

**ENTRY NO. 01112349**

06/10/2019 01:28:18 PM B: 2512 P: 1157

Restrictive Covenants PAGE 1/3  
RHONDA FRANCIS, SUMMIT COUNTY RECORDER  
FEE 40.00 BY JOSHUA HELMLE

When recorded, please return to:

Joshua Helmle  
1945 Stewart St  
Oceanside, CA 92054



Tax Parcel No. CD-414-B

**RESTRICTIVE USE COVENANT FOR THE BENEFIT  
OF  
SUMMIT COUNTY, UTAH**

THIS RESTRICTIVE USE COVENANT FOR THE BENEFIT OF SUMMIT COUNTY, UTAH (the "Use Covenant") is made and entered into as of the 5<sup>th</sup> day of June, 2019 by Joshua Helmle, 1945 Stewart St, Oceanside, CA 92054 (the "Owner"), in favor of Summit County, a body corporate and politic of the State of Utah, whose address is 60 North Main, P.O. Box 128, Coalville, Utah, 84017 (the "County").

WHEREAS, the Owner is the owner of certain real property identified by Summit County as Tax Parcel No. CD-414-B, which real property is more particularly described on Exhibit "A" attached hereto (the "Property");

WHEREAS, the street address of the Property is 2680 Grandview Loop, Kamas, UT 84036; and

WHEREAS, the Owner desires to construct a second kitchen (an accessory dwelling unit) in the lower level of the single family dwelling on the Property; and

Whereas, in order to obtain a Certificate of Occupancy from the Building Department of Summit County, Utah for the improvements constructed upon the Property, Summit County has required and the Owners have agreed to place the following restrictions on the Property.

Now, Therefore, in consideration of the issuance of the Certificate of Occupancy, the Owners hereby agree to the following:

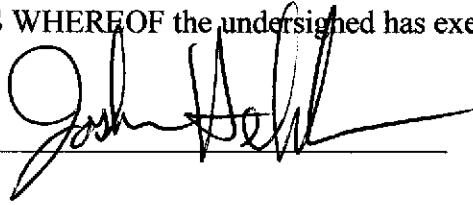
1. The accessory dwelling unit may not be sold separately from the sale of the entire property, including the primary residence and may not be condominiumized.
2. The accessory dwelling unit use shall be consistent with the following definition:

*A structure or a portion of a structure which is used by the owner of the of the primary residence or primary tenant as a dwelling for the private use of the property owner's relatives, domestic help, caretakers, nursing staff, houseguest or similar users. An accessory dwelling unit shall contain cooking, sanitation and sleeping facilities.*

3. This Use Covenant shall burden the property and run with the land unless removed by Summit County. Summit County shall remove this Use Covenant if the provisions of the Eastern Summit County Development Code no longer require them.
4. This restriction shall be binding upon and insure to the benefit of the parties, their successors and assigns.

IN WITNESS WHEREOF the undersigned has executed this instrument as of the day and year first written.

By: \_\_\_\_\_



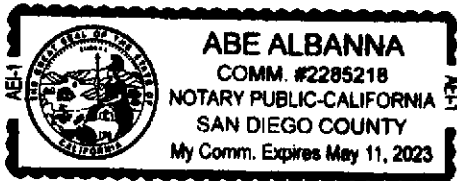
ACKNOWLEDGMENT

STATE OF California )

COUNTY OF San Diego )

On this 6/5/2019 day of 06, 2019, before me personally appeared Joshua Nathan Holmbeck, and did state upon his oath that he is the owner of the above-described real property in Summit County, Utah, and that the forgoing instrument was acknowledged before me.

Witness my hand and official seal.



abe albanna  
Notary Public

My commission expires: May 11, 2023

EXHIBIT "A"

Legal Description  
Of the  
Property

Parcel Number: CD-414-B

A PARCEL OF LAND LYING WITHIN SECS 11,12,13 & 14 T2SR5E SLBM SUMMIT COUNTY DESC AS FOLLOWS:  
COMM AT A REBAR MARKING THE SE COR OF SD SEC 14 (BASIS OF BEARING S IS N 89°11'29" E BETWEEN SD  
REBAR & A 2 INCH PIPE MARKING THE SE COR OF SEC 13); TH S 89°38'30" W 1353.01 FT; TH N 4139.90 FT TO THE  
PT OF BEG SD PT ALSO BEING ON THE CENTER OF A 50 FT R/W; TH N 46°14'58" E 1830.00 FT; TH S 44°43'54" E  
482.20 FT TO A PT OF INT/SEC WITH A NON-TANGENT CUR CONCAVE W'LY HAVING A RAD OF 900.00 FT & A  
CENTRAL ANGLE OF 19°29'45" SD PT ALSO BEING ON THE CENTER OF A 60 FT R/W; TH ALONG SD C/L THE  
FOLLOWING 19 COURSES: S'LY ALONG THE ARC OF SD CUR TO THE RIGHT FROM WH THE LOCAL TANGENT  
AT THE BEG PT BEARS S 08°23'00" W 306.24 FT SD ARC SUBTENDE BY A CHORD WH BEARS S 18°07'52" W  
304.76 FT TO THE CUR END S 27°52'45" W 198.50 FT TO THE BEG OF A CUR CONCAVE E'LY HAVING A RAD OF  
304.03 FT & A CENTRAL ANGLE OF 27°42'54" SW'LY ALONG THE ARC OF SD CUR TO THE LEFT 147.06 FT SD ARC  
SUBTENDE BY A CHORD WH BEARS S 14°01'18" W 145.63 FT TO A PT OF REVERSE CURVATURE WITH A CUR  
CONCAVE W'LY HAVING A RAD OF 200.00 FT & A CENTRAL ANGLE OF 26°00'00" S'LY ALONG ARC OF SD CUR  
TO THE RIGHT 90.76 FT SD ARC SUBTENDE BY A CHORD WH BEARS S 13°09'51" W 89.98 FT TO A PT OF  
REVERSE CURVATURE WITH A CUR CONCAVE E'LY HAVING A RAD OF 200.00 FT & A CENTRAL ANGLE OF  
33°30'00" SW'LY ALONG THE ARC OF SD CUR TO THE LEFT 116.94 FT SD ARC SUBTENDE BY A CHORD WH  
BEARS S 09°24'51" W 115.28 FT TO A PT OF REVERSE CURVATURE WITH A CUR CONCAVE W'LY HAVING A RAD  
OF 437.91 FT & A CENTRAL ANGLE OF 22°55'21" S'LY ALONG THE ARC OF SD CUR TO THE RIGHT 175.19 FT SD  
ARC SUBTENDE BY A CHORD WH BEARS S 04°07'31" W 174.03 FT TO A PT OF REVERSE CURVATURE WITH A  
CUR CONCAVE E'LY HAVING A RAD OF 135.00 FT & A CENTRAL ANGLE OF 24°48'18" S'LY ALONG THE ARC OF  
SD CUR TO THE LEFT 58.45 FT SD ARC SUBTENDE BY A CHORD WH BEARS S 03°11'03" W, A DISTANCE OF  
57.99 FT TO A PT OF REVERSE CURVATURE WITH A CUR CONCAVE W'LY HAVING A RAD OF 319.57 FT & A  
CENTRAL ANGLE OF 30°04'35" S'LY ALONG THE ARC OF SD CUR TO THE RIGHT, A DISTANCE OF 167.75 FT SD  
ARC SUBTENDE BY A CHORD WH BEARS S 05°49'11" W, A DISTANCE OF 165.83 FT TO THE CUR END S  
20°51'29" W, A DISTANCE OF 176.08 FT TO THE BEG OF A CUR, CONCAVE E'LY HAVING A RAD OF 169.64 FT & A  
CENTRAL ANGLE OF 22°09'52" S'LY ALONG THE ARC OF SD CUR TO THE LEFT, A DISTANCE OF 65.62 FT SD ARC  
SUBTENDE BY A CHORD WH BEARS S 09°46'33" W, A DISTANCE OF 65.22 FT TO A PT OF REVERSE  
CURVATURE WITH A CUR CONCAVE W'LY HAVING A RAD OF 378.12 FT & A CENTRAL ANGLE OF 11°37'27"  
S'LY ALONG THE ARC OF SD CUR TO THE RIGHT, A DISTANCE OF 76.71 FT SD ARC SUBTENDE BY A CHORD  
WH BEARS S 04°30'20" W, A DISTANCE OF 76.58 FT TO THE CUR END S 10°19'04" W, A DISTANCE OF 480.78 FT TO  
THE BEG OF A CUR CONCAVE NW'LY HAVING A RAD OF 200.00 FT & A CENTRAL ANGLE OF 51°10'43" S'LY  
ALONG THE ARC OF SD CUR TO THE RIGHT, A DISTANCE OF 178.65 FT SD ARC SUBTENDE BY A CHORD WH  
BEARS S 35°54'25" W, A DISTANCE OF 172.77 FT TO THE CUR END S 61°29'47" W, A DISTANCE OF 34.22 FT N  
28°30'13" W, A DISTANCE OF 391.30 FT TO THE BEG OF A CUR CONCAVE SW'LY HAVING A RAD OF 400.00 FT &  
A CENTRAL ANGLE OF 19°29'29" NW'LY ALONG THE ARC OF SD CUR TO THE LEFT, A DISTANCE OF 136.08 FT  
SD ARC SUBTENDE BY A CHORD WH BEARS N 38°14'58" W, A DISTANCE OF 135.42 FT TO THE CUR END N  
47°59'43" W, A DISTANCE OF 815.68 FT TO THE BEG OF A CUR CONCAVE NE'LY HAVING A RAD OF 800.00 FT &  
A CENTRAL ANGLE OF 08°29'22" NW'LY ALONG THE ARC OF SD CUR TO THE RIGHT, A DISTANCE OF 118.54 FT  
SD ARC SUBTENDE BY A CHORD WH BEARS N 43°45'02" W, A DISTANCE OF 118.43 FT TO THE CUR END & N  
39°30'21" W, A DISTANCE OF 173.79 FT TO THE PT OF BEG CONT 43.77 AC