

1051321

Recorded at Request of Homeless Veterans

at 3:17 P.M. Sept 2 30 Cornelia S. Lund, Recorder S. L. County, Utah

By F. D. Hummery

Book 489 Page 36

Ref: 836-253-2

Misc Index #3

DECLARATION OF RESTRICTIONS

APPLICABLE TO

VETERANS HEIGHTS, A SUBDIVISION.

WHEREAS, the title to the following described property situate in Salt Lake County, State of Utah:

Beginning at the Northeast corner of Section 27, Township 1 South, Range 1 East, Salt Lake Meridian, and running thence West 54 rods; thence South 80 rods; thence East 54 rods; thence North 80 rods to the place of beginning;

now stands of record in the name of HOMELESS VETERANS, INCORPORATED, a Non-profit corporation of Utah; and

WHEREAS, a Subdivision known as VETERANS HEIGHTS has been created from the above described real property, and a plat thereof was, on the 6 day of August, 1946, duly recorded in the office of the Recorder of Salt Lake County, State of Utah, in Book 489, page 107, Entry No. 1051320, which plat has been duly accepted and approved by the Board of County Commissioners of Salt Lake County, State of Utah; and

WHEREAS the said corporation, HOMELESS VETERANS, INC., has, by authority of a resolution of its Board of Directors duly adopted, approved said plat and authorized the same to be placed on record, and whereas the restrictions hereinafter set forth were duly approved and ordered to be placed against said property by resolution of the Board of Directors of said corporation duly passed;

NOW THEREFORE, in consideration of the premises, and as a part of a general plan for the improvement of Veterans Heights, a subdivision, HOMELESS VETERANS, INCORPORATED, a Non-profit corporation of Utah, hereby declares that the real property hereinabove described is and shall be subject to the restrictions hereinafter set forth, which restrictions are and shall be an encumbrance on said real property and are and shall be deemed to be incorporated by this reference in all conveyances of said real property or any part thereof, and all such conveyances shall be subject to said

restrictions, and shall operate as covenants running with the land for the benefit of and giving the right of enforcement to the undersigned, its successors, assigns and grantees, who may become owners of any part of said real property, said restrictions being particularly expressed and set forth as follows:

1. All lots contained in said tract of real property shall be known and described as residential lots. No structures shall be erected, altered, placed or permitted to remain on any such lot, other than one detached single-family dwelling, not to exceed two stories in height, exclusive of a basement, and a private garage for not more than two cars, and other outbuildings incident to residential use not prohibited by any zoning ordinance respecting said tract which is in effect at the time said building is to be erected.

2. No building shall be located on any residential building lot nearer than 25 feet from the front property line of said lot. No building, except a garage or other outbuilding located 60 feet or more from the front property line of said lot, shall be located nearer than 8 feet from any side lot line, except with the permission of the owner of abutting property, and only so long as there is a distance of not less than 20 feet maintained between residences.

3. No trailer, basement, tent, shack, garage, barn or other outbuilding erected on the above described real property shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

4. No dwelling containing less than 800 square feet of floor space shall be permitted to be constructed on any of the real property hereinabove described.

5. No person of any race other than the white race shall use or occupy any building or lot, except as a domestic servant working for or domiciled with the owner or tenant.

6. Invalidation of any of these covenants, by judgment or court order, shall in no wise affect any of the other provis-

lens, which shall remain in full force and effect.

The officers who sign this instrument hereby certify that the same was duly authorized under a resolution duly adopted by the board of directors of Homeless Veterans, Inc., at a lawful meeting duly held and attended by a quorum.

In Witness Whereof, the corporate name and seal are hereunto affixed by its duly authorized officers this 6 day of August, 1946.

HOMELESS VETERANS, INCORPORATED,

By James Francis Wedsworth
President.

Attest:

Secretary.

STATE OF UTAH)
COUNTY OF SALT LAKE) SS

On the 6th day of August, 1946, personally appeared before me James Francis Wedsworth and Keith S. Webb, who being by me duly sworn did say, each for himself, that he the said James Francis Wedsworth is the president, and he, the said Keith S. Webb is the secretary of Homeless Veterans, 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 each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of the said corporation.

John W. McLaughlin
Notary Public residing at Salt Lake City, Utah.

My Commission Expires:

May 4, 1949

AUG 6 1946

Recorded at Request of Merrill W. Curtis

at 356 P Freehold 1, 10 Cornelia S. Lund, Recorder S. L. County, Utah

By F. P. Johnson Dep.

Book 489 Page 371 Ref: 648-82-41
Water Indlt # 9725

FORM C-1 2808

1051352

CERTIFICATE OF APPROPRIATION OF WATER STATE OF UTAH

ORIGINAL

APPLICATION NO. 13388

CERTIFICATE NO. _____

NAME AND ADDRESS OF APPROPRIATOR _____

MERRILL W. CURTIS, ALL PENNY AVE., SALT LAKE CITY, UTAH

SOURCE OF SUPPLY _____

UNDERGROUND WATER IN SALT LAKE COUNTY, UTAH; JORDAN RIVER DRAINAGE AREA

QUANTITY OF WATER TEN/ONE THOUSANDS (0.010) SECOND FOOT PRIORITY OF RIGHT _____

FEBRUARY 27, 1949

PERIOD AND NATURE OF USE _____

FROM JANUARY 1 TO DECEMBER 31 INCLUSIVE OF EACH YEAR FOR DOMESTIC PURPOSES

Whereas, It has been made to appear to the satisfaction of the undersigned that the appropriation of water has been perfected in accordance with the Laws of Utah; therefore, Be it known that I, ED. H. WATSON the duly appointed, qualified and acting State Engineer, by authority of the Laws of Utah, do hereby certify that said appropriator is entitled to the use of water as herein set out, subject to prior rights, if any, for diversion and use as follows, to wit:

The water appropriated is yielded by a pump well fully cased with 2" black iron pipe driven to a depth of 90 ft. below ground surface situated S 765 ft. and W 1970 ft. from NE Cor. Sec. 31, T15S, R1E, S18W. The water appropriated is pumped from the well by means of an electrically driven reciprocal pump located over the well and conveyed southeasterly through 18' of 3/4" galvanized iron pipe to a pump, thence through 50 ft. of 3/4" galvanized iron pipe within said house where it is used intermittently during the entire year for domestic purposes in serving one family. The water appropriated is through an outside outlet on the house line near the well, during the period from April 1 to October 15 of each year, intermittently released, and used through garden hose to irrigate 4000 sq. ft. of lawn and garden surrounding the dwelling.

The amount of water appropriated for incidental irrigation is limited to an amount less than that appropriated for domestic (household) purposes.

The diverting and distributing works are to be operated and maintained in such manner and condition as will prevent waste of water.

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office this 20th day of June, 1946.

Ed. H. Watson
ED. H. WATSON,
STATE ENGINEER