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When Recorded, Mail To:

Paul W. Hess  
STRONG & HANNI  
Sixth Floor Boston Building  
Salt Lake City, Utah 84111

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**FOURTH AMENDMENT TO AMENDED AND RESTATED  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR SCHNEITTER'S SWISS OAKS**

**An Expandable Condominium Project**

THIS FOURTH AMENDMENT is made and entered into as of the 8<sup>th</sup>  
day of September, 1993, by SCHNEITTER'S SWISS OAKS, LTD., a  
Utah limited partnership (hereinafter referred to as the  
"Declarant").

**RECITALS**

A. The Declaration. The Declarant previously executed a Declaration of Covenants, Conditions, and Restrictions for Schneitter's Swiss Oaks, an Expandable Condominium Project (hereinafter referred to as the "Declaration"), dated September 24, 1985 and recorded September 26, 1985, Entry No. 136583, Book 175, Pages 418-482, at the Wasatch County Recorder's Office, submitting the Land and Buildings as described and defined therein to the provisions of the Utah Condominium Ownership Act (Title 57, Chapter 8, Utah Code Annotated).

B. Amendment and Restatement. The Declaration was amended in part and restated in its entirety by an Amended and Restated Declaration of Covenants, Conditions and Restrictions for Schneitter's Swiss Oaks, an expandable condominium project (hereinafter referred to as the "Restated Declaration"), dated July 2, 1990, and recorded July 27, 1990, Entry No. 152843, Book 220, Page 316, at the Wasatch County Recorder's Office.

C. First Amendment. The Restated Declaration was amended by a First Amendment to Amended and Restated Declaration, dated October 2, 1990, and recorded October 2, 1990, Entry No. 153528, Book 222, Page 337, at the Wasatch County Recorder's Office.

D. Second Amendment. The Restated Declaration was again amended by a Second Amendment to Amended and Restated Declaration, dated August 9, 1991, and recorded August 9, 1991, Entry No.

156930, Book 232, Pages 197-207, at the Wasatch County Recorder's Office.

E. Third Amendment. The Restated Declaration was again amended by a Third Amendment to Amended and Restated Declaration, dated September 2, 1992, and recorded September 2, 1992, Entry No. 162057, Book 246, Pages 558-563, at the Wasatch County Recorder's Office.

F. Declarant. The Declarant now desires to expand the Project and to reallocate undivided interests in accordance with the provisions of Article IV of the Restated Declaration and § 57-8-13.6 of the Condominium Act.

NOW, THEREFORE, the Restated Declaration is hereby amended and supplemented as follows:

1. Description of Land. The land described in Exhibit B, attached hereto and incorporated herein by reference, constituting all of the remainder of the Additional Land under the Restated Declaration, located in Wasatch County, State of Utah, is hereby added to the Project. All of the buildings listed in Exhibit A - Annex 1, attached hereto and incorporated herein by reference, have been or will be constructed on said property being added.

2. Reallocation of Undivided Interests. The undivided interests and Common Areas and votes appurtenant to the Units are hereby reallocated among all of the Units in the Project (143 total Units), as follows:

.699 percent per Unit undivided interest in  
Common Areas

One vote per Unit

Exhibit A to the Restated Declaration is hereby amended to reflect said reallocation of undivided interests in Common Areas and votes appurtenant to the Units, as set forth above. In addition, Exhibit A is supplemented by the Exhibit A - Annex 1, attached hereto and incorporated herein by reference, setting forth the undivided interests and votes for the added buildings.

3. Definitions and Confirmation. All terms used in this Fourth Amendment shall have the same meaning and import as given in the Restated Declaration. Except as expressly and specifically amended herein, the Restated Declaration is hereby confirmed as originally executed and recorded.

IN WITNESS WHEREOF, this Fourth Amendment was executed as of  
the day and year first above written.

Attest:

SWISS OAKS DEVELOPMENT, INC.,  
a Utah corporation, General  
Partner, for and in behalf of  
SCHNEITTER'S SWISS OAKS, LTD.,  
a Utah limited partnership

Colleen O. Fuller  
Secretary

By Robert L. Fuller  
Robert L. Fuller, President

STATE OF UTAH )  
 ) : ss.  
COUNTY OF Wasatch )

On the 8<sup>th</sup> day of September, 1993, the foregoing  
instrument was acknowledged before me by Robert L. Fuller, as  
President of Swiss Oaks Development, Inc., a Utah corporation,  
which corporation is acting as sole general partner for and in  
behalf of Schneitter's Swiss Oaks, Ltd., a Utah limited partner-  
ship.

[Signature]  
Notary Public

## EXHIBIT A - ANNEX 1

(Attached to and forming part of the Fourth Amendment to Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Schneitter's Swiss Oaks, an Expandable Condominium Project.)

<u>Building</u>	<u>Unit Number</u>	<u>Undivided Interest in Common Areas</u>	<u>Number of Votes</u>	<u>Parking Stall or Garage</u>
G	1	.699%	1	G-1
G	2	.699%	1	G-2
K	1	.699%	1	K-1
K	2	.699%	1	K-2
L	1	.699%	1	L-1
L	2	.699%	1	L-2
W	1	.699%	1	W-1
W	2	.699%	1	W-2
W	3	.699%	1	W-3
W	4	.699%	1	W-4
W	5	.699%	1	W-5
W	6	.699%	1	W-6
W	7	.699%	1	W-7
W	8	.699%	1	W-8
Y	1	.699%	1	Y-1
Y	2	.699%	1	Y-2
Y	3	.699%	1	Y-3
Z	1	.699%	1	Z-1
Z	2	.699%	1	Z-2
AA	1	.699%	1	AA-1
AA	2	.699%	1	AA-2

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<u>Building</u>	<u>Unit Number</u>	<u>Undivided Interest in Common Areas</u>	<u>Number of Votes</u>	<u>Parking Stall or Garage</u>
BB	1	.699%	1	BB-1
BB	2	.699%	1	BB-2
BB	3	.699%	1	BB-3
BB	4	.699%	1	BB-4
BB	5	.699%	1	BB-5
BB	6	.699%	1	BB-6
BB	7	.699%	1	BB-7
BB	8	.699%	1	BB-8
CC	1	.699%	1	CC-1
CC	2	.699%	1	CC-2
CC	3	.699%	1	CC-3
CC	4	.699%	1	CC-4
CC	5	.699%	1	CC-5
CC	6	.699%	1	CC-6
CC	7	.699%	1	CC-7
CC	8	.699%	1	CC-8
DD	1	.699%	1	DD-1
DD	2	.699%	1	DD-2
DD	3	.699%	1	DD-3
DD	4	.699%	1	DD-4
DD	5	.699%	1	DD-5
DD	6	.699%	1	DD-6
DD	7	.699%	1	DD-7
DD	8	.699%	1	DD-8

<u>Building</u>	<u>Unit Number</u>	<u>Undivided Interest in Common Areas</u>	<u>Number of Votes</u>	<u>Parking Stall or Garage</u>
EE	1	.699%	1	EE-1
EE	2	.699%	1	EE-2

Total units  
in Project 143

EXHIBIT "B"

COMMENCING at a point West 624.42' Feet and South 726.00 feet from the West 1/4 corner of Section 27, Township 3 South, Range 4 East, Salt Lake Base and Meridian; thence South 13°19'35" East 104.18'; thence along a 75' radius curve 17.44' to the left, Delta Angle 13°19'35"; thence South 63°20'50" West 200.28; thence North 26°39'10" West 173.43'; thence East 165.13' to the point of beginning.

REMAINDER PARCEL:

BEGINNING at a point located 297.07 feet West and 726.00 feet South from the West Quarter Corner of Section 27, Township 3 South, Range 4 East, Salt Lake Base and Meridian; thence South 63.00 feet; thence South 19°00'00" East 109.65 feet; thence South 71°00'00" West along the Northerly boundary of Swiss Oaks Condominiums Plat "D", 231.86 feet; thence North 44°00'00" West along the Easterly boundary of Swiss Oaks Condominiums, Plat "E", 23.55 feet; thence the following along the Southerly boundary of Swiss Oaks Condominiums, Plat "F": North 46°00'00" East 48.40 feet, Easterly along the arc of a 238.00 foot radius curve to the right 43.41 feet, and North 56°27'00" East 78.00 feet; thence the following along the Northerly boundary of said Plat "F": North 33°33'00" West 26.40 feet, West 205.20 feet, Westerly along the arc of a 75.00 foot radius curve to the left, 34.89 feet, and South 63°20'50" West 236.28 feet; thence South 26°39'10" East 39.00 feet; thence South 63°20'50" West 130.99 feet; thence South 26°39'10" East 156.87 feet; thence North 63°20'50" East 200.00 feet; thence South 26°39'10" East along the Westerly boundary of Swiss Oaks Condominiums, Plat "E", 72.89 feet; thence South 63°20'50" West 139.66 feet; thence South 15°15'00" West 80.49 feet; thence South 00°00'42" West 54.50 feet; thence North 89°59'18" West 328.29 feet; thence North along the Easterly boundary of Swiss Oaks Condominiums, Plat "A", 765.81 feet; thence East 102.00 feet; thence South 148.50 feet; thence East 720.93 feet to the point of beginning.

TOGETHER WITH THE FOLLOWING:

BEGINNING at a point located 109.89 feet West and 1050.98 feet South from the West Quarter Corner of Section 27, Township 3 South, Range 4 East, Salt Lake Base and Meridian; thence South 19°00'00" East along the Southerly boundary of Swiss Oaks Condominiums, Plat "B", 112.83 feet; thence South 59°47'26" West 69.36 feet; thence South 61°25'34" West 90.33 feet; thence North 14°05'00" West along said Plat "B", 142.17 feet; thence Easterly along the arc of a 512.00 foot radius curve to the left along said Plat "B", 17.92 feet; thence North 71°00'00" East along said Plat "B" 127.00 feet to the point of beginning.

LESS THE FOLLOWING:

- Plat "O", Building R
- Plat "S", Building CC