

DOC # 20160005548

Amended Restrictive Covenants
Russell Shirts Washington County Recorder
02/22/2016 09:46:50 AM Fee \$ 20.00
By FAUX WALKER & JONES

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Dixie Springs Subdivision

Plat A, B, C, D, E, F & G Amended and Extended

**CORRECTIVE FOURTH AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS OF DIXIE SPRINGS SUBDIVISION**

As of August 13, 2015

This Corrective Fourth Amendment of Covenants, Conditions and Restrictions of Dixie Springs Subdivision is intended to clarify that Fourth Amendment to Declaration of Covenant Conditions and Restrictions of Dixie Springs Subdivision recorded September 3, 2015 made by the Declarant and recorded as Doc No. 20150031285 in the Official Records of Washington County, Utah.

The Declaration of Covenants, Conditions and Restrictions of Dixie Springs a Residential Subdivision, was recorded as Document Number 00601292 in Book 1209 at Page 0001 in Official Records of Washington County, Utah on May 1, 1998 (the "Original Declaration").

The Original Declaration was amended by a document entitled "Amendment to Declaration of Covenants, Conditions and Restrictions of Dixie Springs Subdivision Second Amendment and Extension" which was recorded on June 29, 2010 as Document Number 20100021359 in the Official Records of Washington County, Utah (the "First Amendment").

The Original Declaration was further amended by a document entitled "Amendment to Declaration of Covenants, Conditions, and Restrictions of Dixie Springs Subdivision Second Amendment and Extension" which was recorded on December 10, 2012 as Document Number 20120042253 in the Official Records of Washington County, Utah and recorded again on March 20, 2013 as Document Number 20130010330 in the Official Records of Washington County, Utah (the "Second Amendment").

The Original Declaration was further amended by a document entitled "Third Amendment to Declaration of Covenants, Conditions, and Restrictions of Dixie Springs Subdivision" which was recorded on August 26, 2014 as Document Number 20140026145 in the Official Records of Washington County, Utah (the "Third Amendment").

The Declarant desires to amend the Declaration concerning minimum square footage requirements and delegation of authority to amend the Declaration.

The Declarant hereby declares that the Declaration of Covenants, Conditions and Restrictions for the property, as previously amended, shall be amended further as follows:

1. Article II, Section 2(g)(i) is amended and restated as follows:

(i) **Minimum Square Footage: Building Height:** The minimum total square footage of living area on the first level about ground and located within the area of a foundation for any residential dwelling constructed on any Lot within the project, exclusive of porches, balconies, patios, decks

and garages for all phases, shall be not less than Eighteen Hundred (1800) square feet for a single level home. Homes may consist of more than one story. In the case of homes with more than one story, the main floor must have a minimum of 1600 square feet, with a total of at least 2600 finished square feet on all floors. The front elevation must contain detailed architecture. Building height shall not exceed 35 feet and shall be measured from the level of the sidewalk at the front of the property established between the high and the low sidewalk levels. The ACC must approve all exceptions.

2. Article VI, Section 1 is amended and restated as follows

Section 1: Declarant's Right to Amend. Until all portions of Dixie Spring Subdivision are developed, or until the right to enlarge the project through the addition of tracts or subdivisions terminates, whichever event last occurs, Declarant shall have, and is hereby vested with the right to unilaterally amend this Declaration and/or the plat as may be reasonably necessary or desirable; (i) to adjust the boundaries of the Lots; (ii) to more accurately express the intent of any provision of this Declaration in the light of the existing circumstances or information; (iii) to better insure, in light of the existing circumstances of information, workability of the arrangement which is contemplated by the Restrictive Covenants; (iv) to facilitate the practical, technical, administrative or function integration of any additional tract or subdivision into the Project in subsequent phases or on certain Lots in subsequent phase; or (v) to conform to the underwriting guidelines of major secondary market investors in order to facilitate the availability of financing.

Declarant elects to delegate this same authority to be exercised by the president of the Architectural Control Committee, so long they also have approval of 51% of the lot owners.

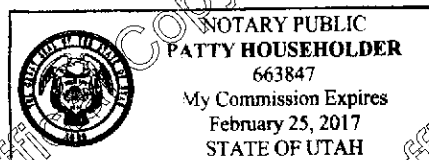
3. Article VI, Section 2 shall remain the same as set forth in the Declaration of Covenants, Conditions, and Restrictions of Dixie Springs a Residential Subdivision as recorded Document 00601292 in Book 1209 at Page 0001-0010.

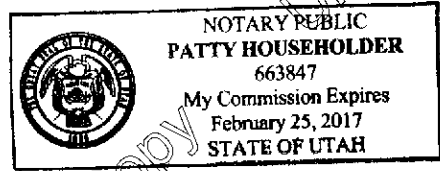
Capitalized terms not defined in this Corrective Fourth Amendment will have the definitions provided in the Original Declaration or prior amendments. All provisions not specifically and expressly altered by this Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned Declarant, or Declarant's Agent, has executed this document on the date and year first above written.

Declarant
DIXIE SPRINGS, INC.

By: 
Clarence L. Jolley, President





STATE OF UTAH)
Salt Lake) ss.
COUNTY OF WASHINGTON -)

The foregoing instrument was acknowledged before me by Clarence L. Jolley as President of Dixie Springs, Inc. on November 24, 2015.

WITNESS MY HAND AND OFFICIAL SEAL

Patty Householder

Notary Public