

**FOURTH AMENDMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
SODA ROW TOWNHOME PROJECT**

This FOURTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SODA ROW TOWNHOME PROJECT ("Fourth Amendment") is effective when recorded with the Salt Lake County Recorder's Office by Soda Row Townhome Association, Inc. ("Association").

RECITALS

- A. The Declaration of Covenants, Conditions, and Restrictions for Soda Row Townhome Project was recorded on January 26, 2010 as Entry No. 10885373 in the office of the Salt Lake County Recorder ("Declaration").
- B. Amendment No. 1 to the Declaration of Covenants, Conditions, and Restrictions for Soda Row Townhome Project was recorded on November 3, 2010 as Entry No. 11067434 in the office of the Salt Lake County Recorder.
- C. Amendment No. 2 to the Declaration of Covenants, Conditions, and Restrictions for Soda Row Townhome Project was recorded on June 22, 2016 as Entry No. 12305188 in the office of the Salt Lake County Recorder.
- D. Amendment No. 3 to the Declaration of Covenants, Conditions, and Restrictions for Soda Row Townhome Project was recorded on October 25, 2017 as Entry No. 12644048 in the office of the Salt Lake County Recorder.
- E. This Fourth Amendment affects the real property situated in Salt Lake County, Utah, described with particularity on Exhibit A, which exhibit is attached hereto and incorporated in this Amendment by reference (the "Project") and shall be binding on all parties having or acquiring any right, title, or interest to the Project or any part thereof.
- F. This Fourth Amendment is to clarify landscaping maintenance obligations for the Association and to conform to landscaping maintenance already in practice by the Association.
- G. Pursuant to the amendment requirements contained in Section 15.5 of the Declaration, the undersigned hereby certifies that this Fourth Amendment was approved by Owners holding at least fifty-one percent (51%) of the Total Votes of the Association.
- H. Unless specifically modified herein, all remaining provisions of the Declaration and shall remain in full force and effect.
- I. In case of any conflict between the terms of this Fourth Amendment and the terms of the Declaration, the provisions of this Fourth Amendment shall control.
- J. Unless otherwise provided in this Fourth Amendment, capitalized terms used herein shall have the same meaning and effect as used in the Declaration.

FOURTH AMENDMENT

NOW, THEREFORE, the Declaration is amended as follows:

1. The third sentence of Section 5.3 (Maintenance of Lots)(as amended by Amendment No. 3 to the Declaration) is hereby deleted in its entirety and shall be replaced with the following, as shown by the underlining:

5.3 Maintenance of Lots. The Association shall maintain the landscaping and related improvements on the Lots, as set forth herein. The areas maintained by the Association, including the exterior of the Buildings, shall be referred to herein as the "Maintained Areas". The Maintained Areas shall include the front lawn, front yard garden areas, and enclosed areas within fences (whether or not installed by a builder or by Owner) or walls, but shall exclude stand-alone planters and window boxes. Owners may reasonably enhance the landscaping on their Lot (if any) by planting flower bulbs or flowers; provided, however, that an Owner shall not modify any irrigation components, lines or systems.

All other information contained in Section 5.3 shall remain unchanged.

IN WITNESS WHEREOF, the Association has caused this Fourth Amendment to be executed by its President.

DATED as of the 28 day of may, 2021.


Soda Row Townhome Association, Inc.
A Utah Nonprofit Corporation

By: Brian Larnage

Its: President

State of Utah)
) ss.
County of Salt Lake)

On the 28 day of May, 2021, personally appeared before me Brian Francis Lannoye who by me being duly sworn, did say that she/he is the President of Soda Row Townhome Association, Inc. and that the foregoing instrument is signed on behalf of said corporation and executed with all necessary authority.

Notary Public 

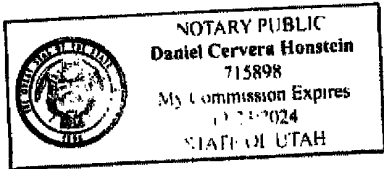


Exhibit A

Legal Description

That certain real property located in the City of South Jordan, County of Salt Lake, State of Utah, being more particularly described as follows:

TOWNHOME LINER LOTS:

122, 123, 124, and 125, inclusive, of that certain map plat entitled "KENNECOTT DAYBREAK COUPLET LINER PRODUCT #1 amending Parcel C of the Amended Kennecott Daybreak Phase 1 Subdivision, Parcel "I" and "J" of the Kennecott Daybreak Phase II subdivision and Lots 4 thru 7 of the Amended Lot M-104 Kennecott Daybreak Phase 1 Subdivision of the Kennecott Master Subdivision #1" according to the official plat recorded July 2, 2009, as Entry No. 10745550 in Book 2009P beginning at Page 88 in the Official Records of Salt Lake County, Utah.

AND

Lots 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, inclusive, of that certain map plat entitled "KENNECOTT DAYBREAK VC1 MULTI FAMILY #1 AMENDING PARCEL A OF THE KENNECOTT DAYBREAK VC1 DAYCARE SUBDIVISION" recorded on April 9, 2010, as Entry No. 10930466, Book 2010P, at Page 64 of the Official Records of Salt Lake County, Utah.

TAX PARCEL NUMBERS:

L	101	27-19-158-021-0000
L	102	27-19-158-022-0000
L	103	27-19-158-023-0000
L	104	27-19-158-024-0000
L	105	27-19-158-025-0000
L	106	27-19-158-019-0000
L	107	27-19-158-018-0000
L	108	27-19-158-017-0000
L	109	27-19-158-016-0000
L	110	27-19-158-006-0000
L	111	27-19-158-007-0000
L	112	27-19-158-008-0000
L	113	27-19-158-009-0000

AND

Lots 114, 115, and 116, inclusive, of that certain map plat entitled "AMENDED KENNECOTT DAYBREAK VC1 MULTI FAMILY #1 AMENDING AND EXTENDING LOTS 114 THRU 116 AND VACATING A PORTION OF ROCK POINT DRIVE" recorded on April 15, 2011, as Entry No. 11167535, Book 2011P, at Page 46 of the Official Records of Salt Lake County, Utah.

TAX PARCEL NUMBERS:

L	114	27-19-158-010-0000
L	115	27-19-158-011-0000
L	116	27-19-158-012-0000

AND

All of the real property described on that certain plat entitled "KENNECOTT DAYBREAK VC1 MULTIFAMILY #2A AMENDING PARCEL B OF THE KENNECOTT DAYBREAK APARTMENT VENTURE #1" recorded on March 15, 2011, as Entry No. 11150330, Book 2011p, at Page 28 of the Official Records of Salt Lake County, Utah.

Lot	Parcel Number
117	26-24-278-002-0000
118	26-24-278-003-0000
119	26-24-278-004-0000
120	26-24-278-005-0000
121	26-24-278-006-0000
122	26-24-278-007-0000
123	26-24-278-008-0000
124	26-24-278-009-0000
125	26-24-278-010-0000
126	26-24-278-011-0000
127	26-24-278-012-0000
128	26-24-278-013-0000
129	26-24-278-014-0000
130	26-24-278-016-0000
131	26-24-278-017-0000
132	26-24-278-018-0000
133	26-24-278-019-0000
134	26-24-278-020-0000
135	26-24-278-022-0000
136	26-24-278-023-0000

137	26-24-278-024-0000
138	26-24-278-025-0000
139	26-24-278-026-0000
140	26-24-278-027-0000
141	26-24-278-028-0000
142	26-24-278-029-0000
101	26-24-278-001-0000
102	26-24-278-015-0000
103	26-24-278-021-0000

AND

Lots 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169 and 170, inclusive, of that certain map plat entitled "KENNECOTT DAYBREAK VC1 MULTI FAMILY #2B AMENDING PARCEL B OF THE KENNECOTT DAYBREAK APARTMENT VENTURE #1" recorded on September 13, 2011, as Entry No. 11242550, Book 2011p, at Page 116 of the Official Records of Salt Lake County, Utah.

143	26-24-279-021-0000	162	26-24-435-010-0000
144	26-24-279-020-0000	163	26-24-435-009-0000
145	26-24-279-019-0000	164	26-24-435-008-0000
146	26-24-279-018-0000	165	26-24-435-007-0000
147	26-24-279-017-0000	166	26-24-435-001-0000
148	26-24-279-016-0000	167	26-24-435-002-0000
149	26-24-279-015-0000	168	26-24-435-003-0000
150	26-24-279-014-0000	169	26-24-435-004-0000
151	26-24-279-011-0000	170	26-24-435-005-0000
152	26-24-279-010-0000		
153	26-24-279-009-0000		
154	26-24-279-002-0000		
155	26-24-279-003-0000		
156	26-24-279-004-0000		
157	26-24-279-005-0000		
158	26-24-279-006-0000		
159	26-24-279-007-0000		
160	26-24-279-008-0000		
161	26-24-435-011-0000		

AND

All of the real property described on that certain plat entitled "KENNECOTT DAYBREAK VC1 MULTI FAMILY #3 AMENDING PARCEL H OF KENNECOTT DAYBREAK PHASE II SUBDIVISION" recorded on August 10, 2012, as Entry No. 11448425, Book 2012P, at Page 123 of the Official Records of Salt Lake County, Utah.

AND

All of the real property described on that certain plat entitled "KENNECOTT DAYBREAK VC1 MULTI FAMILY #4 AMENDING PARCEL H OF KENNECOTT DAYBREAK PHASE II SUBDIVISION" recorded on May 29, 2013, as Entry No. 11651096, Book 2013P, at Page 94 of the Official Records of Salt Lake County, Utah.

AND

All of the real property described on that certain plat entitled "KENNECOTT DAYBREAK VC1 MULTI FAMILY #4A AMENDING LOTS C-105 AND C-112 THRU C-125 OF KENNECOTT DAYBREAK VILLAGE CENTER 1A AND LOTS 101-121 OF KENNECOTT DAYBREAK COUPLET LINER PRODUCT #1" recorded on June 13, 2013, as Entry No. 11663048, Book 2013P, at Page 113 of the Official Records of Salt Lake County, Utah.

AND

All of the real property described on that certain plat entitled "KENNECOTT DAYBREAK VC1 MULTI FAMILY #5 AMENDING PARCEL C OF KENNECOTT DAYBREAK APARTMENT VENTURE #1" recorded on August 8, 2013, as Entry No. 11702275, Book 2013P, at Page 156 of the Official Records of Salt Lake County, Utah.

AND

All of the real property described on that certain plat entitled "KENNECOTT DAYBREAK VC1 MULTI FAMILY #6 AMENDING PARCEL D OF AMENDED KENNECOTT DAYBREAK PHASE 1 SUBDIVISION AND LOTS 4-7 AND 126-134 OF KENNECOTT DAYBREAK COUPLET LINER PRODUCT #1" recorded on June 25, 2014, Entry No. 11871615, Book 2014P, at Page 163 of the Official Records of Salt Lake County, Utah.

AND

All of the real property described on that certain plat entitled "KENNECOTT DAYBREAK VC1 MULTI FAMILY #7 AMENDING LOTS C-223 THROUGH C-231 OF KENNECOTT DAYBREAK VILLAGE CENTER 1A," recorded on September 4, 2015, as Entry No. 12127333, Book 2015P, at Page 207 of the Official Records of Salt Lake County, Utah.