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31 AUGUST 92 04:30 PM  
KATIE L. DIXON  
RECORDER, SALT LAKE COUNTY, UTAH  
RAY QUINNEY & NEBEKER  
REC BY: REBECCA GRAY , DEPUTY

5322439

When recorded return to  
Royal Lane Homeowners Assn.  
2360 Royal Lane  
Sandy, Utah 84093

FOURTH AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS (INCLUDING AMENDMENT  
TO SUPPLEMENTAL DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS AND TO  
SECOND SUPPLEMENTAL DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS [AS AMENDED])

WHEREAS on August 26, 1992 at a special meeting of the lot owners of the Royal Lane Homeowners Association (including owners of lots in the Royal Lane Subdivision, in the Matsumori Subdivision and in the Royal Lane Subdivision No. 2), upon notice duly given to the lot owners, more than seventy-five percent (75%) of the lot owners and members adopted an amendment to the Declaration of Covenants, Conditions and Restrictions dated July 7, 1978, recorded July 11, 1978 in Salt Lake County, Utah, Entry number 3135954, Book 4704, page 416 at seq., as amended by that Amendment dated November 24, 1982, recorded as Entry number 3734044, as Supplemented by that Supplemental Declaration of Covenants, Conditions and Restrictions dated September 8, 1983 and recorded as Entry number 3846252, as further amended by that Second Amendment to Declaration of Covenants, Conditions and Restrictions (including Amendment to Supplemental Declaration of Covenants, Conditions and Restrictions) dated January 30, 1984 and recorded as Entry No. 3898792, Book 5527, page 382 at seq., as further supplemented by that Second Supplemental Declaration of Covenants, Conditions and Restrictions (as Amended), dated April 7, 1990 recorded on April 19, 1990 as Entry No. 4902580, Book 6211, page 1649 at seq. as further amended by that Third Amendment to Declaration of Covenants, Conditions and Restrictions (including Amendment to Supplemental Declaration of Covenants, Conditions and Restrictions and to Second Supplemental Declaration of Covenants, Conditions and Restrictions [as Amended]) dated November 29, 1990, recorded on December 10, 1990 as entry number 4999736, Book 6275 at page 0066 at seq., affecting the following described real property in the County of Salt Lake, State of Utah, described as follows:

Beginning North 1759.67 feet and East 827.819 feet from the Center of Section 34, Township 2 South, Range 1 East, Salt Lake Base & Meridian; thence South 56° East 277.53 feet; thence South 282.32 feet; thence West 208.82 feet more or less; thence Northwesterly along a curve to the left 37.56 feet more or less; thence North 0°32'52" West 405.22 feet more or less to the

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point of beginning. Also beginning at the Northeast corner of Lot 18, Royal Lane Subdivision, said point being North 1819.8 feet and East 740.01 feet from the Center of Section 34, Township 2 South, Range 1 East, Salt Lake Base & Meridian; thence South  $56^{\circ}$  East 106.4 feet more or less; thence South  $0^{\circ}32'52''$  East 405.22 feet more or less to the North right-of-way line of Royal Lane Subdivision; thence Northwesterly along a curve to the left 20.98 feet more or less; thence North  $55^{\circ}06'$  West 92.44 feet; thence Northwesterly along a curve to the right 45.59 feet; thence North  $0^{\circ}32'52''$  West 89.2 feet; thence Northwesterly along a curve to the left 107.6 feet; thence North  $22^{\circ}$  East 195.99 feet to the point of beginning.

Also, beginning at the center of Little Cottonwood Creek South  $89^{\circ}41'22''$  East 864.72 feet and North  $0^{\circ}32'52''$  West 847.41 feet from the Center of Section 34, Township 2 South, Range 1 East, Salt Lake Base and Meridian and running thence North  $0^{\circ}32'52''$  West 458.78 feet to a point of curvature, thence along the arc of an 83.52 foot radius curve to the left 59.05 feet (central angle  $40^{\circ}30'26''$ ) thence North  $0^{\circ}32'52''$  West 129.5 feet, thence East 136.65 feet, thence North  $4^{\circ}37'06''$  East 172.01 feet, thence South  $56^{\circ}$  East 100.61 feet, thence East 229.64 feet, thence South  $64^{\circ}$  East 26.82 feet, thence South 986.98 feet, thence along the center line of Little Cottonwood Creek North  $83^{\circ}08'$  West 87.46 feet, thence North  $38^{\circ}43'$  West 216.5 feet, thence North  $58^{\circ}36'30''$  West 144.49 feet, thence South  $83^{\circ}24'$  West 116.69 feet to the point of beginning.

Also, Beg South  $89^{\circ}41'22''$  East 714.7 feet and North  $0^{\circ}32'55''$  West 674.9 feet and North  $61^{\circ}03'$  East 56 feet and North 25.9 feet and South  $89^{\circ}41'$  East 105.5 feet and North  $0^{\circ}32'55''$  West 115 feet more or less and Westerly 25.5 feet more or less from Center of Section 34, Township 2 South, Range 1 East, Salt Lake Base and Meridian; North 40 feet; South  $23^{\circ}45'$  West 35.82 feet more or less to the center line of Little Cottonwood Creek; Easterly 16.13 feet along said Creek to the point of beginning.  
0.01 AC M or L.

And also, Lots 1 through 29 inclusive of Royal Lane Subdivision, and Lots 1 through 12 of Royal Lane Subdivision No. 2 according to the official plats thereof as recorded in the office of the Salt Lake County Recorder,

Said Amendment which was duly adopted reads as follows:

"RESOLVED, that the Declaration of Covenants, Conditions, and Restrictions of Royal Lane Subdivision as the same has been amended and supplemented is hereby further amended by deleting Section 17, Article X, and substituting therefore:

"ARTICLE X  
USE RESTRICTIONS

"SECTION 17. No buildings shall be erected or placed upon any parcel in ROYAL LANE SUBDIVISION, in the MATSUMORI SUBDIVISION, and in the ROYAL LANE SUBDIVISION #2, other than single family dwellings including an attached storage facility and a detached or attached garage. No attached sheds or out buildings shall be erected or placed upon any lot, except that detached patio roofs, storage buildings, gazebos, etc. (not to exceed one story in height and not used for rental purposes or for the sheltering or harboring of any fowl or other animals) may be constructed if screened from the view of neighboring lots, streets, access roads and areas surrounding the subdivision. No building or structure of any type whatsoever (except fences as permitted earlier) may be erected within 40 feet of the bank of Little Cottonwood Creek.

Each single family dwelling erected or placed upon a lot within the ROYAL LANE SUBDIVISION, in the MATSUMORI SUBDIVISION, and in the ROYAL LANE SUBDIVISION #2, shall comply with the following conditions and requirements:

a. Architectural Committee Approval, as outlined in ARTICLE VII must be obtained before construction (including excavation or other action on the lot) may be taken. Particularly, dwelling elevations (total height of the dwelling both from ground level and in comparison with other dwellings in the subdivision) must be approved by the Architectural Committee.

b. Plans for construction and actual construction of the dwelling must include the following features:

i. The garage must be a three-car garage.

ii. Window wells must be designed to minimize damage to "basement" levels in the event of surface flooding.

iii. Window frames must be wood (or wood encased in vinyl) or anodized aluminum or enameled aluminum (Window canopies, if any, must also comply with this requirement.)

iv. All plans and actual construction of dwellings must adequately address water drainage and excess water disposal issues and all excess surface water must be channeled or disposed of so as not to unduly burden neighboring lots.

v. A 50 foot "setback" is required from the property line which runs within the asphalted road servicing the lot, unless such "setback" would conflict with "setback" requirements of Salt Lake County mandated to preserve stability of the hillside or of Little Cottonwood Creek.

vi. All homes should include a "basement" level approximately equal in size to the main floor level, unless such "basement" would be violative of applicable flood control or other governmental restrictions.

vii. Exterior wall design and colors must be in harmony with existing dwellings.

c. Any dwelling constructed on a lot in ROYAL LANE SUBDIVISION, in the MATSUMORI SUBDIVISION, and in the ROYAL LANE SUBDIVISION #2, must contain a minimum of 4,000 square feet of living area [not including nonliving areas such as garages and attached sheds] (i.e. the minimum square footage of the living area of the smallest existing dwelling in the subdivisions) which square footage can include an unfinished "basement." In all events, a

"two-story" structure (as hereinafter defined) must contain a minimum of:

i. 1,700 square feet of finished living area on the "main floor" (as hereafter defined); and

ii. not less than 300 square feet of finished living area on the second story.

If the dwelling is a single story structure, it must contain 2,000 square feet of finished living area on the main floor.

d. i. For purposes of these covenants and restrictions, a dwelling shall be deemed to be a "two-story" structure, if:

a. any "level" is constructed over the top of another "level"; or

b. in the event that the dwelling has multiple "levels" not constructed over the top of each other, the difference between:

(1) the elevation of the floor of the uppermost "level;" and

(2) the elevation of the floor of the lowest "level,"

exceeds six feet.

ii. For purposes of these covenants and restrictions, a "main floor" shall be the first "level" of the dwelling above the "basement," or, in the absence of a "basement," that "level" which exceeds 500 square feet in living area, the elevation of which is closest to the elevation of the roadway.

iii. For purposes of these covenants and restrictions, "basement" shall mean a finished or unfinished living area of the dwelling, more than 50% of the external (as measured from floor to ceiling) wall area is buried in the ground.

iv. For purposes of these covenants and restrictions, a "level" shall be deemed to be any single living area in the dwelling that


has an entirely enclosed floor area in excess of 100 square feet (excluding "basements," attics, unenclosed porches, decks, etc.), the elevation of the floor surfaces of which are the same or within a range of one foot or less.

e. External building heights (measured from ground level of the lot at its lowest elevation to the highest point of the roof - excluding a chimney) shall not exceed a height which shall be substantially inconsistent with the heights of other dwellings in the subdivision. In no instance shall such external building heights be at such a level as to cause substantial obstruction of the view or views of neighboring homeowners. For purposes, hereof, "substantial" shall mean in excess of 8 feet."

(All other provisions of the said "Declaration of Covenants, Conditions and Restrictions" and of said "Supplemental Declaration of Covenants, Conditions and Restrictions" and of said "Second Supplemental Declaration of Covenants, Conditions and Restrictions [as amended]" remain unchanged and are in full force and effect.)

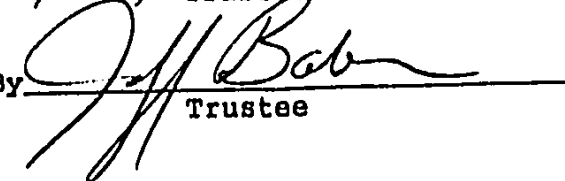
IN WITNESS WHEREOF, the Board of Trustees of the Royal Lane Homeowners Association has executed this instrument the 27th day of August, 1992.

By  \_\_\_\_\_  
Trustee

By  \_\_\_\_\_  
Trustee

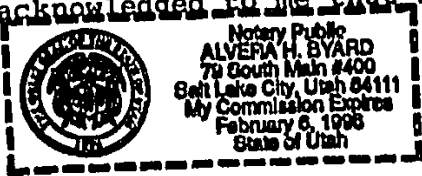
By  \_\_\_\_\_  
Trustee

By  \_\_\_\_\_  
Trustee

By  \_\_\_\_\_  
Trustee

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

On the 27<sup>th</sup> day of August, 1992, personally appeared before me Gary Lloyd, Michael T. Mackay, Charles Johnson, and Steven Moore, who being by me duly sworn did say that they are the Trustees of Royal Lane Homeowners Association and that the foregoing instrument was signed in behalf of said corporation by authority of its Board of Trustees, and said trustees, duly acknowledged to me that said corporation executed the same.



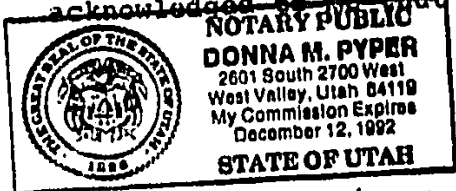
Alvera H. Byard  
Notary Public  
Residing at Salt Lake County, Utah

My Commission Expires:

2/6/96

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

On the 31<sup>st</sup> day of August, 1992, personally appeared before me Jeff Baker, who being by me duly sworn did say that he is a Trustee of Royal Lane Homeowners Association and that the foregoing instrument was signed in behalf of said corporation by authority of its Board of Trustees, and said trustees, duly acknowledged to me that said corporation executed the same.



Donna M. Pyper  
Notary Public  
Residing at Salt Lake County, Utah

My Commission Expires:

12-12-92

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