

5043 F1466-84-Blk-Lot

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Declaration of Restrictions and Limitations on Sunny Brook Park, Provo City, Utah.

Whereas, the undersigned are the owners of the following described property located in Provo City, County of Utah, State of Utah: to wit:

Beginning at a point 55.74 feet west and 379.4 feet south of the northeast corner of NW  $\frac{1}{4}$  of section 36, township 6 south range 2 east. S.L. base and meridian. Thence S.  $0^{\circ} 45'$  W. 310.20 feet thence S.  $0^{\circ} 15'$  W. 251.50 feet. Thence N  $88^{\circ} 18'$  W. 933.14 feet thence N  $16^{\circ} 15'$  E. 330.00 feet; Thence along the arc of a curve to the right, (which has a radius of 80.0 feet,) 103.31 feet; Thence S.  $89^{\circ} 42'$  E. 22.00 feet; Thence N.  $0^{\circ} 15'$  E. 176.00 feet; Thence S.  $89^{\circ} 45'$  E. 601.32 feet; Thence S.  $88^{\circ} 33'$  E. To point of beginning.

And, whereas said property has been plotted into blocks, lots, streets, and easements, under a plat designated as Sunny Brook Park, Provo City, Utah. Said Plat having been approved by the Board of Commissioners of Provo City, and duly filed in the office of the County Recorder of Utah, County Utah and

Whereas, it was at the time of the filing of said plat the intention of the undersigned owners of Said Sunny Brook Park, Provo City, Utah, that certain Protective and restrictive limitations pertaining to the use of the respective lots or parcels of land by the purchasers thereof, should be established, fixed and attached, and become appurtenant to each of the said lots or parcels of land located in said subdivision, and more particularly hereinafter described, and

Whereas, it was not practical to set forth such protective and restrictive limitations in the dedication made by the owner in the Plat approved by the Board of Commissioners of Provo City, Utah and filed in the office of the County Recorder of Utah County, Utah.

Now, Therefore, it is hereby determined, fixed and declared that the following protective and restrictive limitations are binding on appurtenant to, and run with each and every lot or parcel of land in said subdivision, hereinafter described, and said restrictions and limitations shall be binding on all parties and all persons claiming under, and as grantees of the undersigned to wit:

(a) The block and lots to which said restrictions and limitations shall apply are described as follows; Lots 1 to 4 - BK1; Lots 1 to 6 - BK2; Lots 1 to 11 - BK3; Lots 1 to 12 BK4; Lots 1 to 5 BK5; Lots 1 to 6 BK6; all in Sunny Brook Park.

(b) No structure shall be erected placed or permitted to remain on any of the above described lots or parcels of land other than the one or two-family dwelling not to exceed two stories in height and a private garage for not more than three cars.

(c) All buildings shall comply with Zoning Ordinance R-2 of Provo City, Utah.

(d) No trailers, basements, tents, sheds or out buildings shall be used permanently in connection with a residence.

(e) The minimum size for any floor plan for single story building shall be 1,000 square feet and 750 square feet for each floor of two story building. No dwelling costing less than \$10,000.00 shall be erected.

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(f) These covenants shall run until January 1, 1970 at which time the majority of the property owners shall agree to only change of covenants in whole or in part.

(g) J. Rex Griffiths or his duly appointed successor, shall act as chairman to enforce above covenant and restrictions.

The provisions of this instrument or declaration shall be just as effective and binding upon the purchaser of any lot, or parcels of land herein described as if the provisions hereof were a part of the plat of said Plats A and B of Sunny Brook Park, submitted and approved by the County Recorder of Utah County, State of Utah, on \_\_\_\_\_ day \_\_\_\_\_, as entry No. 1, map filing No. \_\_\_\_\_.

In witness Whereof the parties have affixed their signatures at Provo, Utah County, State of Utah, this 13th day of April, 1956.

State of Utah )  
                  : ss  
County of Utah)

*J. Rex Griffiths*  
*Ora Griffiths*



On the 13th day of April, A. D. 1956 personally appeared before me J. Rex Griffiths and Ora Griffiths, his wife, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same.

*Sylvia C. Fellety*  
Notary Public

*P.O. # 2 Box 767  
Provo, Utah*

APR 16 4 02 PM '56  
ABSTRACTED \_\_\_\_\_ SEC.  
PROOF READ \_\_\_\_\_ TP  
INDEXED \_\_\_\_\_ TP  
FEE \$ 3.70 MAIL TO

BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
THE MA VEST UTAH COUNTY  
RECORDER  
OFFICE

*J. Rex Griffiths*

Summit Area Plat 11-1-56  
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APR 16 1956