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Rashelle Hobbs, Recorder, Salt Lake County, Utah
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421 W 12300 SDRAPER, UT 840202366

When Recorded Return To:

D.R. Horton, Inc.
12351 South Gateway Park Place, Suite D-100
Draper, Utah 84020
Attention: Krisel Travis

**FOURTH AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
GATEWAY TO LITTLE VALLEY**

THIS FOURTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GATEWAY TO LITTLE VALLEY (this “**Fourth Amendment**”) is made as of October ~~23~~ 2023, by D.R. HORTON, INC., a Delaware corporation (“**Declarant**”), with reference to the following:

A. On January 22, 2021, Forestar (USA) Real Estate Group Inc., a Delaware corporation (“**Original Declarant**”), caused to be recorded as Entry No. 13540701 in Book 11103, beginning at Page 6206, in the official records of the Office of the Recorder of Salt Lake County, Utah (the “**Official Records**”), that certain Declaration of Covenants, Conditions and Restrictions for Gateway to Little Valley (the “**Original Declaration**”) pertaining to a master planned development known as Gateway to Little Valley or Little Valley Gateway.

B. On June 16, 2021, Original Declarant caused to be recorded as Entry No. 13693275 in Book 11192, beginning at Page 1110, in the Official Records that certain First Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for Gateway to Little Valley (the “**First Supplemental Declaration**”).

C. On October 25, 2021, Original Declarant caused to be recorded as Entry No. 13806819 in Book 11258, beginning at Page 8978, in the Official Records that certain Assignment of Declarant’s Rights for Gateway to Little Valley, pursuant to which Original Declarant assigned to Declarant all of Original Declarant’s rights, title and interest as the declarant under the Original Declaration, as supplemented by the First Supplemental Declaration, and Declarant accepted the assignment of all rights, title and interest as declarant under the Original Declaration, as supplemented by the First Supplemental Declaration.

D. On November 10, 2021, Declarant caused to be recorded as Entry No. 13820627 in Book 11267, beginning at Page 2989, in the Official Records that certain Second Supplemental Declaration and Amendment to the Declaration of Covenants, Conditions and Restrictions for Gateway to Little Valley (the “**Second Supplemental Declaration**”).

E. On June 2, 2022, Declarant caused to be recorded as Entry No. 13963148 in Book 11344, beginning at Page 9365, in the Official Records that certain Third Supplemental

Declaration to the Declaration of Covenants, Conditions and Restrictions for Gateway to Little Valley (the “**Third Supplemental Declaration**”).

F. On April 27, 2023, Declarant caused to be recorded as Entry No. 14098809 in Book 11415, beginning at Page 4610, in the Official Records that certain Fourth Supplemental Declaration and Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Gateway to Little Valley (the “**Fourth Supplemental Declaration**”).

G. On August 28, 2023, Declarant caused to be recorded as Entry No. 14145801 in Book 11441, beginning at Page 1180, in the Official Records that certain Fifth Supplemental Declaration and Third Amendment to the Declaration of Covenants, Conditions and Restrictions for Gateway to Little Valley (the “**Fifth Supplemental Declaration**”).

H. The Original Declaration, as previously supplemented and amended, pertains to and affects that certain real property located in Salt Lake County, Utah, which is more particularly described on Exhibit “A” attached hereto and incorporated herein by this reference (the “**Property**”).

I. Section 17.2.2 of the Original Declaration provides that until the expiration of the Period of Declarant Control, Declarant may unilaterally amend the Original Declaration for any purpose that Declarant deems to be in the best interest of the Project.

J. Pursuant to Section 17.2.2 of the Original Declaration, Declarant is executing and recording this Fourth Amendment for the purpose of amending certain provisions of the Original Declaration, as previously supplemented and amended, as hereinafter set forth.

FOURTH AMENDMENT

NOW, THEREFORE, for the reasons recited above, Declarant hereby declares as follows:

1. Defined Terms. All defined terms as used in this Fourth Amendment shall have the same meanings as those set forth in the Original Declaration, as previously supplemented and amended, unless otherwise defined in this Fourth Amendment.

2. Amendment of Section 1.57 of the Original Declaration. Section 1.57 of the Original Declaration is hereby amended and restated in its entirety to read as follows:

1.57 “Neighboring Property” shall mean any street within the Project (including annexed property) that is adjacent to the specific Lot, Unit or Parcel in reference.

3. Amendment of Section 1.90 of the Original Declaration. Section 1.90 of the Original Declaration is hereby amended and restated in its entirety to read as follows:

1.90 “Visible From Neighboring Property” shall mean, with respect to any object located on a Lot, that such object is or would be fully visible or unobscured from any street adjacent to the Lot on which the specific object is located.

4. Amendment of Section 4.2.13 of the Original Declaration. Section 4.2.13 of the Original Declaration is hereby amended and restated in its entirety to read as follows:


4.2.13 Trash Containers and Collection. No garbage, recycling or trash shall be placed or kept on any Lot, Unit or Parcel, except in covered containers of a type, size and style as issued by the municipality in which the Project is located or by the Association or as otherwise approved by the Board. In no event shall such containers be maintained so as to be Visible From Neighboring Property, except to make the same available for collection within a 24-hour period. Notwithstanding any other provision or restriction to the contrary set forth in this Declaration, on a Townhome Lot where the garage is located on the rearward side of the Dwelling Unit, a maximum of two containers may be kept or stored immediately adjacent to the garage for such Dwelling Unit within the Limited Common Area that has been allocated for the exclusive use of such Dwelling Unit. All rubbish, recycling, trash and garbage shall be removed from the Lots, Units and Parcels and shall not be allowed to accumulate thereon. No outdoor incinerators shall be kept or maintained on any Lot, Unit or Parcel.

5. Declaration Redefined. The Original Declaration, as previously supplemented and amended, and as amended by this Fourth Amendment, shall collectively be referred to as the “**Declaration.**” Except as amended by the provisions of this Fourth Amendment, the Original Declaration, as previously supplemented and amended, shall remain unmodified and in full force and effect.

[SIGNATURE PAGE FOLLOWS]

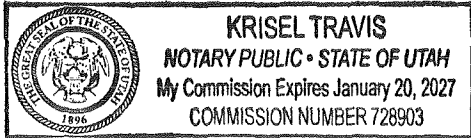
IN WITNESS WHEREOF, Declarant has caused this Fourth Amendment to be executed by a person duly authorized to execute the same.

D.R. HORTON, INC.,
a Delaware corporation

By: 
Name: Jonathan S. Thornley
Title: Division CFO

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged to me this 23 day of October, 2023, by Jonathan S. Thornley, in such person's capacity as the Division CFO of D.R. Horton, Inc., a Delaware corporation.




NOTARY PUBLIC

EXHIBIT "A"
TO
FOURTH AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
GATEWAY TO LITTLE VALLEY

Legal Description of the Property

The Property consists of that certain real property located in Salt Lake County, Utah more particularly described as follows:

Lots 101-259 as recorded for Gateway to Little Valley Subdivision Phase 1A Plat in the Salt Lake County Recorder's Office on January 15th, 2021, as Entry 13535292, Book 2021P, Page 021.

Lots 260-298 ; 1001- 1089 as recorded for Gateway to Little Valley Subdivision Phase 1B Plat in the Salt Lake County Recorder's Office on June 16th, 2021, as Entry 13693268, Book 2021P, Page, 161.

Lots 1090-1139 as recorded for Gateway to Little Valley Subdivision Phase 2B Plat in the Salt Lake County Recorder's Office on May 25th, 2022, as Entry 13958632, Book 2022P, Page 125.

Lots 1146-1218 as recorded for Gateway to Little Valley Subdivision Phase 2A Plat in the Salt Lake County Recorder's Office on October 15th, 2021, as Entry 13799651, Book 2021P, Page 259.

Lots 299-407 ; 1219-1391 as recorded for Gateway to Little Valley Subdivision Phase 3 Plat in the Salt Lake County Recorder's Office on May 22th, 2022, as Entry 13958633, Book 2022P, Page 126.

Lots 408-437 ; 1392-1564 as recorded for Gateway to Little Valley Subdivision Phase 4 Plat in the Salt Lake County Recorder's Office on April 26th, 2023, as Entry 14098492, Book 2023P, Page 094.

Lots 438-517 as recorded for Gateway to Little Valley Subdivision Phase 5B Plat in the Salt Lake County Recorder's Office on August 21st, 2023, as Entry 14143022, Book 2023P, Page 174.

Tax Parcel Numbers:

GATEWAY TO LITTLE VALLEY PHASE 1A:

14-32-329-002 to 14-32-329-091 ; 14-32-326-007 to 14-32-326-017 ; 14-32-326-019 to 14-32-326-025 ; 14-32-328-002 to 14-32-328-041 ; 14-32-327-003 to 14-32-327-013

GATEWAY TO LITTLE VALLEY PHASE 1B PLAT:

14-32-328-042 to 14-32-328-050 ; 14-32-178-001 to 14-32-178-015 ; 14-32-155-020 to 14-32-155-030 ; 14-32-156-009 to 14-32-156-019 ; 14-32-302-001 to 14-32-302-005 ; 14-32-301-003 to 14-32-301-010 ; 14-32-320-001 to 14-32-320-012 ; 14-32-330-001 to 14-32-330-018 ; 14-32-155-004 to 14-32-155-019 ; 14-32-156-002 to 14-32-156-008 ; 14-31-426-002 to 14-31-426-014 ; 14-31-427-002 to 14-31-427-003 ; 14-32-303-00

GATEWAY TO LITTLE VALLEY PHASE 2A:

14-32-303-004 to 14-32-303-037 ; 14-32-304-001 to 14-32-304-019 ; 14-32-320-014 to 14-32-320-032

GATEWAY TO LITTLE VALLEY PHASE 2B:

14-32-351-004 to 14-32-351-052

GATEWAY TO LITTLE VALLEY PHASE 3:

14-31-281-005 to 14-31-281-014 ; 14-31-285-009 to 14-31-285-015 ; 14-31-286-001 to 14-31-286-026 ; 14-32-326-027 to 14-32-326-044 ; 14-32-331-001 to 14-32-331-017 ; 14-32-332-001 to 14-32-332-053 ; 14-32-336-001 to 14-32-336-016 ; 14-32-335-001 to 14-32-335-016 ; 14-32-334-001 to 14-32-334-007 ; 14-32-333-001 to 14-32-333-003 ; 14-31-287-001 to 14-31-287-016 ; 14-31-279-001 – 14-31-279-015 ; 14-331-283-001 to 14-31-283-014 ; 14-31-280-001 to 14-31-280-011 ; 14-31-277-001 to 14-31-277-007 ; 14-31-278-001 to 14-31-278-011 ; 14-31-281-001 to 14-31-281-004 ; 14-31-281-001 to 14-31-282-010 ; 14-31-284-001 to 14-31-284-013 ; 14-31-285-001 to 14-31-285-008

GATEWAY TO LITTLE VALLEY PHASE 4:

14-32-309-001 to 14-32-309-024 ; 14-32-305-001 to 14-32-305-028 ; 14-32-158-001 to 14-32-158-025 ; 14-32-157-002 to 14-32-157-013 ; 14-32-306-001 to 14-32-306-034 ; 14-32-307-001 to 14-32-307-021 ; 14-32-308-001 to 14-32-308-021 ; 14-32-301-012 to 14-32-308-019 ; 14-32-338-001 to 14-32-338-011 ; 14-32-337-001 to 14-32-337-019

GATEWAY TO LITTLE VALLEY PHASE 5B:

14-32-159-001 to 14-32-159-010 ; 14-32-156-023 to 14-32-156-047 ; 14-32-310-001- to 14-32-310-006 ; 14-31-426-020 to 14-31-426-036 ; 14-31-288-001 to 14-31-288-003 ; 14-31-427-004 to 14-31-427-014 ; 14-31-279-017 to 14-31-279-021