

4841236

NO FEE

4841236
27 OCTOBER 89 02:00 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
SL CO COMMISSION CLERK
REC BY: D DANGERFIELD , DEPUTY

AGREEMENT
CONCERNING
FLOOD CONTROL IMPROVEMENTS
FOR
LOTS 1529 THROUGH 1534
OF
MT. OLYMPUS HILLE NO. 15 SUBDIVISION

THIS AGREEMENT is made and entered into this 25th day of October, 1989, by and between SALT LAKE COUNTY, a body corporate and politic of the State of Utah, hereinafter referred to as "County"; MT. OLYMPUS INVESTMENT, a partnership; and BERNARD P. BROCKBANK, JR.; BRUCE R. BROCKBANK; DIANE B. SWEETEN; ROSALIND W. BROCKBANK; VON R. BROCKBANK; ROGER R. BROCKBANK; LINDA BROCKBANK; PATRICIA BROCKBANK; RODERICK BROCKBANK; MICHAEL BROCKBANK; BOYD J. BROWN; BERNARD P. BROCKBANK; GARY GROCKER; and ANN T. CROCKER, hereinafter referred to as "Lot Owners."

WITNESSETH:

WHEREAS, Salt Lake County required as part of its approval of Mt. Olympus Hills No. 15 Subdivision, a subdivision located in the east one-half of the Southwest Quarter of Section 1, Township 2 South, Range 1 East, Salt Lake Base and Meridian, that a gabion cut-off ditch with wire baskets be constructed across lots 1529 through 1534 within said subdivision to collect flood and drainage water generated from above the lots and convey the water to a collection system adjacent to lot 1529; and

2006171 REC 684

WHEREAS, Mt. Olympus Investment is the successor in interest to the developer of Mt. Olympus Hills No. 15 Subdivision; and

WHEREAS, Lot Owners each own a fee interest in one or more of lots 1529-1534; and

WHEREAS, Gary Crocker, an owner of lot 1534, has submitted to Salt Lake County a revised flood control plan designed by Bonneville Engineering (Project No. 88-57) which would eliminate the requirement for the gabion ditch; and

WHEREAS, under the Bonneville plan, a driveway would be constructed by Gary Crocker and others across lots 1531 through 1534 which would provide access to those lots and would also serve to collect runoff from such lots and convey it to an approved drainage system on Thousand Oaks Drive; and

WHEREAS, under the Bonneville plan, storm drainage from lots 1529 and 1530 would be conveyed directly into the proposed storm drainage system on Thousand Oaks Drive; and

WHEREAS, Salt Lake County Development Services Division has approved the Bonneville plan;

NOW, THEREFORE, the parties agree as follows:

1. Lot Owners and Mt. Olympus Investment agree that the Bonneville Engineering plan on file with Salt Lake County may be substituted for that part of the existing flood control and drainage plan for Mt. Olympus Hills No. 15 Subdivision which required installation of a gabion cut-off ditch across lots 1529-1534.

2. Salt Lake County agrees to vacate the flood control easement across lots 1529 through 1534, Mt. Olympus Hills No. 15 Subdivision.

3. Lot Owners and their successors in interest agree, as a condition to obtaining a building permit from Salt Lake County, to submit lot grading and drainage plans for their respective lots which meet Chapter 70 of the Uniform Building Code and which indicate how storm runoff will flow around the proposed dwelling and onto the proposed driveway (lots 1531 through 1534) or directly into the proposed storm drainage system on Thousand Oaks Drive (lots 1529 and 1530) and to landscape and grade their respective lots in accordance with such plans.

4. Lot Owners further agree as a condition to the issuance of a building permit from Salt Lake County to grade the "z" trail immediately above their respective lots in a manner that will avoid ponding along the trail.

5. Salt Lake County agrees not to require Lot Owners to construct any flood control improvements other than specified in paragraphs 2 and 3 herein and those which Mr. Crocker and others will install as required in the Bonneville plan.

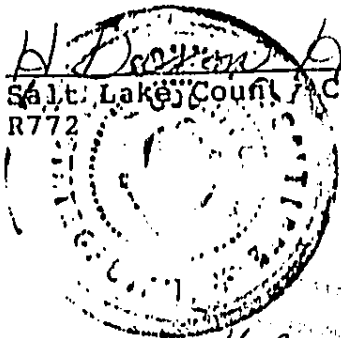
6. This agreement shall be binding on the parties hereto and their successors in interest to the above-described property and is intended to be a covenant running with the land.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

SALT LAKE COUNTY

ATTEST:

By *Justin Stewart*
Chairman
Board of County Commissioners

H. Dixon Hindley
Salt Lake County Clerk
R772

K. L.
10/24/89

MT. OLYMPUS INVESTMENT

By *Von R. Brockbank*
Name Von R. BROCKBANK
General Partner

LOT OWNERS:

Bernard P. Brockbank, Jr.
BERNARD P. BROCKBANK, JR.

Bruce R. Brockbank
BRUCE R. BROCKBANK

Diane B. Sweeten
DIANE B. SWEETEN

Rosalind W. Brockbank
ROSALIND W. BROCKBANK

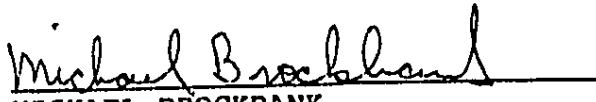

VON R. BROCKBANK


ROGER R. BROCKBANK

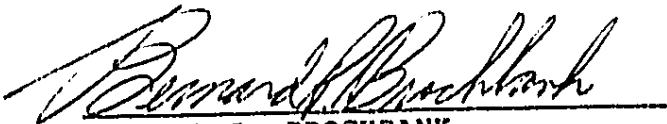
LINDA BROCKBANK

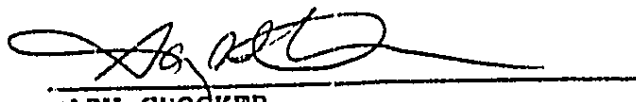

PATRICIA BROCKBANK



RODERICK BROCKBANK


MICHAEL BROCKBANK

BOYD J. BROWN


BERNARD P. BROCKBANK


GARY CROCKER


ANN T. CROCKER

VON R. BROCKBANK


ROGER R. BROCKBANK

LINDA BROCKBANK

PATRICIA BROCKBANK

RODERICK BROCKBANK

MICHAEL BROCKBANK




BOYD J. BROWN

BERNARD P. BROCKBANK



GARY CROCKER



ANN T. CROCKER

VON R. BROCKBANK

ROGER R. BROCKBANK

Linda Brockbank
LINDA BROCKBANK

PATRICIA BROCKBANK

RODERICK BROCKBANK

MICHAEL BROCKBANK

BOYD J. BROWN

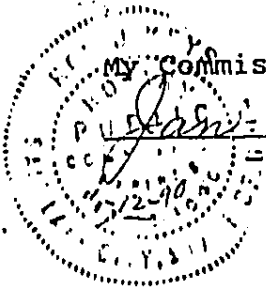
BERNARD P. BROCKBANK

GARY CROCKER

ANN T. CROCKER

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

The foregoing instrument was acknowledged before me
this 15 day of August, 1989, by VON R. BROCKBANK,
General Partner, on behalf of Mt. Olympus Investment.

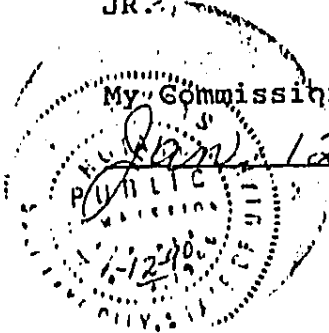


My Commission Expires:
Jan. 12, 1990

Roy J. Keys
NOTARY PUBLIC
Residing at Salt Lake City, Utah

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

The foregoing instrument was acknowledged before me
this 15 day of August, 1989, by BERNARD P. BROCKBANK,
JR.

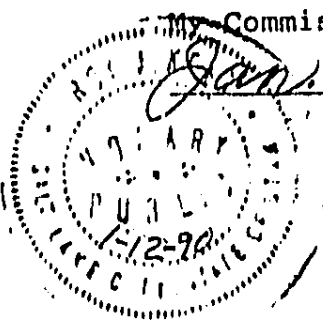


My Commission Expires:
Jan. 12, 1990

Roy J. Keys
NOTARY PUBLIC
Residing at Salt Lake City, Ut.

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

The foregoing instrument was acknowledged before me
this 15 day of August, 1989, by BRUCE R. BROCKBANK.



My Commission Expires:
Jan. 12, 1990

Roy J. Keys
NOTARY PUBLIC
Residing at Salt Lake City, Ut.

BOOK 6171 PAGE 691

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

The foregoing instrument was acknowledged before me
this 15 day of AUGUST, 1989, by DIANE B. SWEETEN.

My Commission Expires:

10/08/89

[Signature]
NOTARY PUBLIC
Residing at LOGAN, UTAH

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

The foregoing instrument was acknowledged before me
this 16th day of August, 1989, by ROSALIND W. BROCKBANK.

My Commission Expires:

Jan. 12, 1990
9

[Signature]
NOTARY PUBLIC
Residing at Salt Lake City, Ut.
2065 Cresthill Dr.
S L C, 84117

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

The foregoing instrument was acknowledged before me
this 15 day of August, 1989, by VON R. BRCKBANK.

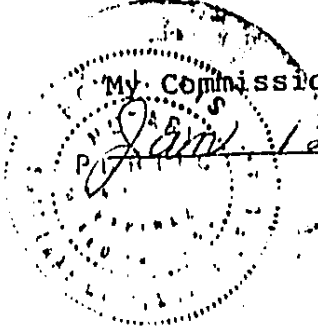
My Commission Expires:

Jan. 12, 1990

[Signature]
NOTARY PUBLIC
Residing at Salt Lake City

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

The foregoing instrument was acknowledged before me
this 15 day of August, 1989, by ROGER R. BROCKBANK.



My Commission Expires:
Jan. 12, 1990

Goy D. Keys
NOTARY PUBLIC
Residing at Salt Lake City, Ut.

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

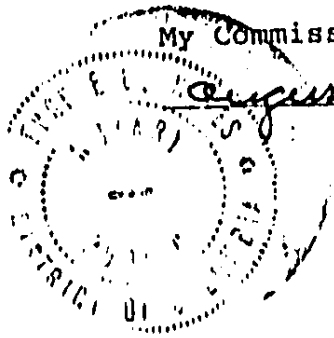
The foregoing instrument was acknowledged before me
this _____ day of _____, 1989, by LINDA BROCKBANK.

My Commission Expires:

NOTARY PUBLIC
Residing at _____

~~STATE OF UTAH~~)
DISTRICT of Columbia : ss.
~~COUNTY OF SALT LAKE~~)

The foregoing instrument was acknowledged before me
this 9th day of August, 1989, by PATRICIA BROCKBANK.



My Commission Expires:
August 14, 1992

Eugene S. Hines
NOTARY PUBLIC, D.C.
Residing at WASHINGTON, D.C.

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

The foregoing instrument was acknowledged before me
this 16 day of August 1989, by ~~ROGER R.~~ BROCKBANK.
RODERICK

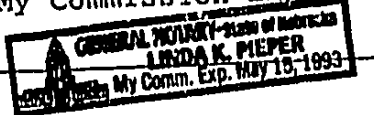
My Commission Expires:
Jan 12, 1990

Roy J. Leys
NOTARY PUBLIC
Residing at Salt Lake City, Utah

STATE OF ~~UTAH~~ ^{Nebraska})
 : ss.
)
COUNTY OF ~~SALT LAKE~~ ^{Lawrence}

The foregoing instrument was acknowledged before me
this 8 day of August, 1989, by LINDA BROCKBANK.

My Commission Expires:



Linda K. Pieper
NOTARY PUBLIC
Residing at Lincoln, Ne

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

The foregoing instrument was acknowledged before me
this _____ day of _____, 1989, by PATRICIA BROCKBANK.

My Commission Expires:

NOTARY PUBLIC
Residing at _____

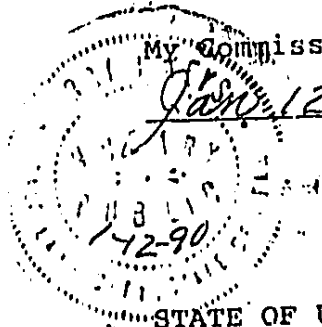
STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me
this 16 day of August, 1989, by RODERICK BROCKBANK.

Roy J. Keys
NOTARY PUBLIC
Residing at Salt Lake City, Ut.

My Commission Expires:

Jan 12, 1990



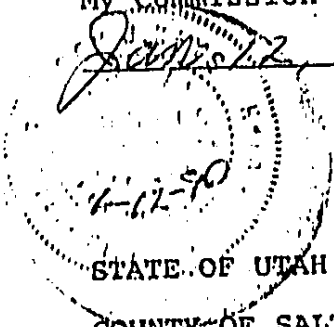
STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me
this 19 day of August, 1989, by MICHAEL BROCKBANK.

Roy J. Keys
NOTARY PUBLIC
Residing at Salt Lake City, Utah

My Commission Expires:

Jan 12, 1990



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

The foregoing instrument was acknowledged before me
this _____ day of _____, 1989, by BOYD J. ~~BROCKBANK~~
BROWN

My Commission Expires:

NOTARY PUBLIC
Residing at _____

5086171 PSE 695

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

The foregoing instrument was acknowledged before me
this _____ day of _____, 1989, by RODERICK BROCKBANK.

My Commission Expires: _____
NOTARY PUBLIC
Residing at _____

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

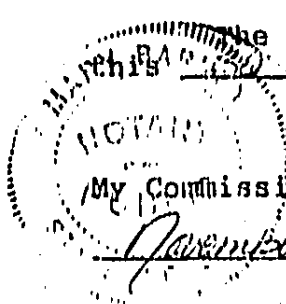
The foregoing instrument was acknowledged before me
this _____ day of _____, 1989, by MICHAEL BROCKBANK.

My Commission Expires: _____
NOTARY PUBLIC
Residing at _____

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

the foregoing instrument was acknowledged before me
this 15th day of August, 1989, by BOYD J. ~~BROCKBANK~~ BROWN

My Commission Expires: November 1991

 NOTARY PUBLIC
Residing at Salt Lake County

33-6171 REC 696

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

The foregoing instrument was acknowledged before me
this 10 day of August, 1989, by BERNARD P. BROCKBANK.

My Commission Expires:

Jan. 12, 1990

Roy J. Keys
NOTARY PUBLIC

Residing at Salt Lake City, Ut.

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

The foregoing instrument was acknowledged before me
this 27 day of August, 1989, by GARY CROCKER.

My Commission

NANCY E. SCHULTZ

2465 Promontory Dr.
Salt Lake City,
UT 84109

Nancy E. Schultz
NOTARY PUBLIC

Residing at _____

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

The foregoing instrument was acknowledged before me
this 24 day of August, 1989, by ANN T. CROCKER.

My Commission Expires

NANCY E. SCHULTZ

2465 Promontory Dr.
Salt Lake City,
UT 84109

Nancy E. Schultz
NOTARY PUBLIC

Residing at _____