

After Recording Return To:
1059 W. Kanarra Creek Lane
Bluffdale, UT 84065

13619196
04/02/2021 02:51 PM \$40.00
Book - 11149 Pg - 4235-4237
RASHELLE HOBBS
RECORDER, SALT LAKE COUNTY, UTAH
JORDAN MADDOCKS
1059 W KANARRA CREEK LN
BLUFFDALE UT 84065
BY: NUA, DEPUTY - MI 3 P.

**FOURTH AMENDMENT TO THE
NEIGHBORHOOD DECLARATION OF COVENANTS CONDITIONS AND
RESTRICTIONS
FOR
CHOCOLATE HOMES AT WESTGATE**

A. The Neighborhood Declaration of Covenants, Conditions and Restrictions for Chocolate Homes at Westgate was recorded in the Salt Lake County Recorder's Office on June 1, 2016 as Entry No. 12291652 (the "Declaration").

B. Chocolate Holdings, LLC executed a Declaration of Supplement to include additional land to the Declaration resulting in Lots 142 through 181 now being bound by the Declaration. This "supplemental declaration" was recorded on September 11, 2018 as Entry No. 12846504.

C. A Second Amendment to the Declaration was duly voted on by the membership and was recorded as Entry No. 13163493 on January 6, 2020 to amend the provisions in the Declaration related to leasing.

D. In an attempt to undo the Second Amendment, the Developer recorded a Third Amendment to the Declaration on April 9, 2020 as Entry No. 13239230 contrary to the vote of the membership.

E. Consistent with Utah Code Ann. Title 16, Chapter 6a, Section 707, action without a meeting was (once again) initiated by property owners bound by the Declaration and written consents to amend the Declaration (again) were obtained from the members to reinstate the Second Amendment thereby creating this Fourth Amendment to the Declaration.

F. Pursuant to Utah Code Title 57, Chapter 8a, Section 228, the Utah Nonprofit Corporations Act (Title 16, Chapter 6a) has priority over the above-mentioned Declaration.

G. This amendment shall be binding against all lots which are part of the Declaration as set forth on the attached Exhibit A.

H. The Association membership desires to amend the Declaration revoking all rental restrictions allegedly reimposed by the Third Amendment.

I. The undersigned hereby certifies that, pursuant to Article 12 of the Declaration and Utah's Nonprofit Corporations Act, all of the requirements to amend the Declaration have been satisfied and that the approval and consent of a majority of all voting members has been obtained to adopt this amendment

NOW, THEREFORE,

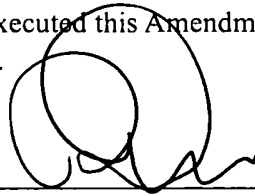
- 1. The Third Amendment to the Declaration is hereby deleted and repealed in its entirety;
- 2. ARTICLE 7, SECTION 7.13 OF THE ORIGINAL DECLARATION IS HEREBY DELETED IN ITS ENTIRETY AND REPLACED AS FOLLOWS (which effectively reinstates the Second Amendment):

7.13 Leases. (the following language controls)

Rental and leases are permitted. All rentals and leases shall be in writing and shall provide that the terms of the rental or lease shall be subject in all respects to the provisions of the Governing Documents. Any failure by the lessee to comply with the terms of such documents shall be a default under the Lease.

[END OF AMENDMENT]

IN WITNESS WHEREOF, Jordan Maddocks has executed this Amendment to the Declaration as of the 2 day of April, 2021.

Sign:  _____
 Print Name: Jordan Maddocks

State of Utah)
 :ss
 County of Salt Lake)

Subscribed and sworn to before me on the 2 day of April, 2021, by
Jordan Maddocks



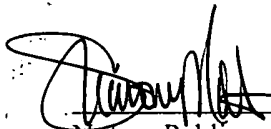
 _____
 Notary Public

EXHIBIT A
(Legal Description)

All Lots and Common Area, WESTGATE ACLAIME AT INDEPENDENCE SUBDIVISION
1ST AMENDED, according to the official plat thereof recorded in the records of the Salt Lake
County Recorder.

Parcel Numbers: 33113791660000 through 33113791850000

Lots 162 through 181, WESTGATE ACLAIME AT INDEPENDENCE, according to the official
plat thereof recorded in the records of the Salt Lake County Recorder.

Parcel Numbers: 33113791190000 through 33113791390000