

RECORDERS NO.

170

1957

138

RESTRICTIONS AND COVENANTS AFFECTING ALL LOTS IN PLAT 4 TREMONTON SURVEY

A. ALL OF LOTS ABOVE MENTIONED SHALL BE KNOWN AND DESCRIBED AS RESIDENTIAL LOTS. NO STRUCTURES SHALL BE ERECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY RESIDENTIAL BUILDING PLOT OTHER THAN ONE DETACHED SINGLE FAMILY DWELLING, AND ONE OR TWO CAR GARAGE.

B. NO BUILDING SHALL BE LOCATED 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 SHALL BE LOCATED NEARER THAN 5 FEET TO ANY SIDE LOT LINE EXCEPT A DETACHED GARAGE, CARPORT OR PATIO LOCATED 50 FEET OR MORE FROM THE FRONT LOT LINE SHALL BE LOCATED NOT NEARER THAN ONE FOOT FROM ANY SIDE LOT LINE.

C. NO STRUCTURE SHALL BE MOVED ONTO ANY RESIDENTIAL LOT HEREAFTER DESCRIBED OR ANY PART THEREOF UNLESS IT MEETS WITH THE APPROVAL OF A MAJORITY OF THE PROPERTY OWNERS IN THE SUBDIVISION.

D. NOT MORE THAN ONE DWELLING SHALL BE ERECTED ON ANY ONE BUILDING LOT.

E. NO NOISIOUS 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.

F. 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 AS TO QUALITY OF 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. APPROVAL SHALL BE AS PROVIDED IN PART H.

G. NO TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDING 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.

H. THE ARCHITECTURAL CONTROL COMMITTEE IS COMPOSED OF ALBERT BESSINGER, JR., VINCENT CHIDDO AND RUSSELL B. WEBB, ALL OF TREMONTON, 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 SHALL HAVE FULL AUTHORITY TO DESIGNATE A SUCCESSION. NOTICE THE RECORDS OF THE COMMITTEE, AND ITS DESIGNATED REPRESENTATIVE SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES RENDERED PURSUANT TO THIS COVENANT. AT ANY TIME, THE THEN RECORD OWNERS OF A MAJORITY OF THE LOTS SHALL HAVE THE 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.

I. 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 NO DUTY TO ENJOIN THE CONSTRUCTION HAS BEEN COMPLETED PRIOR TO THE COMPLETION THEREOF, APPROVAL WILL NOT BE REQUIRED AND THE RELATED COVENANTS SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.

J. THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE-STORY OPEN PORCHES AND GARAGES, SHALL BE NOT LESS THAN 900 SQUARE FEET IN THE CASE OF A ONE-STORY STRUCTURE NOR LESS THAN 900 SQUARE FEET IN THE CASE OF A TWO-STORY STRUCTURE.

K. AN EASEMENT AND RIGHT OF WAY IS HEREBY RESERVED OVER AND ACROSS THE REAR 5 FEET OF ALL LOTS IN SAID SUBDIVISION FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

L. THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 1999, AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS BY VOTE OF A MAJORITY OF THE THEN OWNERS OF THE LOTS, IT IS AGREED TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.

M. IF THE PARTIES HERETO, OR ANY OF THEM, OR THEIR HEIRS OR ASSIGNS, SHALL VIOLATE

PROTECTIVE COVENANTS CONT.

OR ATTEMPT TO VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR ANY OTHER PERSON OR PERSONS OWNING ANY REAL PROPERTY SITUATED IN SAID DEVELOPMENT OR SUB-DIVISION TO PROSECUTE ANY PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT AND EITHER TO PREVENT HIM OR THEM FROM SO DOING OR TO RECOVER DAMAGES OR OTHER DUES FOR SUCH VIOLATION.

N. INVALIDATION OF ANY ONE 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.

O. NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY LOT, EXCEPT THIS DUCKS, CATS OR OTHER HOUSEHOLD PETS MAY BE KEPT PROVIDED THAT THEY ARE NOT KEPT, BRED, OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

WE THE UNDERSIGNED HEREBY CERTIFY THAT WE ARE THE DEVELOPERS OF THIS ABOVE MENTIONED SUBDIVISION AND THAT WE EXECUTED THE FOREGOING DOCUMENT.

Albert Desaiyer, Jr.
ALBERT DESAIYER, JR.

Ray Desaiyer
RAY DESAIYER

STATE OF UTAH
COUNTY OF HOX Elder

SUBSCRIBED AND SWORN TO BEFORE ME THIS 23 DAY OF March, 1967

Harold H. Webb
NOTARY PUBLIC

RESIDING AT TRENTON, UTAH

MY COMMISSION EXPIRES 6-27-60