

533

STATE OF UTAH

)
(ss.
)

COUNTY OF UTAH

On the 20 day of July 1943, personally appeared before me Alan E. Brockbank, and Gaylie Rich Brockbank, his wife, who being by me duly sworn did say that they executed the same.

Alan E. Brockbank
Notary Public
Seal: ALAN E. BROCKBANK, Notary Public, State of Utah, Commission Expires July 21, 1943

March 14 1944
My Commission Expires.

Recorded at the request of
Entry No. 7778
Book 377 Page 533
Date July 21 1943 4:52 PM
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R. _____
Tp. _____
Sec. _____
Recorder: Elvise F. Tipton
Utah County
City

7778

AMENDMENT TO DECLARATION OF RESTRICTIONS AND LIMITATIONS APPLYING TO AMENDED PLAT OF GENEVA HEIGHTS SUBDIVISION

WHEREAS, by instrument dated November 24, 1942 and recorded May 26, 1943 in the office of the County Recorder of Utah County, Utah, as Entry #5500, there was included the following provisions:

Heading: "Declaration of Restrictions and Limitations applying to Geneva Heights Subdivision."

Paragraph B: "No structure shall be erected, placed or permitted to remain on any of the above described lots or parcels of land other than one detached single family dwelling or duplex, and a private garage for not more than two cars."

Paragraph G: "No dwelling costing less than \$3,000 shall be permitted on any lot in the tract. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 675 square feet in the case of a one-story structure nor less than 550 square feet in the case of a one-half story structure."

"The present Owners and any grantee or grantees, or their agents, their heirs or assigns shall violate or attempt to violate any of the restrictions or limitations herein contained, it shall be lawful for any other person or persons owning any real property situated in said subdivision to prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate any of the provisions of this instrument, and either prevent him or them from so doing or to recover damages for such violation."

AND it is desired to change said provisions to read as hereinafter recited.

THEREFORE, the undersigned, constituting all of the owners in said subdivision do hereby agree to and do hereby change the above provisions to read as follows:

Heading: "Declaration of Restrictions and Limitations applying to amended Plat of Geneva Heights Subdivision."

Paragraph B: "No structure shall be erected, placed, or permitted to remain on any of the above-described lots or parcels of land other than one detached single family dwelling not to exceed one story in height, and a private garage for not more than two cars."

Paragraph G: "No dwelling costing less than \$3,000 shall be permitted on any lot in the tract. The ground floor area of the main structure, exclusive of one-story open porches and garages shall be not less than 675 square feet."

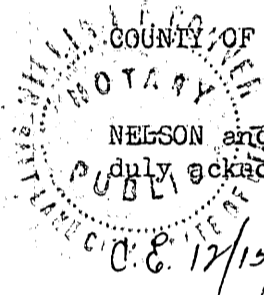
"If the present owners and any grantee or grantees, or their agents, their heirs or assigns shall violate or attempt to violate any of the restrictions or limitations herein contained, it shall be lawful for any other person or persons owning any real property situated in said subdivision to prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate any of the provisions of this instrument, and either prevent him or them from so doing or to recover damages for such violation."

This amendment shall in no way affect or alter the remaining covenants in said instrument contained.

IN WITNESS WHEREOF the said parties to this agreement have hereunto set their names this 15th day of July, 1943.

Levi E. Nelson
Elva B. Nelson
Kendall Garff
Marjorie H. Garff

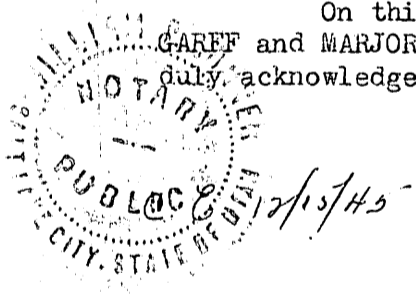
STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE



On this 19 day of July, 1943, personally appeared before me LEVI E. NELSON and ELVA B. NELSON, his wife, the signers of the within instrument, who duly acknowledged to me that they executed the same.

[Signature]
Notary Public residing at:
Salt Lake City Utah

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE



On this 19th day of July, 1943, personally appeared before me KENDALL GARFF and MARJORIE H. GARFF, his wife, the signers of the within instrument, who duly acknowledged to me that they executed the same.

[Signature]
Notary Public residing at:
Salt Lake City Utah

Entry No. 1118
Recorded at the request of
JUL 22 1943 3:09 PM
Book _____ Pages _____
ELOISE F. TIPTON Recorder
Utah County
Deputy
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J. P. C. U. T.