

**ENTRY NO. 01213687**

12/18/2023 02:00:36 PM B: 2804 P: 0833

Restrictive Covenants PAGE 1/3  
RHONDA FRANCIS, SUMMIT COUNTY RECORDER  
FEE 40.00 BY MADISON SCHULT



When recorded, please return to:

Owner mailing information:

300 E. 4500 S. #200

Murray, UT 84107

Tax Parcel No. ESSCVC-41

**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 1<sup>st</sup> day of December, 2023 by AMH DEVELOPMENT (the "Owners"), 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 Owners are the owners of certain real property identified by Summit County as Tax Parcel No. ESSCVC-41, which real property is more particularly described on Exhibit "A" attached hereto (the "Property");

WHEREAS, the street address of the Property is 1500 Mahogany Way, Park City, UT 84098; and

WHEREAS, per plat note number 27 of the Elk Springs at Silver Creek Village Subdivision plat this lot is required to contain an affordable/workforce housing unit constructed as an accessory dwelling unit which will be in the lower level of the home located 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.

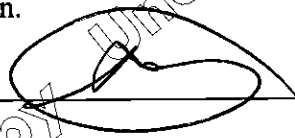
Now, Therefore, in consideration of the issuance of the Certificate of Occupancy, the Owners hereby agree to the following:

1. The accessory dwelling unit may not be sold separately from the sale of the entire property, including the primary residence.
2. The accessory dwelling unit shall be deed restricted per Section 5.2 of the Silver Creek Village Development Agreement.
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 Snyderville Basin Development Code and the Silver Creek Development Agreement no longer require them.

4. This Use Covenant 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: \_\_\_\_\_



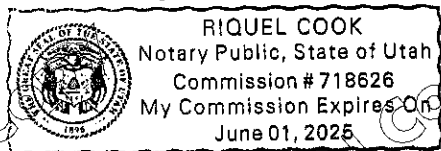
By: \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF Utah

COUNTY OF Salt Lake

On this 18<sup>th</sup> day of December, 2023, before me personally appeared Shane Frey, 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.

Riquel Cook  
Notary Public

My commission expires: 6-1-2025

**EXHIBIT "A"**

**Legal Description**

**Of the  
Property**

Parcel Number ESSCVC-41

Account Number 0522235

Acres 0.14

Situs 1500 MAHOGANY WAY ,

Tax District 42 - SSSD A,J,K,T,U (C-C) (E-E) (V) (VI)

Geo Neighborhood 03-17-10 - ELK SPRINGS SUB

Legal LOT 41, ELK SPRINGS AT SILVER CREEK VILLAGE CENTER SUBDIVISION;  
ACCORDING TO THE OFFICIAL PLAT THEREOF AND ON FILE IN THE SUMMIT  
COUNTY RECORDERS OFFICE. CONT 6,049 SQ FT. OR 0.14 AC. M/L