

15238

DECLARATION OF FARM UNIT

TO THE PUBLIC:

We, the undersigned owners of real property in Utah County, State of Utah, which property is more particularly described as follows:

RECORDED AT THE REQUEST OF
1984 MAY 23 AM 11:23
NINA R. HEDIN
UTAH COUNTY CLERK
BY [Signature]

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A.) REAL PROPERTY

See attached Exhibit "A" for legal description of real property.

B.) PERSONAL PROPERTY

The following livestock are to be maintained on the farm unit:

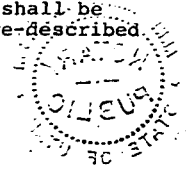
- 450 cows
- 350 yearling cattle
- 70 cows- range
- 55 feedlot cattle
- 50 Bulls
- 100 sheep
- 575 swine

The undersigned have the intent to maintain a farm unit necessary to qualify for farm caretaker dwellings under the provisions of sections 4-3-50 and 4-3-51 of the 1976 Revised Zoning Ordinance of Utah County, Utah.

We hereby covenant and agree as follows:

1. That the above-described property shall be maintained as one unit and considered as one zoning lot, which is a bona fide farming operation qualifying for each and all farm caretaker dwellings approved, subject to the above-cited (or successor) Ordinance.
2. That neither we, nor any of our heirs, executors, administrators or assigns shall allow residential use of the above-described real property, except properly approved primary and secondary farm dwellings for caretakers employed on the premises.
3. This covenant shall run with the land and shall be binding upon all persons owning or leasing the above-described real property.

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4. This covenant shall terminate and be of no further force or effect at such time as the Utah County Zoning Ordinances are repealed or amended to no longer require the farm unit as set forth above; (2) portions of the property above described become a part of an incorporated city or town; or (3) the above-described real property is rezoned to permit residential uses of the above-described property, where the owners or their successors are able to comply with the then existing zoning ordinances of Utah County.

Invalidation of any of these covenant provisions by judgment or Court order shall not affect any of the other provisions, which shall remain in full force and effect.

If the owners, or their heirs, executors, administrators, agents, or assigns shall violate, or attempt to violate any of the provisions of this instrument, Utah County may enforce said agreement through the withholding of building permits, or appropriate civil proceeding including injunctive relief which may include enjoining construction, abatement, mandamus, or other appropriate civil remedies; or may institute criminal proceedings for misdemeanor violations as provided for violation of a zoning ordinance; further, any aggrieved party having a legal interest may seek similar civil relief, and where successful, such party may be awarded any Court costs or attorney's fees required for enforcement.

Signed:

BRIGHAM YOUNG UNIVERSITY

By:

Authorized Agent

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

On the 4th day of May, 1983, personally appeared before me W. Rolfe Kerr

the signer(s) of the above instrument, who duly acknowledged to me that they executed the same.

Anne Marie Anderson
NOTARY PUBLIC

My Commission Expires:

Residing at:

10/20/85

Provo, Utah



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EXHIBIT "A"

The following described lands located in Section 5 Township 9 South Range 3 East of the Salt Lake Base and Meridian.

All of Section 5. Less and Excepting the following:

1. Beginning at the Southwest corner of Section 5, Township 9 South, Range 3 East, Salt Lake Base and Meridian, and running thence North 393.5 feet to the South side of the Salem Canal right of way; thence along the said canal right of way North 79° East 142.0 feet; thence North $45^{\circ} 30''$ East 206.0 feet; thence North $81^{\circ} 30''$ East 115.0 feet; thence South 583.7 feet to the north side of an East-West road; thence along the North side of said road South $89^{\circ} 45'$ West 400 feet to the place of beginning. Said property of Melvin Bangerter (Approx. 5 acres).
2. The $E\frac{1}{2}$ of the $SW\frac{1}{4}$ belonging to Vee Koyle.
3. The $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ and the $E\frac{1}{2}$ of the $SE\frac{1}{4}$ belonging to the public domain.
4. All canal and established county road right of ways.

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