

BRIAN CARSTEN  
7550 W LOWER BOWL RD  
PEUA UT 84061

## RESTRICTIVE USE COVENANT FOR THE BENEFIT OF SUMMIT COUNTY, UTAH

This instrument is made and entered into as of the 14<sup>th</sup> day of June, 2006 by Marc P. Steinhilber ("Owners"), in favor of Summit County, Utah.

Whereas, the undersigned are the owners of certain real property located in Summit County, Utah; said real property being more particularly described as Parcel SS-70-11, recorded in Book 1715 at Page 846 of the records of the Summit County Recorder (the "Property"); and

Whereas, Marc P. Steinhilber desires to construct an accessory dwelling on Parcel SS-70-11, located at 7550 W. Lower Bowl Road, said real property being more particularly described in the attached legal description.

Whereas, in order to obtain a Certificate of Occupancy from the Building Department of Summit County, Utah for the improvements constructed upon the Property, Summit County has required and the Owners have agreed to place the following restrictions on the Property.

Now, Therefore, in consideration of the issuance of the Certificate of Occupancy, the Owners hereby agree to the following:

1. The accessory dwelling unit may not be sold separately from the sale of the entire property, including the primary residence.
2. The accessory dwelling unit may not be condominiumized for the benefit of the property owner.
3. The accessory dwelling unit use shall be consistent with the following definition:

An area used by the owner of the primary residence or primary tenant as a dwelling for the private use of the property owner's relatives, domestic help, caretakers, nursing staff, houseguest or similar users. An accessory dwelling unit shall contain cooking, sanitation and sleeping facilities.

4. The accessory dwelling unit shall not be expanded in size from the plan approved by the County without County approval.
5. This restriction shall burden the property and run with the land unless removed by Summit County. Summit County shall remove said restrictions if the provisions of the Eastern Summit County Development Code no longer require them.
6. This restriction shall be binding upon and insure to the benefit of the

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ALAN SPRIGGS, SUMMIT CO RECORDER  
2006 JUN 20 13:01 PM FEE \$14.00 BY GGB  
REQUEST: BRIAN CARSTEN

BK1798 PG1631

parties, their successors and assigns.

IN WITNESS WHEREOF the undersigned has executed this instrument as of the day and year first written.

By: Marc P. Steinhilber  
Owner

By: \_\_\_\_\_  
Owner

**ACKNOWLEDGMENT**

STATE OF Utah

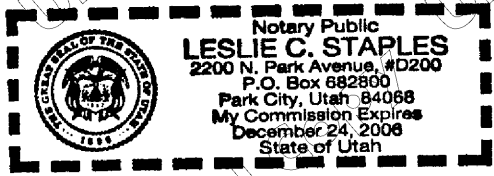
COUNTY OF Summit

On this 14th day of June, 2006, before me personally appeared Marc P. Steinhilber, and did state upon his oath that he is the owner of the above-described real property in Summit County, Utah, and that the foregoing instrument was acknowledged before me.

Witness my hand and official seal.

Leslie C. Staples  
Notary Public

My commission expires: 12/24/06



**Legal Description**

(LOT 23) BEING IN SEC 19 T1SR5E; BEG AT PT N 0°33'57" E ALONG W SEC LINE SEC 19 T1SR5E SLBM 4598.566 FT & DUE E 2783.151 FT FROM SW COR SEC 19 (SD SW COR BEAR S 0°33'57" W FROM NW COR & BEING BASIS OF BEAR); TH S 53° E 1982.319 FT; S 44°12' 55" W 55.427 FT; S 17°54'16" W 341.541 FT; S 7°29'45" W 331.785 FT; N 85° W 1431.177 FT; N 2°30' W 825 FT; N 3°59'45" E 940 FT TO PT OF BEG TOGETHER WITH & SUBJECT TO 50 FT R/W "E" CONT 44.59 AC M131-104 1287-719 1402-1178 1715-846  
1771-1091 MARC P STEINHILBER TRUSTEE OF THE MARK P STEINHILBER REVOCABLE TRUST 1771-1091;