

41547

PROTECTIVE COVENANTS
Rivergrove Subdivision

Plat "B"

Provo, Utah County, Utah

RECORDED AT THE REQUEST OF
MORGAN TITUS CO.
BOOK _____ PAGE _____
1977 DEC - 7 PM 1:40
NINA D. REED
UTAH CO. DEPUTY RECORDER
PR ABS T R
MORGAN TITUS CO.

41547

Part A:

PURPOSE: Said property shall be used for the purpose of "residential building lots" and used for purpose of residence only.

Part B:

LEGAL DESCRIPTION OF PROPERTY: Beginning at a point on the west line of 970 West Street, Provo, Utah, which point is South along the section line 794.18 feet and West 49.98 feet from the NE corner of Section 2 Township 7 South Range 2 East SLBM. Thence North 1°20'45" East 41'. Thence South 78°33'24" West 151.48 feet. Thence 971.74 feet along the arch of a 505.15 foot radius curve to the left whose chord bears South 74°29'38" West 97.59 feet. Thence South 68°57'03" West 28.16 feet. Thence 175.95 feet along the arch of a 156' radius curve to the left whose chord bears South 36°38'22" West 166.77 feet. Thence North 88°51' West. 100.68 feet. Thence South 1°19'07" West 41.30 feet. Thence North 88°51' West 231.80 feet. Thence South 59°03'36" West 22.10 feet. Thence South 1°09' West 66.96 feet. Thence North 88°51' West 350.00 feet. Thence South 1°09' West 152.57 feet. Thence South 12°34'51" West 105.59 feet. Thence South 2°25'16" West 207.84 feet. Thence South 88°50'20" East 615.54 feet. Thence North 1°09' East 207.90 feet. Thence South 88°51' East 266.00 feet. Thence North 1°19'07" East 367.35 feet. Thence North 88°40'53" West 100 feet. Thence North 1°19'07" East 17.32 feet. Thence 118.04 feet along the arch of a 100 foot radius curve to the Right whose cord bears North 35°08'05" East 111.31 feet. Thence North 68°57'03" East 21.57 feet. Thence 90' along the arch of a 465.15 feet radius curve to the right whose cord bears North 74°29'38" East 89.86 feet. Thence North 78°33'24" East 143.43 feet to the point of beginning. Area 9.593 acres.

Part C:

C-1 LAND USE AND BUILDING TYPE: No lot shall be used except for residential purpose. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached family dwelling nor to exceed two stories in height and a private garage or carport.

C-2 DWELLING SIZE: The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 1000 square feet for a one story dwelling, or less than 780 square feet for a dwelling of more than one-story above the ground.

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C-3 BUILDING LOCATIONS: All buildings must be built to Provo City location specifications regarding front set backs, back yard and side yard set backs. All variations must be cleared through Provo City Variance Committee.

C-4 EASEMENTS: Easements for installation and maintenance of utilities and drainage facilities are reserved over the rear five feet of each lot and other utility and drainage easements that may be recorded with each lot. Within these easements no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow of drainage channels in the easements and it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.

C-5 NUISANCES: No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. No storage of any articles which are unsightly in the opinion of the Architectural Control Committee will be permitted in carports, unless in enclosed areas built and designed for such purpose. No automobiles, trailers, boats, or other vehicles are to be stored on the streets or front and side lots unless they are in running condition, properly licensed and are being regularly used.

C-6 TEMPORARY STRUCTURES: No structure of a temporary character, trailer, basement, tent shack, garage, barn, or other out building shall be used on any lot at any time as a residence either temporarily or permanently.

C-7 SIGNS: No signs of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs by a builder to advertise the property during the construction and sales period.

C-8 GARBAGE AND REFUSE DISPOSAL: No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. Each lot and its abutting streets are to be kept free of trash, weeds, and other refuse by the lot owner. No unsightly materials or other objects are to be stored on any lot in view of the general public.

C-9 LENGTH OF TIME TO BEGIN CONSTRUCTION: Any building lot sold must have construction on dwelling begun within 12 (twelve) months of closing of purchase. If building does not begin within this period, seller will have the right to buy said building lot back at original selling price with no interest.

C-10 NO MOVE IN PROPERTY OTHER THAN PER COMMITTEE APPROVAL: It will not be permitted to move in a pre-built structure unless said structure is approved by committee. Any move in structure considered must be of current Architectured design.

Part D: ARCHITECTURAL CONTROL COMMITTEE:

D-1 MEMBERSHIP: The architectural Control Committee is composed of Byron C.

Dastrup, 737 No. 970 W. Provo, Utah, Jack A. Nelson 1020 W 500 No. Provo, Utah, T. Morris Ostler 3131 Mohawk Ln. Provo, Utah: A majority of the committee may designate a representative to act for it. In the event of death or resignation of any member of the committee, the remaining members of the committee, nor its designated representatives shall be entitled to any compensation for services performed pursuant to this covenant. At any time, the then record owners of a majority of the lots shall have power through a duly recorded written instrument to change the membership of the committee or to withdraw from the committee or restore to it any of its powers and duties.

D-2 PROCEDURE: The committee's approval or disapproval as required in these covenants shall be in writing. In the event the committee, or its designated representative fails to approve or disapprove within 30 days after plans and specifications have been submitted to it, or in any event, if not suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall deemed to have been fully complied with.

Part E. GENERAL PROVISIONS:

E-1 TERM: These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of forty years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive period of ten years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

E-2 ENFORCEMENT: Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

E-3 SEVERABILITY: Invalidation of any one of these covenants by judgement or court order shall in no wise effect any of the other provisions which shall remain in full force and effect.

Byron C. Dastrup
Erica B. Dastrup
Jack A. Nelson
Patrice M. Nelson

On the 22nd day of November, 1977
the signers of the above instrument
personally appeared before me

[Signature]
Notary Public
my commission expires 11-13-88
residing in Pleasant Grove
STATE OF UTAH

ORIGINAL TITLE CO.

RECORDED AT THE REQUEST OF
ORIGINAL TITLE CO.
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1977 NOV 28 PM 4:07
DEPUTY CLERK OF COURTS
COUNTY OF JOHNSON
UTAH

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