

1156978

RESTRICTION COVENANTS

VICTORIA V. BARROWS, Owner
to
WANDAMERE HEIGHTS

WHEREAS, Wandamere Heights, a subdivision of part of Lot 4, Block 29, Ten Acre Plat "A", Big Field Survey, was platted and the plat thereof recorded in the office of the County Recorder of Salt Lake County, state of Utah, on the 27th day of September, 1946, in Book J of Plats, page 118 as instrument No. 1058406;

NOW, THEREFORE, in consideration of the premises I, Victoria V. Barrows, owner of said Wandamere Heights, do hereby covenant and agree as follows:

That the following restrictions are hereby created and declared to be covenants running with the title and with the land constituting the said Wandamere Heights, and each and every portion thereof, and the owner above named hereby declares that Wandamere Heights is to be conveyed, held and used subject to the following reservations, restrictions and covenants:

1. DEFINITION OF TERMS USED.

The word street shall mean Barrows Avenue shown on the plat of Wandamere Heights, which has been dedicated to the public for the purpose and use of a public street. The word lot shall mean any space designated in said plat and platted as a lot, and upon which a residence may be erected in accordance with the restrictions hereinafter set forth.

2. PERSONS BOUND BY THESE RESTRICTIONS.

These covenants and restrictions are to run with the land, which shall be taken and held subject to said covenants and restrictions, and all persons and corporations who shall hereafter acquire any interest in any of the lots in said subdivision shall take and hold subject to said covenants and restrictions, and they and their heirs, successors and assigns agree to conform to and observe the following covenants, restrictions and reservations as to the use thereof in construction of residences and improvements thereon for a term of twenty (20) years from and after the 1st day of May, A. D. 1949, after which term said covenants and restrictions shall automatically terminate and no longer be in force or effect.

3. USE OF LAND: COST: FRONTAGE.

None of said lots, except Lots 8 and 9, shall be improved, used, or occupied for any other than private residence purposes, and no store, flat or apartment house intended for residential or other purposes shall be erected thereon. (This last preceding restriction shall not be applied to Lots 8 and 9 of said subdivision). Any residence erected or maintained thereon shall be designed for occupancy for not more than one family. Any residence erected on any lot in said Wandamere Heights shall cost not less than Five Thousand Dollars (\$5,000.00), and the ground floor space area of the main building, exclusive of porches, garage or other projections, shall be not less than 744 square feet. All lots shall face on said Barrows Avenue running east and west, except Lots 8 and 9 abutting on Seventh East Street, and Lots 1 and 17 abutting on Eighth East Street. Said Lots 1 and 17 may face either on said Barrows Avenue or Eighth East Street. All other residences erected within said Wandamere Heights shall face or front on said Barrows Avenue.

4. DWELLING, SET BACK AND FREE SPACE.

No building shall be erected nearer than 20 feet to the front lot line, nor nearer than 8 feet to either side lot line. The said line restriction shall not apply to a garage located on the rear one-third of a lot.

5. SIZE OF LOTS.

No residential lot as now platted in said area, except Lots 7, 8 and 9, shall be resubdivided into building lots.

6. OWNERSHIP AND OCCUPANCY.

No race or nationality other than the Caucasian race shall own, use or occupy any building on any lot in said subdivision, other than as employed servants of an occupant.

7. TEMPORARY RESIDENCES PROHIBITED.

No trailer, basement house, tent, shack, garage, barn nor other outbuilding erected in the tract shall at any time be used as a residence, temporarily or permanently, nor shall any residence of temporary character be permitted.

8. UTILITY EASEMENT.

A perpetual easement is reserved over the south five feet of Lots 1 to 8 both inclusive and over the north five feet of Lots 9 to 17 both inclusive in said Wandamere Heights for utility installation and maintenance.

9. VIOLATIONS AND DAMAGES.

If the owner or holder under deed, contract or any instrument whatsoever of any lots in said subdivision shall violate any of the covenants or restrictions herein prior to May 1, A. D. 1969, it shall be lawful for any other person or persons owning any other lot in said subdivision to prosecute any proceedings in law or in equity against the person or persons violating any such covenants or restrictions, either to prevent him or them from so doing or to recover damages or other dues for such violation.

10. NUISANCES.

No poultry nor animals, except a dog, shall be kept on any lot in said area. No noxious nor offensive trade shall be carried on upon any lot nor shall anything be done thereon which may be or become a nuisance to the neighborhood.

11. ZONING.

Said restrictions shall be construed to be in addition to the provisions of any zoning ordinance hereafter to be imposed by Salt Lake County, or any city or town hereafter to be incorporated, covering the area in said subdivision, and not in conflict therewith, shall be observed by and be binding upon each and every owner or holder of any lot or parcel of land within the said Wandamere Heights and upon their respective personal representatives, heirs, assigns, and successors in interest from date hereof enduring and until May 1, 1969.

12. VALIDITY CLAUSE.

Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

Victoria V. Barrows
Victoria V. Barrows

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

On this 12th day of May, A. D. 1949, personally appeared before me
VICTORIA V. BARROWS, the signer of the foregoing instrument, who duly acknowledged
to me that she executed the same.



My Commission Expires:
April 16, 1951

Vernon Snyder
Notary Public
Residing at Salt Lake City, Utah

Recorded at Request of Vernon Snyder MAY 12 1949
by CL Schmitt, Dep. Hazel Taggart Chase, Recorder Salt Lake County, Utah
Fee paid \$ 2.90
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Judge Bldg. main index #3