  
: ss.  
COUNTY OF SALT LAKE )

On the 8<sup>th</sup> day of <sup>Sept.</sup> August, 1992, personally appeared before me O. Wood Moyle, III, as Personal Representative of the Estate of Marian M. Shanon, deceased and as signer of the foregoing instrument who duly acknowledged to me that he executed the same.

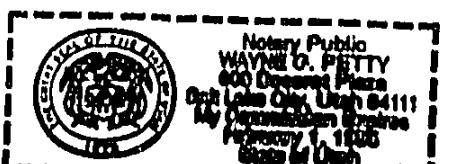


My Commission Expires:

Wayne S. Petty  
NOTARY PUBLIC  
RESIDING AT: Salt Lake City, Utah

STATE OF UTAH )  
: ss.  
COUNTY OF SALT LAKE )

On the 11<sup>th</sup> day of <sup>Sept.</sup> August, 1992, personally appeared before me O. Wood Moyle III who duly acknowledged to me that he executed the foregoing document in his capacity as Successor Trustee of the Testamentary Trust created by the will of Harriett M. Jones.

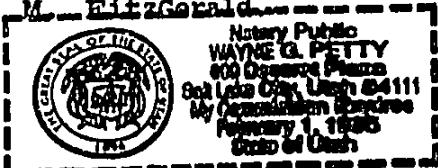


My Commission Expires:

Wayne S. Petty  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

STATE OF UTAH )  
COUNTY OF SALT LAKE )  
ss.

On the 8<sup>th</sup> day of <sup>Sept.</sup> August, 1992, personally appeared before me O. Wood Moyle III who duly acknowledged to me that he executed the foregoing document in his capacity as Successor Trustee of the Testamentary Trust created by the will of Elizabeth M. Fitzgerald



My Commission Expires:

Wayne G. Petty  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

STATE OF UTAH )  
COUNTY OF SALT LAKE )  
ss.

On the 8<sup>th</sup> day of <sup>Sept.</sup> August, 1992, personally appeared before me O. Wood Moyle III, the signer of the within instrument who duly acknowledged to me that he executed the above instrument.



My Commission Expires:

Wayne G. Petty  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

NO FEE

5362036  
29 OCTOBER 92 03:02 PM  
KATIE L. DIXON  
RECORDER, SALT LAKE COUNTY, UTAH  
BL CO COMMISSION CLERK  
REC BY: REBECCA GRAY, DEPUTY

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