

City of Provo, Utah

Notice of

OCCUPANCY RESTRICTION

Where Residential Structures Have Second Kitchens

New Construction

All prospective, current, and future owners, and heirs to the property identified below, are hereby notified that the residence is permitted the use of an additional kitchen, so long as its use complies with the conditions specified in Section 14.34.440 of the Provo City Zoning Ordinance. Only one family residential structures located in an RA (Residential Agricultural), A1 (Agricultural), or R1 (One Family Residential) Zone including a Performance Development Overlay (PD) zone used in combination with these zones are permitted additional kitchens. The property is described as follows:

Address: 4275 N. STONE CROSSING Provo, Utah
In Lot 43, Plat _____, in the STONE GATE Subdivision
Provo City, Utah, or as otherwise described legally as follows:

ENT 145660:2007 PG 1 of 2
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2007 Oct 09 12:59 pm FEE 0.00 BY CM
RECORDED FOR PROVO CITY CORPORATION

Utah County Parcel No: 529110043 With _____ (Acre or Percentage thereof). The property is located in the _____ Zone, and _____ Grid.

The residence located at the above referenced address shall have only one front entrance, one address, and one electric meter. In accordance with the provisions allowing for an additional kitchen, neither this document nor the existence of an additional kitchen shall be interpreted as allowing for, or permitting, any form of accessory apartment or second living unit at this location. In those residences with an additional kitchen, both present and future owners of the property must limit use of the one family residence to a family only.

BUILDING PERMIT # 000756 was issued to document the code compliance of the additional kitchen. An inspection was performed to confirm the counter electric outlets were GFCI protected and the sink was properly plumbed.

Community Development Approval by [Signature] Date: 10.2.07

I/We, MAGLEBY COMPANIES, as owner(s) of the subject property, declare this 2ND day of OCTOBER, 20 07, that I/We understand the requirements for the creation/existence of an additional kitchen in the dwelling unit identified above. In accordance with these requirements, I/We declare that I/We will in no way attempt to modify the existing dwelling unit in order to create an accessory apartment or a second living unit. Further, I/We agree that I/We shall allow Provo City staff to make an inspection of the subject home within reasonable hours, in order to determine compliance with the Provo City Ordinance regarding additional kitchen(s) in one-family dwelling units.

Current Mailing Address: PO BOX 990 PLEASANT GROVE City/State/Zip UT 84042

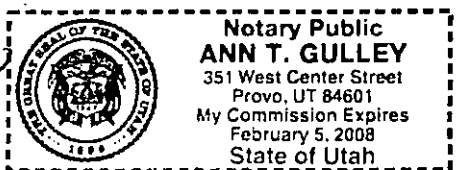
Signed: [Signature] Date Signed: 10/2/07

Signed: _____ Date Signed: _____

STATE OF UTAH)
COUNTY OF UTAH) SS.

On this 2nd day of October, 20 07, personally appeared before me, a Notary Public, Magleby Companies and identified him/herself/themselves as the signer(s) of the foregoing instrument and who duly acknowledged that he/she/they executed the same.

Signed: [Signature]
NOTARY PUBLIC, in and for the County of Utah
State of Utah. My Commission Expires: February 5, 2008
Print Name: Ann T. Gulley



City of Provo, Utah - Community Development Department
PROVO CITY ORDINANCE REGARDING ADDITIONAL KITCHENS
IN ONE FAMILY RESIDENCES
Section 14.34.440 of the Provo City Zoning Ordinance

PURPOSES OF ORDINANCE ENT 145660:2007 PG 2 of 2

1. Establishes criteria for allowing an additional kitchen in single family residences which are located in the RA (Residential-Agricultural), A1 (Agricultural), and R1 (One Family Residential) Zone, including a Performance Development Overlay (PD) zone used in combination with these zones; and
2. Distinguishes such allowance from that which would result in creation of a second dwelling unit or accessory apartment.

CONDITIONS FOR ALLOWING ADDITIONAL KITCHENS:

1. The dwelling unit shall have only one front entrance.
2. The dwelling unit shall have only one address.
3. An interior access shall be maintained to all parts of the home. This requirement is to assure that an accessory unit or apartment is not created. For example, there shall be no keyed and dead bolt locks, or other manner of limiting or restricting access from the additional kitchen(s) to the remainder of the home.
4. The dwelling unit shall have no more than one electrical meter.
5. Additional kitchen(s) may exist as part of the primary dwelling structure or be installed in an accessory or "out" building provided the use and occupancy limitations of this section are met and no second dwelling unit or accessory apartment is established in the primary or accessory buildings.
6. Upon request made by Provo City staff, residents of the dwelling unit shall allow, within reasonable hours, an inspection of the dwelling unit and any building accessory to the dwelling unit which has an additional kitchen in order to determine compliance with this policy.
7. Property owner must sign a written document prescribed by Provo City which declares that the dwelling unit will not be converted into two or more units without specific approval by authorized staff of both the Provo City Building Inspection and Zoning Divisions. Signature(s) on such a document shall be notarized and recorded with the Utah County Recorder's Office prior to issuance of a building permit and will remain as a part of the official records concerning the subject property.
8. Once an additional kitchen is approved, both present and future owners of the property must limit use of the one family residence to a family only, thus waiving the right to also have unrelated persons reside in the structure.
9. Construction of any such kitchen would then be required to meet Uniform Building Code standards.