

401

6063

DECLARATION OF RESTRICTIONS AND LIMITATIONS  
ON PLAT "A" McCLINTOCK SUBDIVISION, PROVO, CITY, UTAH

WHEREAS G.M. McClintock a private individual sometimes hereinafter referred to as the owner of the following described property located in Provo City, Utah County, State of Utah, to wit;

Beginning 7.64 chains north 89°37' East from the Northwest corner of the Southwest quarter of section 36, Township 6 South, range 2 East, Salt Lake Base and Meridian; thence North 2.03 chains thence North 24 30' East 0.93 chains; thence South 50° East 0.99 of a chain; Thence South 10.15 chains; thence East 3.41 chains; thence South 5.872 chains; thence north 89° 40' West 4.55 chains; thence North 13.752 chains to the place of beginning.

AND WHEREAS, said property has been platted into blocks, lots streets and alleys under a plat designated as plat A McClintock subdivision Provo, Utah. Said plat having been approved by the City Commissioners of Provo, Utah, and duly filed in the office of the recorder of Utah County, and

WHEREAS IT WAS AT THE TIME of the said filing of said plat the intention of the undersigned owner of above subdivision that certain protective and restrictive limitations pertaining to the use of the respective lots or parcels of land by the purchasers of said land, should be established, fixed and attached, and become appurtenant to each of 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 the dedication made by the owners 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 the covenants are to run with the land and shall be binding on all parties, and all persons claiming under them until January 1, 1973 at which time said covenants shall automatically be extended for successive periods of ten years, unless by the majority of the then owners of the lots it is agreed to change said covenants in the whole or in part.

If the parties hereto, or any of them, or the heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall be unlawful for any other person or persons owning any real property situated in said subdivision 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 recover damages or other dues for such violation.

Invalidation of any one of these covenants by judgement or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

The blocks and lots of which said subdivision is comprised and to which said restrictions and limitations shall apply are described as follows;

- Lots 1, 2, 3, 4, in Block one, Lots 1, 2, 3, 4, 5, 6, 7, 8, in block 2
- Lots 1, 2, 3, 4, 5, 6, 7, 8, in block 3
- Lots 1, 2, 3, 4, in block 4
- Lots one in Block Five

All lots shown here appear in the Original Plat filed with the County Recorder, Provo, Utah.

DEFINITIONS, The word "Lot " as hereinafter used refers to one or more of the numbered and dimensioned lots also shown upon the recorded map of plat in this aforementioned subdivision.

A. All lots in this tract shall be known as residential lots. No structures shall be erected altered, placed or permitted to remain on any residential lot other than one detached single family dwelling, not to exceed two stories in height and private garage for not more than two cars and other out buildings incidental to residential use of plot.

B. No building shall be erected, altered or caused to be placed on this aforementioned lots or plots, until the plans and specifications have been approved by the Provo City Engineer, and at least three of the owners of other lots or plots in the said subdivision nearest the proposed building.

C. No building shall be located nearer to the front line or nearer to the side street line, than the City ordinance sets forth.

D. No residential structure shall be erected or placed on any building lot which has an area of less than 5000 square feet.

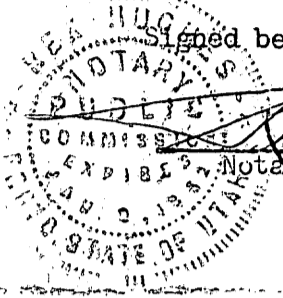
E. No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

400  
400  
No. No dwelling costing less than \$4000.00 shall be permitted on any lot in the tract, and the floor area less than 700 square feet.

G. No person of any race other than the Caucasian race shall use or occupy any building or any lot, except that this Covenant shall not prevent occupancy by domestic servants of a different race, domiciled with an owner or tenant.

No trash, ashes or any other refuse may be dumped or thrown on any lot heretofore described or any part or portion thereof. All homes must subscribe to City garbage disposal service, an incinerator must be provided.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures at Provo, Utah County, State of Utah, this 16th day of Dec. 1948.



Signed before me this 5th. day of July, 1949

Notary Public

G.W. McClintock

George McClintock  
John H. Adams  
Henry A. Maag  
Nellie F. Maag  
Emma H. Adams  
Gretchen McClintock  
Betty E. Adams

6063  
RECORDED IN THE  
BOOK OF RECORDS  
MILDRERS REAM  
UTAH COUNTY  
DEPUTY REC.  
JUL 7 2 46 PM '49  
RECORDED BY  
COMPARED BY  
INDEXED BY  
FEE \$ 96  
MAIL TO  
Room # 1  
Post 579  
Carter

6095

In the District Court of the Fourth Judicial District  
In and for Utah County, State of Utah

PROBATE DIVISION

In the matter of the Estate of  
JOHN JACKSON,  
Deceased

Probate No. ....  
**Letters Testamentary**

THE LAST WILL of JOHN JACKSON, deceased  
a copy of which is hereto annexed, having been proved and recorded in the District Court of Utah County  
Elvon L. Jackson,

who ~~was~~ named therein, is hereby appointed Executor

WITNESS, Verl G. Dixon, Clerk of the District Court of Utah  
County, with the Seal of the Court affixed, the 8<sup>th</sup> day of July, A. D. 1949.

By order of the Court.  
(Seal) Verl G. Dixon Clerk  
By C. B. Carter Deputy