



ENT 16430:2020 PG 1 of 3  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2020 Feb 07 3:54 pm FEE 0.00 BY MA  
RECORDED FOR UTAH COUNTY

Community  
Development

## AFFIDAVIT

On April 27, 2005, a Restrictive Covenant Precluding the Residential or Other Non-Agricultural Use of the Land was recorded with the Utah County Recorder as Entry #44822:2005 (the Covenant). The Covenant was recorded against the property described in the Covenant (the Encumbered Property) to qualify for the exemption from filing an approved subdivision per UCA 17-27-103, 1953 and Section 3-53-B of the Utah County Zoning Ordinance in effect at that time.

The Covenant stated that shall not apply: (1) to those portions of the property contained in a properly approved and recorded subdivision plat; (2) those portions of the Encumbered Property placed into an incorporated city or town; or (3) upon repeal of the requirements for such a covenant under Section 3-53-B or its successor statute.

In the case of the Covenant, the land described in Exhibit A, attached hereto and made a part hereof by reference, has been included in: (applicable paragraph below marked by a check)

A. An approved, platted subdivision, which has been recorded with the Utah County Recorder on \_\_\_\_\_, as Entry # \_\_\_\_\_, and Map Filing # \_\_\_\_\_, recorded under the direction of the Utah County Board of Commissioners.

B. Approved plats of annexation which have been recorded with the Utah County Recorder on February 8, 2007, as Entry #20332:2007, and Map Filing # 12108, and on August 6, 2019, as Entry #74450:2019, and Map Filing # 16643, recorded under the direction of the governing body of the city making the annexation.

C. Other: \_\_\_\_\_

Because of the above-specified action regarding the Covenant, relative to the land described in Exhibit A, the Utah County Zoning Administrator finds that the Covenant has been properly terminated according to its provisions for termination, and deems the restrictions contained therein no longer binding.

Further this affiant saith not.

Signed and sworn this 7 day of February, 20 20.

J Degen Lewis  
J Degen Lewis  
Utah County Zoning Administrator - Designee

State of Utah  
§  
County of Utah

On this 7 day of February, in the year 20 20, before me, Cherie P Bunce, a notary public, personally appeared J Degen Lewis, Utah County Zoning Administrator - Designee, proved on the basis of satisfactory evidence to be the person whose name is subscribed to in this document, and acknowledged he executed the same.

Cherie P Bunce  
Notary Signature



**Exhibit A**

Legal Description 1

**BOUNDARY DESCRIPTION**

COMMENCING EAST 401.58 FEET AND NORTH 453.22 FEET FROM THE SOUTHWEST CORNER OF SECTION 10, TOWNSHIP 9 SOUTH, RANGE 2 EAST,

SALT LAKE BASE MERIDIAN; THENCE AS FOLLOWS:

COURSE	DISTANCE	REMARKS
N 0°17'13" E	1001.70'	
S 76°57'03" W	208.67'	
S 77°26'44" W	306.68'	
S O U T H	866.01'	ALONG THE EXISTING CITY BOUNDARY LINE
S 88°45'00" E	96.09'	ALONG THE EXISTING CITY BOUNDARY LINE
S O U T H	19.81'	ALONG THE EXISTING CITY BOUNDARY LINE
E A S T	401.55'	ALONG THE EXISTING CITY BOUNDARY LINE TO THE POINT OF BEGINNING.
		AFFECTING 10.89 ACRES

Which is the boundary description of the "Holdaway Annexation". Serial Numbers: 30:030:0071, 30:030:0075, 30:030:0076, 30:030:0078, 46:588:0011, and 46:588:0012

Legal Description 2

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 9 SOUTH, RANGE 2 EAST SALT LAKE BASE AND MERIDIAN, PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT A POINT ON THE CURRENT CORPORATE LIMITS OF PAYSON CITY LOCATED N.00°22'32"W. ALONG THE SECTION LINE A DISTANCE OF 453.23 FEET AND EAST A DISTANCE OF 404.55 FEET FROM THE SOUTHWEST CORNER OF SECTION 10, T9S., R2E., S.L.B.& M; THENCE ALONG SAID CORPORATE LIMITS THE FOLLOWING 7 (SEVEN) COURSES AND DISTANCES; 1) N.00°17'13"E. A DISTANCE OF 1001.70 FEET; 2) THENCE N.13°02'57"W. A DISTANCE OF 47.41 FEET; 3) THENCE N.78°18'00"E. A DISTANCE OF 188.11 FEET; 4) THENCE N.08°05'40"W. A DISTANCE OF 3.28 FEET; 5) THENCE N.77°40'13"E. A DISTANCE OF 767.40 FEET; 6) THENCE N.10°57'47"W. A DISTANCE OF 14.88 FEET; 7) THENCE N.78°32'00"E. A DISTANCE OF 638.26 FEET; THENCE S.00°53'31"W. A DISTANCE OF 724.43 FEET; THENCE S.89°28'03"E. A DISTANCE OF 0.39 FEET; THENCE S.00°41'45"W. A DISTANCE OF 693.39 FEET; THENCE N.89°13'29"W. A DISTANCE OF 1413.92 FEET TO A POINT ON SAID CORPORATE LIMITS; THENCE N.00°26'57"E ALONG SAID CORPORATE LIMITS 3.93 FEET; THENCE S.90°00'00"W. ALONG SAID CORPORATE LIMITS A DISTANCE OF 117.38 FEET TO THE POINT OF BEGINNING.

CONTAINING ±43.61 acres OF LAND MORE OR LESS.

Which is the boundary description of the "Holdaway-Pleasant Flats Addition Annexation". Serial Numbers: 30:030:0068 and 30:030:0086