

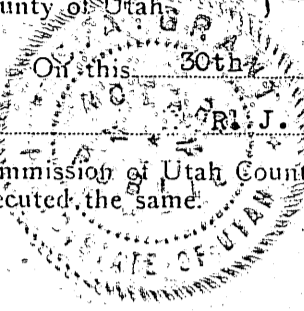
and recorded in the office of the Utah County Recorder at Book 297 Page 174  
hereby satisfied, discharged and released.

UTAH COUNTY COMMISSION

By *R. J. Murdock* Chairman

STATE OF UTAH, }  
County of Utah } ss.

On this 30th day of November, 1942, personally appeared before me,  
R. J. Murdock Chairman of the County  
Commission of Utah County, signer of the above instrument, who duly acknowledged to me that he  
executed the same.



*Robert*

Notary Public in and for the State of Utah,  
residing at Provo, Utah

My Commission Expires March 15, 1943

My commission expires.....

1942 DEC 4 PM 4:04  
County Auditor  
9910  
RECORDS & DEEDS OFFICE  
STATE OF UTAH  
PROVO, UTAH

9864

DECLARATION OF RESTRICTIONS AND LIMITATIONS APPLYING  
TO NORTH PARK SUBDIVISION

WHEREAS, the undersigned are the owners of the follow-  
ing described property located in Provo City, Utah County,  
State of Utah, to-wit:

Commencing 7.3 chains South and 90 links  
West of the Northwest Corner of Lot 2, Section  
1, Township 7 South, Range 2 East, Salt Lake  
Base and Meridian; thence South 15° West 3.39  
chains; thence North 89° West 2.96 chains to  
the east line of Fifth West Street; thence  
South 1° West 2.94 chains; thence South 89°  
East 1.816 chains; thence South 1° West 0.75  
chains; thence North 89° West 1.816 chains;  
thence South 1° West 210.9 feet to the north  
side of Seventh North Street; thence along  
the north side of Seventh North Street 29°  
East 716.08 feet; thence North 1° 53' East  
132.56 feet; thence South 89° East 6.44  
chains more or less to what is known as the  
Factory Race; thence North 1° East along the  
center of Factory Race 7.31 chains; thence  
North 89° West 13.66 chains to place of be-  
ginning.

Also, commencing 21.60 chains South and  
73.3 feet West of the Northeast Corner of the  
Northwest Quarter of Section 1, Township 7  
South, Range 2 East, Salt Lake Base and Merid-  
ian; on the north boundary of North Park; thence  
East 471.7 feet; thence North 1° 53' East 217.00  
feet more or less to the south side of Seventh  
North Street; thence along south side of  
Seventh North Street North 89° West 475.1 feet;  
thence South 1° West 225.2 feet more or less to  
beginning. Area 2.39 acres.

478 - AND, WHEREAS, said property has been platted into blocks, lots, streets and alleys under a plat designated as "North Park Subdivision, 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 North Park Subdivision, 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 owners in the plat filed with the Board of Commissioners of Provo City, 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 blocks and lots to which said restrictions and limitations shall apply are described as follows:

Blocks 5, 7, 9, 12, 13, 14, and Lots 1, 2, 3, 4, 8, 10, 11, 12, 13 and 14 in Block 6, and Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12 in Block 8, all in North Park Subdivision, Provo City, Utah.

(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.

(C) No building shall be erected, placed or altered upon any of the above described lots or parcels of land until the building plans, specifications and plot plans showing the location of such buildings have been approved in writing as to conformity and harmony of external

479 design with existing structures in the subdivision by a

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committee composed of a member of the Board of Adjustment of Provo City, the City Engineer and the City Recorder, or by a representative designated by a majority of the members of said Committee. In the event of the death or resignation of any member of said Committee, the remaining member or members shall have full authority to approve or disapprove such design or location, or to designate a representative with like authority. In the event said Committee or its designated representative fails to approve or disapprove such design or location within twenty(20) days after said plans and specifications have been submitted to it, such approval will not be required, and this provision will be deemed to have been fully complied with. Said Committee nor either of its members, nor its designated representative shall be entitled to any compensation for services performed hereunder.

(D) All buildings erected on the lands hereinabove described in said subdivision shall conform in every respect with the requirements of the Zoning Ordinance of Provo City.

(E) No noxious or offensive trade or activity shall be carried on upon any lot or parcel of land hereinabove described, nor shall anything be done thereon which may be, or become an annoyance or nuisance to the neighborhood.

(F) No trailer, basement, tent, shack or out building erected or placed on said lots or parcel of land hereinabove described shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

(G) No dwelling costing less than Four Thousand (\$4000.00) Dollars shall be permitted to be erected on

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any part of said property.

(H) The deed of conveyance covering any of the lots or parcels of land hereinabove described shall contain a clause referring to this instrument, the date and Book and Page of its recordation, and making the provisions of

480 this instrument a part of the conveyance by reference.

If 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.

Invalidation of any one of the provisions of this instrument by any judgment or court order shall in no wise affect any of the other provisions, and such provisions shall remain in full force and effect.

The provisions of this instrument or declaration shall be just as effective and binding upon the purchasers of any of the lots or parcels of land hereinabove described as if the provisions hereof were a part of the plat of said North Park Subdivision submitted and approved by the City Commission of Provo City, Utah.

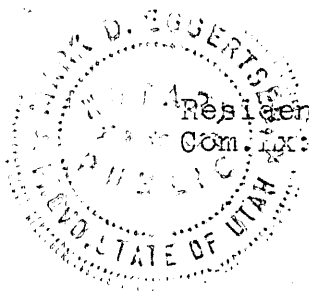
WITNESS our hands and seals this 3<sup>rd</sup> day of December, A.D., 1942.

*Charles A. Peterson*  
*Elvena Peterson*

STATE OF UTAH )  
COUNTY OF UTAH : SS

On this 3<sup>rd</sup> day of December, A.D., 1942, before me, a Notary Public in and for Utah County, State of Utah, personally appeared Charles A. Peterson and Elvena Peterson, his wife, the signers of the above instrument, who duly acknowledged to me that they executed the same.

*W. H. [Signature]*  
Notary Public



Residence: Provo, Utah  
Com. Ex: ~~July~~ 27, 1944

481

Entry No. 9864  
 RECORDED AT REQUEST OF  
 R. B. Sargent  
 ELOISE P. FILLMORE RECORDED  
 MEDICAL DEPARTMENT U.S. ARMY  
 1942 DEC 3 PM 4:53  
 Book \_\_\_\_\_ Sect. \_\_\_\_\_  
 Page \_\_\_\_\_ T.P. \_\_\_\_\_  
 Indexed \_\_\_\_\_ R. \_\_\_\_\_  
 \$3.50

9906  
**Honorable Discharge from the United States Army.**

S. T. 1354  
 Spanish Fork, Utah



Entry No. 9906  
 RECORDED AT REQUEST OF  
 Ethel Beardsley  
 ELOISE P. FILLMORE RECORDED  
 MEDICAL DEPARTMENT U.S. ARMY  
 1942 DEC 4 PM 3:46  
 Book \_\_\_\_\_ Sect. \_\_\_\_\_  
 Page \_\_\_\_\_ T.P. \_\_\_\_\_  
 Indexed \_\_\_\_\_ R. \_\_\_\_\_  
 No Fee  
 Sp. Fork Utah

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Res William James  
 \* 639511 Mechanic Headquarters Co. 145th U.S.  
the United States Army, as a TESTIMONIAL OF HONEST AND FAITHFUL  
 SERVICE, is hereby HONORABLY DISCHARGED from the military service of the  
 UNITED STATES by reason of E. S. I. per H. D. Cir. 24 Dec 3 1915.  
 Said Res William James was born  
 in Spanish Fork, in the State of Utah  
 When enlisted he was 31 years of age and by occupation a Farmer.  
 He had Gray eyes, Brown hair, Fair complexion, and  
 was 5 feet 5 3/4 inches in height.

Given under my hand at Logan Utah this  
22nd day of January, one thousand nine hundred and nineteen.

William C. Bell  
 Colonel, 145th U.S.  
 Commanding.

Washington, D. C. APR 14 1919  
 Paid \$60 under Act of Congress, approved  
 February 24th, 1919.  
 C. E. GRAY,  
 Major, Q. M. Co. ps.

Form No. 525, A. G. O. Ed. July 13-17-200,000. \* Insert grade and company and regiment or corps or department; e. g., "Corporal, Company A, 1st Infantry;" "Sergeant, Quartermaster Corps;" "Sergeant, First Class, Medical Department." † Insert "Regular Army," "Volunteer Army," "Regular Army Reserve," or "Enlisted Reserve Corps," as the case may be. ‡ If discharged prior to expiration of service, give number, date, and source of order or description of authority therefor. 3-3164