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Rhonda Francis Summit County Recorder

09/15/2021 08:36:10 AM Fee \$322.00

By ROSING DAVIDSON

Electronically Recorded

When Recorded Return to:
Melyssa D. Davidson
ROSING DAVIDSON FROST
136 Heber Ave., Ste. 205
Park City, UT 84060

**AMENDMENT
TO
AMENDED BYLAWS
OF
SUNDIAL LODGE CONDOMINIUM OWNERS ASSOCIATION, INC.**

This **AMENDMENT TO AMENDED BYLAWS OF SUNDIAL LODGE CONDOMINIUM OWNERS ASSOCIATION** (this "Amendment") is made and executed by Sundial Lodge Condominium Owners Association, Inc., a Utah non-profit corporation (the "Association").

RECITALS

A. On December 15, 1999, initial bylaws of Sundial Lodge Condominium Owners Association, Inc., (the "Initial Bylaws") were set forth in that certain Declaration of Condominium for Sundial Lodge at The Canyons (the "Declaration") recorded with the Office of Recorder for Summit County, Utah as Entry No. 00555290, Book 01300, beginning at Page 00125.

B. On August 25, 2014, the Initial Bylaws were amended by the Amended Bylaws for Sundial Lodge Condominium Owners Association, Inc. (the "Bylaws") recorded with the Office of Recorder for Summit County, Utah as Entry No. 01001453, Book 2254, beginning at Pages 0129.

C. The Bylaws, as heretofore amended, authorizes further amendment of the Bylaws upon the affirmative vote of unit owners holding at least a majority of the total votes in the Association.

D. The Association now desires to further amend the Bylaws, as set forth below, for the benefit of the Association, its members, and the Sundial Lodge Condominium project.

E. As evidenced by this instrument, the Association's Management Committee has obtained the requisite approval required to effectuate this Amendment.

NOW, THEREFORE, pursuant to the foregoing, the Association, acting by and through its duly elected Management Committee, hereby makes and executes the following amendment to the Bylaws, which shall be effective as of the date of recording of this instrument. Unless otherwise defined herein, capitalized terms in this Amendment are defined in the Declaration and Bylaws.

AMENDMENT

1. Bylaws Section 2.4 shall be and hereby is amended as follows:

Commencing upon the effective date of this Amendment, Condominium Management Committee members shall be limited to two (2) consecutive two-year terms. An Owner who has served as a Condominium Management Committee member for two consecutive terms must wait a minimum of one (1) two-year term before submitting another nomination petition for reelection on to the Condominium Management Committee.

This requirement shall apply to all individuals who are associated with any given Unit through ownership or through a legal entity owning the Unit, after an individual associated with the Unit or the legal entity which owns the unit, has served two (2) consecutive two-year terms on the Management Committee.

For an individual who is appointed to fill a vacant position, serving on the committee for more than one (1) year will be equivalent to one (1) two-year term.

2. Bylaws Section 2.19 shall be and hereby is amended as follows:

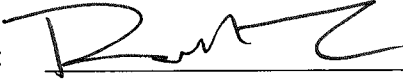
An officer, employee, agent or director of a corporate Owner of a Unit, a trustee or designated beneficiary of a trust that owns a Unit, a partner of a partnership that owns a Unit, and a fiduciary of an estate that owns a Unit may be considered an Owner for the purpose of determining eligibility for membership of the Condominium Management Committee. If a candidate's name is listed on the deed or if the candidate has an interest in an entity owning the unit, the candidate's percent ownership of the unit or in the legal entity which owns the unit shall be no less than 25% of the total unit ownership, unless all owners or interest in the legal entity owning the Sundial unit have the same percentage ownership below this threshold. The forgoing requirement shall not apply to trustee of a trust or to a designated beneficiary of a trust that owns the unit. In all events where the person serving or offering to serve as an officer or member of the Condominium Management Committee is not the record Owner, they shall provide proof of authority which shall be made part of the records of the Condominium Association. Candidates for the Condominium Management Committee must be in good standing (*i.e.*, not in violation of the governing documents and current on all Assessments). Candidates for the Condominium Management Committee must be the record owner of a Unit or hold another interest as specified in this Section for at least one hundred eight two (182) days prior to the date of the election. Candidates will be required to disclose the following information on their candidacy application form: the form of ownership (one of the above categories), the percent ownership or percent ownership in the legal entity which owns the unit, date on which the candidate's name was added to the deed or the trust or acquired an interest in the legal entity which owns the unit, and any family relationship with a current member of the Condominium Management Committee.

3. All other provisions of the Bylaws shall remain unchanged and in full force and effect.

[Signature page to follow]

IN WITNESS WHEREOF, the undersigned officer of the Association hereby certifies that the Management Committee has obtained the approval of Owners holding at least a majority of the total votes in the Association necessary for the adoption of the above Amendment.

SUNDIAL LODGE CONDOMINIUM, a Utah nonprofit corporation

BY: 

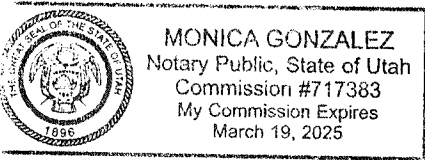
DATE: 3 September 2021

BRADFORD IVERSON
Printed Name

ITS: President

STATE OF UTAH)
):ss
COUNTY OF Summit)

Before me, on the 3 day of Sept., 2021, personally appeared before me, a notary public, Bradford Iverson in his/her/their capacity as the authorized Management Committee member of Sundial Lodge Condominium Owners Association, Inc., who acknowledged before me that he/she/they executed the foregoing instrument in such capacity on behalf of the corporation.



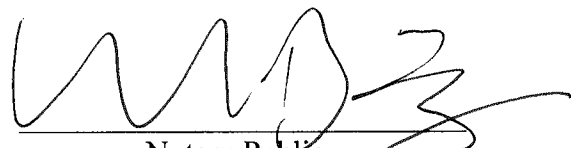

Notary Public

EXHIBIT A
Legal Description

ALL UNITS, SUNDIAL LODGE AT THE CANYONS, A UTAH CONDOMINIUM PROJECT, TOGETHER WITH AN APPURTENANT UNDIVIDED INTEREST IN THE COMMON AREAS AND FACILITIES AS ESTABLISHED AND IDENTIFIED IN THE DECLARATION OF CONDOMINIUM FOR SUNDIAL LODGE AT THE CANYONS DATED DECEMBER 10, 1989, AND RECORDED DECEMBER 15, 1999 AS ENTRY NO. 555290 IN BOOK 1300 BEGINNING AT PAGE 125 IN THE OFFICIAL RECORDS OF THE SUMMIT COUNTY UTAH RECORDER'S OFFICE AS AMENDED.

<u>Tax ID No.</u>			
SDLC-1	SDLC-B318	SDLC-B516	SDLC-C314
SDLC-B201	SDLC-B319	SDLC-B517	SDLC-C315
SDLC-B202	SDLC-B320	SDLC-C101	SDLC-C316
SDLC-B203	SDLC-B321	SDLC-C102	SDLC-C401
SDLC-B204	SDLC-B322	SDLC-C103	SDLC-C402
SDLC-B205	SDLC-B401	SDLC-C104	SDLC-C403
SDLC-B206	SDLC-B402	SDLC-C105	SDLC-C404
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SDLC-B208	SDLC-B404	SDLC-C107	SDLC-C406
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SDLC-B212	SDLC-B408	SDLC-C111	SDLC-C410
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