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Rhonda Francis Summit County Recorder

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By MILLER HARRISON LLC

Electronically Recorded

**FOURTH AMENDMENT
TO THE
DECLARATION OF CONDOMINIUM
FOR**

THE COURTYARDS AT QUARRY VILLAGE

This FOURTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR THE COURTYARDS AT QUARRY VILLAGE ("Fourth Amendment") is effective when recorded with the Summit County Recorder's Office by The Courtyards at Quarry Village Owners Association, Inc. ("Association").

RECITALS

- A. The Declaration of Condominium for The Courtyards at Quarry Village was recorded on July 28, 2006 as Entry No. 00785176 in the office of the Summit County Recorder ("Declaration").
- B. The First Amendment to the Declaration of Condominium for The Courtyards at Quarry Village was recorded on September 10, 2007 as Entry No. 824989 in the office of the Summit County Recorder.
- C. The Second Amendment to the Declaration of Condominium for The Courtyards at Quarry Village was recorded on October 22, 2014 as Entry No. 1005382 in the office of the Summit County Recorder.
- D. The [Third] Amendment to the Declaration of Condominium for The Courtyards at Quarry Village was recorded on December 18, 2019 as Entry No. 1123918 in the office of the Summit County Recorder and replaced the Second Amendment.
- E. This Fourth Amendment affects the real property situated in Park City, Summit County, Utah, described with particularity on Exhibit A, which exhibit is attached hereto and incorporated in this Amendment by reference (the "Property") and shall be binding on all parties having or acquiring any right, title, or interest to the Property or any part thereof.
- F. Pursuant to Section 20.1 of the Declaration, the undersigned hereby certifies that this Fourth Amendment was approved by at least sixty-seven percent (67%) of the total votes of the Association.
- G. Unless specifically modified herein, all remaining provisions of the Declaration shall remain in full force and effect.

- H. In case of any conflict between the terms of this Fourth Amendment and the terms of the Declaration, the provisions of this Fourth Amendment shall control.
- I. Unless otherwise provided in this Fourth Amendment, capitalized terms used herein shall have the same meaning and effect as used in the Declaration.

FOURTH AMENDMENT

NOW, THEREFORE, the Declaration is amended as follows:

1. Section 12.22 (Fractional Use) is hereby added to the Declaration and shall read as follows:

12.22 Fractional Use. Consistent with, and in furtherance of the existing restrictions contained in Sections 12.9, 12.13, and 12.14, and notwithstanding the allowance in Section 10.1, Fractional Use of a Unit is prohibited. Fractional Use is defined as a Unit which is owned by a limited liability company, corporation, partnership, or other joint ownership structure in which unrelated persons or entities own, sell, purchase or otherwise for consideration create or acquire any divided property interest including co-ownership or fractional or divided estates, shares, leaseholds, or memberships which are subject to, or subsequently bound by, any agreement limiting interest holders' or their designees' right or functional ability to occupy or use the Unit to their respective interests or any other agreement which limits interest holders' or their designees' use of the Unit to fractional reservations through stay limitations of any duration. Fractional Use may be established by any of the following elements: co-ownership or fractional or divided estates, shares, leaseholds, or memberships which are openly advertised, marketed, or offered for sale and sold individually at separate times; centralized or professional management; reservation systems; maximum or minimum day limits on each interest holder's occupancy or use of the Unit; or management fees reflective of interval use or ownership, irrespective of whether the agreement may be cancelled individually or by any party. Fractional Use does not include Units jointly owned by individuals related by blood or marriage (or an entity or entities controlled by individuals related by blood or marriage) or similar joint ownership situations approved by the Management Committee that are used for non-commercial purposes. The leasing of a Unit pursuant to Section 12.15 herein is considered a non-commercial purpose. The Management Committee shall have the sole discretion to determine whether a violation of this Section has occurred.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Association has caused this Fourth Amendment to be executed by its President.

DATED as of the 4 day of January, ~~2020~~ ²⁰²⁴.

**The Courtyards at Quarry Village Owners
Association, Inc.**

A Utah Nonprofit Corporation

Anna Washington
By: Anna Washington

Its: President

State of Utah)
County of Summit) ss.

On the 4th day of January, ~~2020~~ ²⁰²⁴, personally appeared before me Anna Washington who by me being duly sworn, did say that she/he is the President of The Courtyards at Quarry Village Owners Association, Inc. and that the foregoing instrument is signed on behalf of said corporation and executed with all necessary authority.

Notary Public

[Signature]

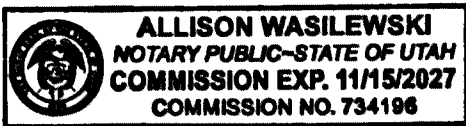


EXHIBIT A

Legal Description and Parcel Numbers

All Units and Common Area as shown on The Courtyards at Quarry Village Condominium Plat recorded in the Office of the Summit County Recorder.

Parcel Numbers: CQVC-1 through CQVC-52