

EXHIBIT 2

SALT LAKE COUNTY WATER CONSERVANCY DISTRICT

1300

5032790

**LAND USE AGREEMENT AND
RESTRICTIVE COVENANT**

5032790
28 FEBRUARY 91 03:27 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
FIRST FINANCIAL TITLE
REC BY: KARMA BLANCHARD, DEPUTY

AN AGREEMENT made this 27th day of September, 1990, by and between the SALT LAKE COUNTY WATER CONSERVANCY DISTRICT (DISTRICT), a water conservancy district with its principal offices at 8215 South 1300 West, West Jordan, Utah 84088, and the DAVID H. HUISH AND/OR EVA K. HUISH LIVING TRUST, acting through its trustee, Jerry K. Huish of 7875 South 965 East, Sandy, Utah, owner of the property described in this Agreement. For good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

W I T N E S S E T H:

1. The Trust is the owner of the following described tract of land located in Salt Lake County, Utah, and more particularly described as:

All land contained within a 100-foot radius of the following radial point:

North 89° 53'28" East 1349.37 feet and South 0° 13'23" West 106.0 feet from the Northwest corner of Section 9, T35, R1E, SLB&M;

and which is East of the following described line:

Beginning at a point North 89° 53'28" East 1312.37 feet from the Northwest corner of Section 9, T35, R1E, SLB&M; thence South 0° 13'23" West;

and which is:

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South of the current 9400 South Street right-of-way line which is 33.0 feet south of the North section line of Section 9;

hereinafter the "protected zone property". A drawing of the "protected zone" property is attached as Exhibit 1.

2. The District is the owner of property adjacent to the property described above.

3. Owner covenants and agrees not to locate or permit concentrated sources of pollution within the protected zone property described in paragraph 1. The term "concentrated sources of pollution" includes septic tanks, drain fields, garbage dumps, pit privies, drain lines, sewer lines, corrals, feed lots, and all other similar structures and uses, except that a sewer line which complies with Sections 6.2.3.3 and 6.2.2.4 (or their successors) of the Utah Public Drinking Water Regulations may be constructed on the property. This perpetual Covenant shall run with the land described above, and is binding upon the owners, and owners' heirs, successors, and assigns.

4. The Salt Lake County Water Conservancy District is granted the right to enforce this Covenant and Agreement through legal proceedings in law for damages, and/or in equity to obtain an injunction or other equitable remedy against any persons or entities violating or threatening to violate this Agreement and Restrictive Covenant. In addition to any other remedies if this

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Agreement is violated by the owner or its successors, the owner or its successors shall pay the legal costs and attorney's fees incurred by the District in obtaining a remedy.

5. In the event the owner constructs a sewer line on its described property, the District will pay the owner the actual incremental cost of constructing a sewer line which complies with Sections 6.2.3.3 and 6.2.3.4 of the Utah Public Drinking Water Regulations over the cost of constructing an ordinary sewer line.

6. The Trustee individually warrants to the District that he has the Trust's authority to sign this Agreement on behalf of the Trust.

Dated: September 27, 1990

OWNER:

DAVID H. HUISH AND/OR
EVA K. HUISH LIVING TRUST

BY Jerry Huish, Trustee
Trustee

SALT LAKE COUNTY WATER
CONSERVANCY DISTRICT

ATTEST:

BY Carol M. Mulvaney
Chairman of the Board/
President

David S. Dvorak
Secretary

APPROVED AS TO FORM

BY DS

DATE 12/18/90

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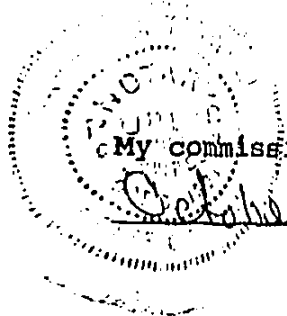
SALT LAKE COUNTY WATER CONSERVANCY DISTRICT

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STATE OF UTAH)
 : SS.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 27th day of September, 1990 by Garald K. Maloney, the Chairman of the Board/President of the Salt Lake County Water Conservancy District.

Barbara Sedwell
NOTARY PUBLIC, residing at:
Salt Lake County

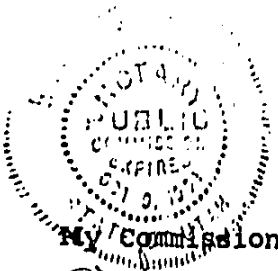


My commission expires:
October 9, 1991

STATE OF UTAH)
 : SS.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 27th day of ~~July~~ 1990 by Jerry K. Huish as Trustee of the David H. Huish and/of Eva K. Huish Living Trust.

Barbara Sedwell
NOTARY PUBLIC, residing at:
Salt Lake County



My commission expires:
October 9, 1991



JOB PROPOSED SLOWED WELL SITE

SHEET NO. _____ OF _____

CALCULATED BY _____ DATE 6-25-90

CHECKED BY _____ DATE _____

SCALE _____

WATERFORD SCHOOL PROPERTY

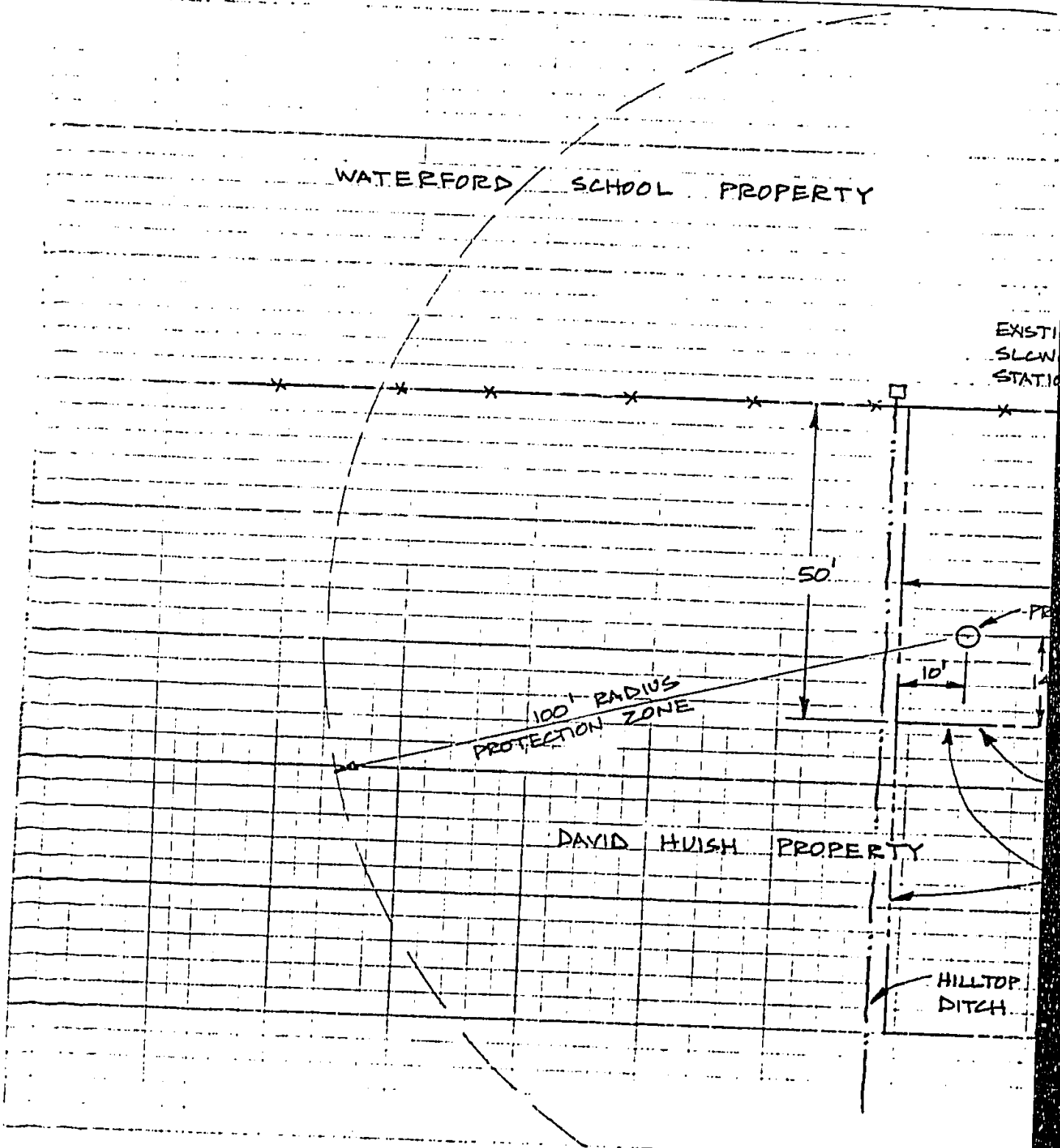
EXISTING SLOW STATION

100' RADIUS PROTECTION ZONE

DAVID HUISH PROPERTY

HILLTOP DITCH

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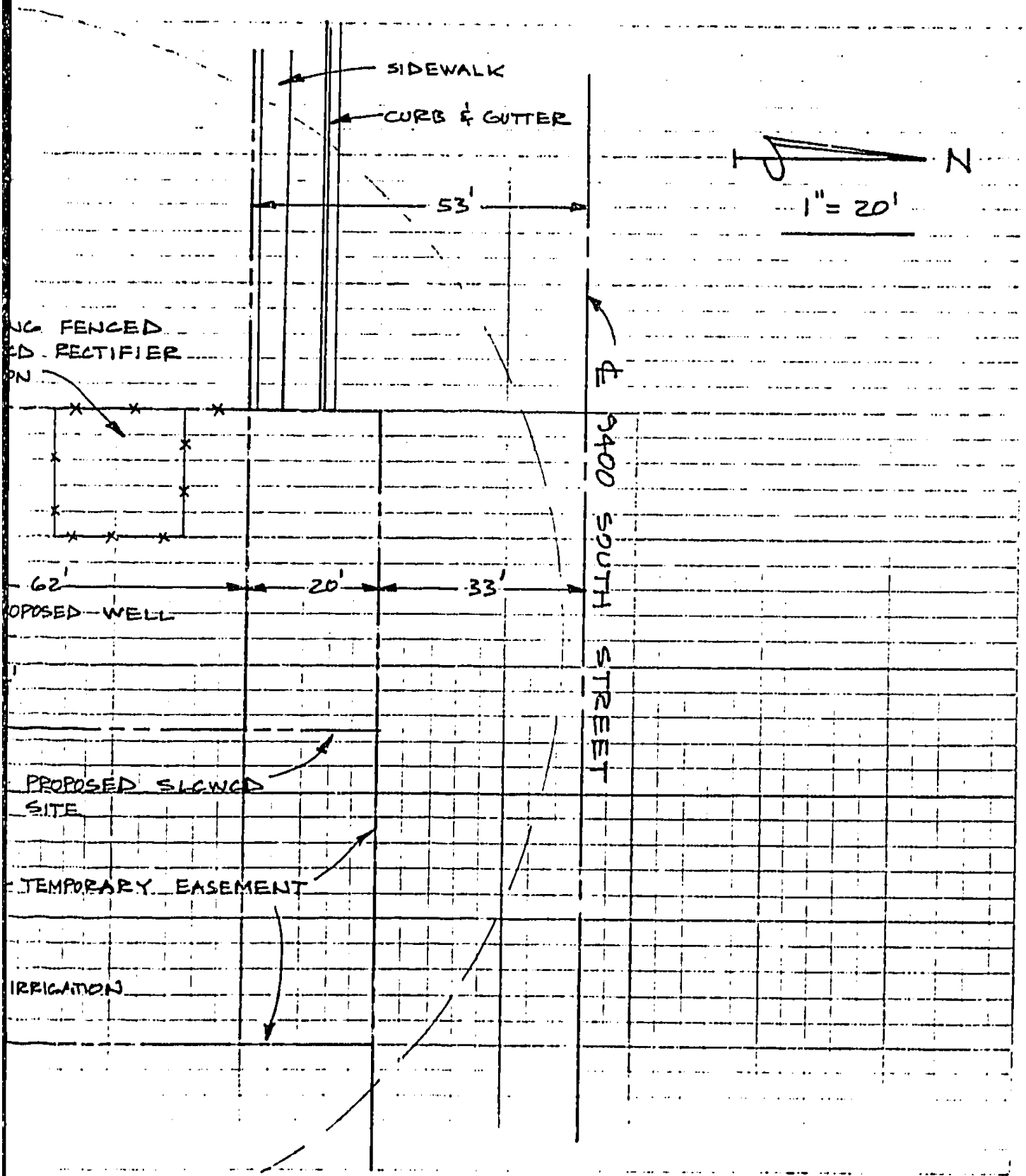


EXHIBIT 1

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