

2853

AMENDMENT TO RESTRICTION AGREEMENT

WHEREAS, American Land Company, Inc., a Utah corporation, with its principal place of business at Salt Lake City, Utah, as the owner of all of the Brookside Park Subdivision as recorded in the office of the County Recorder of Utah County, State of Utah, executed a restriction agreement involving the whole of said land, which agreement was dated September 25th, 1943, and recorded September 29th, 1943, at 2:12 o'clock P.M. as Entry #10243 in Book 385, pages 91 and 94 in the office of the County Recorder of Utah County, State of Utah, and

WHEREAS, it is now found that an error was contained in line four (4), paragraph 11, entitled "Planting Strip", of said Agreement, in that the word "northerly" should have read "southerly", and it is the desire of American Land Company, Inc., to rectify said error,

NOW, THEREFORE, in consideration of the premises, paragraph 11 of said restriction agreement entitled "planting strip", hereinbefore referred to, is amended to read as follows:

"11. PLANTING STRIP: That as to lots abutting East 4th South Street, no building, nor any driveway nor any other structure shall be placed or maintained between the Southerly line of East 4th South Street and a line running parallel thereto and a distance of ten (10) feet Southerly therefrom. Said 10 foot strip of ground running parallel to said street shall be used exclusively for the planting of trees and shrubs. Ingress and egress over said 10 foot strip of ground is prohibited except for the purposes of installation and maintenance of plant material."

all other provisions of said Restriction Agreement to remain in full force and effect.

IN WITNESS WHEREOF, American Land Company, Inc., has caused this Amendment to Restriction Agreement to be executed this 3rd day of April, 1945.

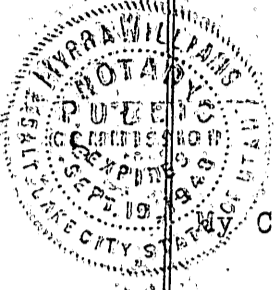


AMERICAN LAND COMPANY, INC.  
By *Randee H. Hume*  
Secretary

STATE OF UTAH )  
COUNTY OF SALT LAKE ) SS

On the 3rd day of April, 1945, personally appeared

before me Rendell N. Mabey, who being by me duly sworn did say that he is the Secretary of American Land Company, Inc., and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and said Rendell N. Mabey duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.



*Myra Williams*  
Notary Public  
Residing at Salt Lake City, Utah

Commission expires:

*Sept. 19, 1948*

Recorded by \_\_\_\_\_ Sec. \_\_\_\_\_  
Compared by \_\_\_\_\_ Tp. \_\_\_\_\_  
Indexed by \_\_\_\_\_  
*Sept. 1, 1948*  
*Myra Williams*  
*Secretary of American Land Company*

1945 APR 10 AM 10:05

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Eloise H. Filmore  
Registrar

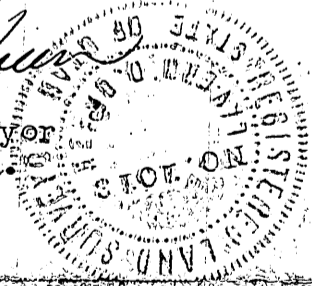
3070

April 16, 1945.

TO WHOM THIS MAY CONCERN.

I, Lavern D. Green, registered land surveyor in the State of Utah do hereby certify that I have surveyed the East boundary of University Avenue, Provo, Utah at a point 19.13 Chs. N. of the S. E. Cor. of Sec. 36, T6S, R2E, S. L. B. & M. and found said boundary at a point 7.35 Chs. W. of the Sec. line at said point 19.13 Chs. N. of said Sec. township and range. The survey is based on the resurvey of Township 6 South, a Range 2 E. recorded April 30, 1909 as map No. 67 of said resurvey. The S. E. Section Cor. of said sec. 36 and the E. 1/4 Cor. of said Sec. 36 were recovered, seen and used in this survey and true 90° angles were turned from this section line. All survey work was done in accordance with accepted engineering practice and equipment.

*Lavern D. Green*  
Lavern D. Green,  
Registered Land Surveyor  
Utah License No. 1013.



1945 APR 17 AM 10:35

Recorded by \_\_\_\_\_ Sec. \_\_\_\_\_  
Compared by \_\_\_\_\_ Tp. \_\_\_\_\_  
Indexed by \_\_\_\_\_  
*April 16, 1945*  
*Lavern D. Green*

3070  
Eloise H. Filmore  
Registrar