

192021

PROTECTIVE COVENANTS *Dar Verda Sub. Plat 1935*

WHEREAS, we, E. Clinton Swain and LaVerda H. Swain, his wife, are the owners of the following described land situated in Bountiful, Davis County, Utah:

AND, WHEREAS, it is our desire to place restrictions on said property for the improvement thereof, and to maintain higher values thereon, and for the protection of future owners thereof,

NOW, THEREFORE, we do hereby declare that the following described tract of land shall be conveyed to the future owners thereof subject to the following restrictions and protective covenants:

All of DAR VERDA SUBDIVISION, a subdivision of part of Block 3, North Mill Creek Plat, Bountiful Townsite Survey, in the City of Bountiful, according to the official plat thereof.

No lot shall be used except for residential purposes, No building shall be erected, altered, placed, or permitted to remain on any lot other than one detached single family dwelling not to exceed one and one-half stories in height and a private garage for not more than three cars. The ground floor area of the main structure, exclusive of open porches and garages, of any single family dwelling erected on any lot therein shall not be less than 900 square feet.

No building shall be erected on any residential building plot nearer than 25 feet to the front lot line, nor nearer than 20 feet to any side street line. No building, except a detached garage or other outbuilding located 60 feet or more from the front lot line, shall be located nearer than 6 feet to any side lot line. No residence or attached appurtenance shall be erected on any lot farther than 40 feet from the front lot line. No fence, wall, hedge, or other similar object shall project beyond the front line of the main structure placed on any lot therein. For the purpose of this covenant, eaves, steps and open porches shall not be considered as a part of a building, provided however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot.

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

No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. No animals or fowls, other than dogs, cats, or other household pets shall at any time be kept or maintained on any lot in said tract.

No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the architectural control committee (composed of E. Clinton Swain, LaVerda H. Swain, and Arlin Swain) as to quality or workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback line unless similarly approved.

These covenants are to run with the land and shall be binding on all parties and persons claiming under them for a period of 25 years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless an instrument signed by a majority of the then owners of the lots therein have been recorded agreeing to change said covenants in whole or in part.

Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any of these covenants and either to restrain such violation or to recover damages therefor.

SECURITY TITLE CO
Order no. 942 M. EMILY T. ELDREDGE
Deputy Best 167
For Plat 3.00
Recorder Davis County
Page 852
Plotted Abstracted
On Map Indexed
Compared Entered
Recorded at JUL 2 1935
By *Emilie T. Eldredge*

Invalidation of any 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.

Executed this 28th day of July, A. D. 1959.

E. Clinton Swain
LaVerda H. Swain

State of Utah)
) ss.
County of Davis

On the 28th day of July, A. D. 1959, personally appeared before me E. Clinton Swain and LaVerda H. Swain, his wife, the signers of the foregoing instrument who duly acknowledged to me that they executed the same.

[Signature]
NOTARY PUBLIC
Residing at: Bountiful, Utah
My Comm. Expires: April 4, 1962

