

When recorded, mail to:  
Robert Nelson Development, LLC  
Robert C. Nelson  
P.O. Box 904  
Salem, UT 84653

ENT 105474:2019 PG 1 of 8  
**Jeffery Smith**  
**Utah County Recorder**  
2019 Oct 15 02:02 PM FEE 70.00 BY CS  
RECORDED FOR Pro-Title and Escrow, Inc.  
ELECTRONICALLY RECORDED

DECLARATION OF PROTECTIVE COVENANTS, AGREEMENTS, CONDITIONS AND RESTRICTIONS AFFECTING “FOUR SEASONS AT WOODLAND HILLS, (PLAT A & B)” SUBDIVISION

KNOW ALL MEN BY THESE PRESENTS:

That Robert Nelson Development, LLC is the owner of the following described property located in Woodland Hills, County of Utah, State of Utah (the “Property”):

All of Lots 1-25, “Four Season At Woodland Hills Plat A and B” Subdivision in Woodland Hills, Utah, according to the official plat thereof on file in the Office of the Utah County Recorder, Map numbers Plat A #16757 and Plat B #16758.

That it is the developer’s desire to restrict the use to which the Property is put, and for this purpose executes these covenants and building restrictions.

That the Property covered by said covenants has been platted and is designated and known as “Four Seasons At Woodland Hills Plat A and Plat B”, (the subdivision), that a plat thereof was accepted by Woodland Hills City Council and the Mayor of Woodland Hills City and has been recorded in the office of the County Recorder of Utah County.

That Robert Nelson Development, LLC is the sole owner of all the land located in Plat A and B, accepted the portion thereof dedicated as public streets and retention basin.

NOW THEREFORE, all of the lots shown on the Subdivision Plat A and B of the Subdivision are held and shall be conveyed subject of the restrictions and covenants hereinafter set forth, and all persons and corporations who hereafter own or have any interest in any agreement and covenant with the other owners, their heirs, successors and assigns, to conform to and observe the same for a period of twenty (20) years from the date of recording: provided, however, that said restrictions and covenants shall be renewed and automatically continue thereafter for successive periods of ten (10) years each, unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to change said covenants in whole or in part.

1 DWELLING QUALITY AND SIZE:

- 1.1 All of the lots shown on said Subdivision plat shall be used only for residential purposes. No dwelling shall be erected, altered, placed or permitted to remain on any lot other than one (1) single-family dwelling, not to exceed two stories in height, in addition to a basement and private garage for not less than two (2) cars. All two stories must be a style with the 2<sup>nd</sup> floor built within the roof design, wrap around porch or designed not to look like a tall square box. Carports will not be allowed. Small storage sheds may be built on small lots and large sheds on larger lots if designed to match the style of the home and approved by Woodland Hill City and Architectural Control Committee.

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- 1.2 For a single-story dwelling, the finished area above grade will not be less than Two Thousand (2000) square feet on the main floor, exclusive of open porches and garages. All homes must have a minimum of a 6/12-pitch roof and no less than a 2 x 8 fascia board.
- 1.3 For a two-story dwelling, the finished area above grade will also be not less than Two Thousand (2,000) square feet on the main floor exclusive of open porches and garages. Height cannot exceed more than 35 feet from garage floor elevation to the peak of the roof unless approved by the Architectural Control Committee and Woodland Hills City.
- 1.4 OTHER STYLES OF HOMES: Four (4) Level Splits and Split Entry's (Bi-Levels), will not be permitted in this Subdivision. No modular homes, round homes, octagon homes, prefab homes, or pre-built homes, all-wood homes, all-aluminum homes, log homes, mobile homes, steel homes, concrete homes or any other type of homes of this nature shall not be built or erected in this Subdivision. Solar homes with solar panels must be approved by the Architectural Control Committee and Woodland Hills City.
- 1.5 All structures shall have, at a minimum, brick or rock wainscoting on the front and sides of home; wainscoting must be at least 32" above foundation. The balance of the exterior shall consist of brick, stone, stucco and or Hardi plank siding with aluminum soffit and fascia. Tung and groove Wood Soffit can be used under open covered patios and decks. Hardi plank siding or similar may be used for accent design also. All exterior colors and materials must be brought into Robert Nelson Development, LLC 405 W. SR. 198, Salem, Utah, for the Architectural Control Committee to approve all exterior color schemes and the preference of the Committee will be to utilize neutral earth tone color schemes and low maintenance exterior materials. White may be used for window frames, soffit and fascia, rain gutter, doors and trims and Hardi Plank Siding or similar only. Other new and approved sidings of high quality may be used with the approval of the Architectural Control Committee and Woodland Hills City. Homes that are known to be of the Modern homes style may be built with a roof design of a minimum of 4/12 pitch. Homes with this particular design may be built without the brick wainscoting if the style is an outstand design without it. This must be approved by the Architectural Control Committee and Woodland Hills City.
- 1.6 Any deviation from or modification of this paragraph 1 shall be by way of unanimous consent of the Developer and a body of property owners in the Subdivision Plat A and B and any other plat added to The Subdivision duly nominated and elected to serve as further set forth herein (hereafter, the "Committee" - see Article 6).

2 SPECIFICATIONS:

- 2.1 To maintain a degree of protection to the investment which homeowners in this area may make, homes of superior design are requisite, and must be approved by the Committee in advance of the commencement of construction. All designs, elevations, slopes of building lot, parking areas and Driveways must be approved by the Committee prior to construction. The owner and contractor will be responsible for any problems occurred from their design or elevations. All lots must slope away from home. All water needs to be maintained on your building lot. Channel for run off for large rainstorms are required to drain water from lot to lot in an open area, retention areas or into the road.

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- 2.2 Easements for installation and maintenance of utilities are reserved as noted on the recorded plat map. Within these easements no structure or other materials shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements, if any, for which a public authority or utility company is responsible.
- 2.3 All set backs shall conform to Woodland Hills City requirements, with the additional requirement that the minimum front yard setback shall be not less than 30 feet from property stakes, with a side yard setback not less than 15 feet (both sides) and a backyard setback not less than 30 feet. With corner lots, the front setback shall be not less than 30 feet from property, the side yard next to the other street shall be not less than 20 feet from property and the other side yard must be not less than 15 feet according to city code. All Driveways entering Summit Creek Drive must be such that you can turn in the driveway to enter Summit Creek Drive forward and not have to back onto Summit Creek Road.
- 2.4 All plans and specifications for any structure or improvement whatsoever to be erected on or moved onto any lot, and the proposed location on the lot or lots, the construction material, the roofs, and exterior color schemes, any later changes or additions after initial approval has been given thereof, and remodeling reconstruction, and alterations thereto on any lot shall be subject to and shall require the approval of the Committee in writing before any work is commenced. **Two (2) complete sets of plans and specifications shall be delivered to the Committee "Robert Nelson, 405 W. S.R. 198, Salem, Utah 84653,"** together with proof of approval from governmental agencies involved for any and all proposed improvements. No building or structures shall be altered, placed or maintained upon any lot unless and until the final plans, elevations, and specifications therefore have received such written approval as herein provided. Such plans shall include plot plans showing the location of home, elevations of the building, drainage of the lot, wall, fence, or other structure proposed to be constructed, altered, placed or maintained together with the proposed construction material, color schemes for roofs and exteriors thereof.
- 2.4.1 When plans are submitted the Committee shall approve or disapprove plans, specifications and details. One (1) set of said plans and specifications with the Committee's approval or disapproval endorsed thereon, shall be returned to the person submitting them and the other copy thereof shall be retained by the Committee for its permanent files. The Committee shall have the right to disapprove any plans that are not in accordance with all of the provisions of this Declaration; or if the design or color scheme of the proposed buildings or other structure is not in harmony with the general surroundings of such lot or with the adjacent buildings or structures; or if the plans and specifications submitted are incomplete; or in the event the Committee deems the plans, specifications or details, or any part thereof, to be contrary to the interest, welfare or rights of all or any one of the property owners of the Subdivision. The decision of the Committee shall be final, subject to VETO by a two-thirds vote by all the property owners, based on one vote per developer and one vote by owner of each recorded lot. Developer will have one vote for each lot owned.

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- 2.4.2 The Committee shall not be responsible in any way for any defects in any plans or specifications submitted, revised or approved in accordance with the foregoing provisions, not for any structural or other defects in any work done according to such plans and specification.
- 2.4.3 No improvements shall be built unless they conform to all laws, ordinances, and requirements of the Federal, State and local governing authorities.

3 MAINTENANCE:

- 3.1 All builders are required to use a dumpster or trash trailer in which to place all refuse. Said dumpster must be on site at the beginning of the framing process. OR, said contractors must pay to the Committee a \$400.00 deposit against the cleanup process. If a contractor does not cleanup all refuse within one week after the closing of the long-term loan, then the deposit will be used for that purpose. Additional costs will be billed to contractor(s) on each individual lot. Said funds will be released after inspection. In the event of cold weather, the property shall be cleaned within a reasonable time (not more than 30 days) after the last frost.
- 3.2 No lot shall be used or maintained as a dumping ground for rubbish or debris. Trash, garbage or other waste shall not be kept except in sanitary containers. All containers used for the storage or disposal of such materials shall be kept in a clean and sanitary condition. During construction, excess building materials and debris shall not be permitted to accumulate.
- 3.3 Unless otherwise approved in writing by the Committee, construction of the primary dwelling must be completed, construction materials and equipment removed, and the ground graded within twelve (12) months from the time ground is broken for the structure.
- 3.4 All lots, whether improved or unimproved, must be kept free of rubbish, weeds, trash and debris of any kind and must be maintained in such a manner as not to detract from the subdivision as a whole. Owners will be responsible to keep Sidewalk, parkway, building lot, curbs and gutters clean, unobstructed and in good repair.
- 3.5 No building material of any kind or character shall be placed or stored upon any lot until the owner thereof is ready to commence construction and then the material shall be placed within the property lines of the plot upon which the improvements are to be erected and shall not be placed in the streets or between the curb and the property lines. Any disturbance of the property on any side of the lot being built on, caused either by the owner or his contractor(s), shall be cleaned and repaired by the owner or his contractor, prior to the closing of the owner's loan(s). **The builder must use material approved by Woodland Hills City and be responsible to keep walks, curbs and roads clean in front of their lot. Builders will be responsible for any broken concrete walk and curbs in front of their lot, or any they may drive over within subdivision and will be held responsible to repair any broken concrete before final inspection. Builders will be fined if they cross other curb and walk in this subdivision, \$250.00 for each crossing, plus any repairs.**

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- 3.6 Landscaping, including not less than 40% grass in landscape area, Other options of Landscaping that save water may be proposed for city and Architecture control committee approval. sprinkling system, minimum of 3 trees on corner lots, 2 trees on interior lots and 1 tree inside the bulb of the cu-de-sac lot. The trees will need to be 2" Caliber and be in the Maple family or ornamental trees similar to the flowering pear and some shrubs must be planted within twelve (12) months from when the final inspection is completed. No trees can be planted with in 25 feet of road storm drains.
- 3.7 Lots may have a front yard light if desired. The light can be incorporated into the top of a mailbox or the entrance pillars or positioned no closer than 24" to the sidewalks, must be constructed on owner property.
- 3.8 All roofs must be of wood shake, or 30-years architectural fire-halt, heavy-duty asphalt roof or equivalent. All roofs including any metal or tile roof must be approved by the committee prior to construction.
- 3.9 Homeowner shall be responsible to maintain the grass in the planter strip between the city sidewalk and the curb, also sidewalks and gutters must be kept clean from dirt, weeds and snow during construction and after by owner. Grass and only grass will be allowed in the planter strip; landscaping bark, or concrete will not be permitted in the planter area between sidewalk and curb. Expansion board must be used between driveway and city sidewalk on both sides of drive approach between curb and gutter and city sidewalk.

4 RESTRICTIONS ON USES:

- 4.1 No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. The processing of soil and rock on the subdivision property by the developed is part of the developing and process of preparing lots for market.
- 4.2 No structure of a temporary character, tent, shack, garage, barn or other outbuildings shall be used on any lot at any time as a residence either temporarily or permanently. Storage sheds will be allowed according to the city codes and must follow the same color pattern as the residential home on the same building lot and approved by the Architectural Control Committee and Woodland Hills City.
- 4.3 No animals, livestock of any kind shall be raised or kept on any lot, except that dogs, cats, up to 5 chickens and other domesticated household pets may be kept if they are not kept or maintained for any commercial purpose. Furthermore, all pets kept outside must be restrained in a humane and sanitary manner. Kennels runs and leash areas must be kept clean and sanitary and may not be located less than twenty (20) feet from any neighboring dwelling. If outdoor pets are not completely confined to a kennel, run or leash, the yard must be completely enclosed by a fence or wall. No pets may be kept in unreasonable numbers or allowed to run free in the neighborhood. The Committee may establish rules and restrictions from time to time concerning specific breeds or types of dogs or any other animal.

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- 4.4 No automobiles, trucks, campers, trailer, boats, equipment, recreational vehicles, motor homes or other similar vehicles, shall be parked or stored on a public street or right-of-way for more than 12 consecutive hours. The intent of this provision is to keep the roadways open for daily traffic, and to avoid the unsafe and unsightly condition of vehicles parked on the street for long periods of time. The Committee may enforce this provision by first giving notice to the owner of the violation or where the owner is not readily available or ascertainable, by giving notice in the form of a written request placed on the vehicle (s) or equipment parked on the street in violation of this provision. Such vehicle or equipment, boats and trailers may be towed away, at the owner's expense. No vehicles or equipment may be kept or stored on any lot unless stored in a garage or on a parking stall (pad of concrete). Recreational vehicles must be parked on a concrete RV pad located on the side of the garage.
- 4.5 Any fence constructed must be approved by the Architectural Committee and Woodland Hills City. All grades and drainage must be worked out between neighbors. If there are any problems between neighbors in deciding elevations, Robert Nelson will be the one that will give advice and guidance on what will need to be done and home owners will abide by his decision. All grades will need to be considered and followed at the time of plan approval.
- 4.6 Swamp coolers will not be allowed.
- 4.7 No short-wave radio antennas will be allowed. All T.V. antennas and vent pipes must be placed on the back or side of roof so that very little of the antenna can be seen from the street location. Large satellite antenna systems (dish) cannot be placed or installed in front or side yards. A small satellite dish should be sight obscured from the front street location as much as possible. All vent pipes extended from roof must be painted close to the color of roofing.
- 4.8 No commercial activity of a permanent nature may be conducted within the Subdivision without the express written consent of the Committee. The standard by which the Committee shall judge in connection with such request shall be based in part on avoidance of the generation of business activities in the Subdivision, and the unobtrusive nature of the proposed activity viz a viz the other property owners.
- 4.9 Not more than one (1) family unit will be maintained on each lot within the Subdivision; notwithstanding the foregoing, it is contemplated that live-in help and immediate family members, their spouses and children would be permitted to occupy the premises with the lot owner in correlation with city codes.

5 ENFORCEMENT RIGHTS:

- 5.1 If the owner of a lot in the Subdivision, or the owner's heirs or assigns, shall violate or attempt to violate any of the covenants herein, any other person or persons owning a lot in the Subdivision, or Architectural Control Committee may prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate any such covenants, and to prevent his/her or them from so doing and to recover damages caused by such violation, together with attorney's fees, and costs of court.

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6 ARCHITECTURAL CONTROL COMMITTEE:

- 6.1 The initial Committee is composed of:  
     Robert C. Nelson  
     Linda K. Nelson  
     Matt Nelson
- 6.2 When all of the lots within the Subdivision have been sold by Developer, the structure of the Committee may be enlarged, at the discretion of the committee to include not less than three (3) no more than five (5) duly elected property owners. After all lots have been sold, at the discretion of the developer and property owners, they may comprise a committee to enforce the covenants if so desired.
- 6.3 Members of the Committee shall be elected to a one-year term at the annual meeting of the property owners in the Four-Season Subdivision, on a one vote/recorded lot basis. Vacancies on the Committee shall be filled by a majority vote of the remaining Committee members. Any or all members of the Committee may be removed and replaced upon a 75% approval vote of the property owners.
- 6.4 Committee members shall carry out their responsibilities hereunder in a reasonable manner; they shall incur no liability for costs or expenses arising out of the claims of any property owner (s).
- 6.5 Membership in the committee shall be limited to property owners only, as long as at least three property owners consent to serve. In the event the property owners cannot fill at least three seats on the Committee, any property owner may nominate a non-property owner in the Subdivision and such individual (s) may be voted upon for membership on the Committee.

7 GENERAL PROVISIONS:

- 7.1 Except as otherwise provided, this Declaration can be amended at any time by a written instrument executed in recordable form by not less than 75 % of the property owners within the Subdivision.
- 7.2 These covenants are to run with the land and shall be binding upon all parties and all persons claiming under them for a period of twenty (20) years from the date these covenants are recorded. (Extension provisions cited in the preamble to these covenants.)
- 7.3 The builder will provide a copy of CCR's to those who purchase the home or building lot from them. When property owner re- sells the building lot or home, they must disclose the fact that the subdivision has recorded CCR's for them to abide to.

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7.4 These CCR's are for the homeowner to use as a guideline to govern themselves in Maintaining their property in a neat and uniform manner.

IN WITNESS WHEREOF, Robert C. Nelson of Robert Nelson Development, LLC has executed this Declaration on the 15 day of October 2019.

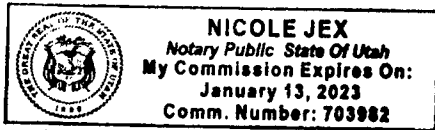
ROBERT NELSON DEVELOPMENT, LLC

Robert C. Nelson-----

Robert C. Nelson, Registered Agent

State of Utah}  
County of Utah}

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of October, 2019



Comm Num. 703982

Nicole Jex  
Notary Public