

When Recorded Return to:

**Lodge at Westgate PC Resort and Spa Assoc**

**Suite H Box 124**

**6300 Sagewood Drive**

**Park City, UT 84098**

**FIFTH AMENDMENT TO EXHIBIT C**

**THE BYLAWS**

**TO THE**

**DECLARATION OF CONDOMINIUM**

**AND DECLARATIONS OF COVENANTS,**

**CONDITIONS AND RESTRICTIONS**

**FOR**

**THE LODGE AT WESTGATE PARK CITY  
RESORT & SPA,**

**A CONDOMINIUM IN SUMMIT COUNTY, UTAH**

**(property description and condominium tax identification numbers attached)**

**FIFTH AMENDMENT TO THE BYLAWS**  
**FOR**  
**THE LODGE AT WESTGATE PARK CITY RESORT & SPA,**  
**A CONDOMINIUM**

\* \* \*

This FIFTH Amendment to Bylaws for The Lodge at Westgate Park City Resort & Spa, a Condominium, is made this 1<sup>st</sup> day of December, 2023, by The Lodge at Westgate Park City Resort & Spa, a Condominium Project in Summit County, Utah.

**WITNESSETH:**

**WHEREAS**, the Bylaws, having been recorded as Exhibit C to the Declaration of Condominium and Declarations of Covenants, Conditions and Restrictions for The Lodge at Westgate Park City Resort & Spa, which is situated in Summit County, Utah, recorded at Entry Number 00818013, BK 1874, PG 0449 of the Records of the Summit County Recorder's Office, and,

**WHEREAS**, pursuant to Article 7. of the Bylaws, the Board of Directors of the Association may amend as necessary the Bylaws of the Association; and

**WHEREAS**, the Board of Directors of the Association, having determined that it is appropriate to amend the Bylaws as set forth below:

**NOW, THEREFORE**, the Bylaws are amended as follows:

Pursuant to Section 4.2(d) of the Bylaws, and as an amendment to the Bylaws and the Rules and Regulations, the Board of Directors hereby enacts the following rules and regulations pertaining to the use and occupancy of the Units and Common Areas and Facilities:

The rules for amenity usage, Whole Owner Skier Locker Room, parking and key card access is being clarified.

### **Amenity Usage**

Whole owners and their rental guests have access to all amenities provided in Bear/Elk and Moose/Bison building while they are in residence.

Whole owners have the right to use amenities even if they are renting their unit. This includes:

- Owner's guests (only when accompanying the owner - applies when the owner is not in residence).
- All owners (when the unit is owned by multiple individuals).
- All birthday/other parties for more than four guests planning to use the amenities must notify the front desk through the Westgate Portal.

### **Whole Owner Skier Locker Room**

- Maximum of 2 lockers per owner (regardless of size or if owners own multiple units and based on availability).
  - Not meant for guest use (Rental or guests staying with owners during your stay). Renters and/or guests are welcome to use the guest ski locker room located on the 4<sup>th</sup> floor of the Elk Building.
- Westgate will control hours of operations.
- Whole Owner Skier Locker Room will be shut down outside of ski season.
- If there are special circumstances, review with Owner Relations manager to see if they can accommodate but this is not guaranteed.
- If an access key is needed, the Front Desk is not in charge of making these. Refer to Skier Services and they will be able to assist, make sure to bring a valid photo ID.
- Skier Services oversees the lockers assignments.
- Ski Lockers are not for long-term use, they are meant to be utilized only while the owner is in residence or for daily use/visits.

### **Parking Owner Rights / Guest Parking**

- **Studio:** 1 vehicle
- **1 Bedroom:** 1 vehicle
- **2 Bedroom:** 2 vehicles
- **4 Bedroom:** 3 vehicles

These are **UP TO** maximum amounts for owner/guest parking combined, for a unit type, based on space available; parking is not guaranteed.

If an owner unit is rented and the guest is using parking for their stay, this means the owner is giving away his/her allowable parking spot to their guest.

- If owner then chooses to come to resort while their unit is rented, parking accommodation to owner will depend upon space available.
- Depending on the occupancy, the front desk may or may not allow the owner an extra parking spot. (i.e., not guaranteed).

- Guest parking is not to be used by owners as a long-term parking facility. It is to be used by owners during a stay (while they are in house) and for daily use in case they are onsite to utilize the amenities.
- If needed, owners must visit the Front Desk with a valid photo ID to be granted access and a parking pass.

### **Long Term Parking**

- No long-term parking is allowed in Bear/Elk garage. Cars in the Bear/Elk garage should be moved every 72 hours.
- Long term parking is permitted in Moose/Bison garage only if an owner purchased a spot in Owner's garage.
- If there are special circumstances, please contact Owner Relations manager and see if it's possible to accommodate requests but this is not guaranteed.

### **Owner's Garage (Moose/Bison)**

- If an owner/property manager allows a guest to utilize their spot in the Whole Owner's Garage, this information must be sent through the portal so notes can be added to the reservation accordingly, otherwise, the Front Desk is not authorized to provide access to the Whole Ownership garage to the guest. Please make sure to provide the spot # as well when sending the request.
- Due to the few spots that are left available for sale (as of 07/24/2023 4 spots left) in the Whole Owners Garage, if you do not own a spot there, you may not be granted access. If you were to be granted temporary access, e.g., to access a storage locker, you can only park in one of the spots with no placard on the wall, as these are the only ones currently not privately owned; this is upon availability and the spots can't be utilized for more than 2 days in a row. Once there are no more spots available for sale, the only owners allowed to park there will be the ones that own a spot.
- If for some reason you do not have an owner's key card to access the Whole Owner Garage and you need the Front Desk to provide one, make sure to bring a valid photo ID so they can assist you properly. The more information you can give them, the faster they will be able to assist.
- Owners who have purchased a parking spot can request a key for up to 30 days.
- If owners have purchased a storage unit but not a parking spot:
  - Front Desk can issue a key to access owner's garage to un-load for 30 minutes.
  - Pick open vacant spot (even if placard) but park for no longer than 30 minutes.
  - Be prepared to move your car if the owner who purchased spot returns or you could be fined up to \$250 and/or your car could be booted.

### **Key Card Timing**

Owners can be given a key card up to 30 days to access amenities.

- This includes Bear/Elk parking and
- Owner's garage Moose/Bison parking (if purchased parking spot).

The Effective Date of this Amendment to the BYLAWS and Rules and Regulations is January 1, 2024.

This Amendment of the BYLAWS shall be recorded in the office of the Summit County Recorder as an Amendment to the BYLAWS set forth in Entry No. 00818013 Bk: 1874 Pg: 0479.

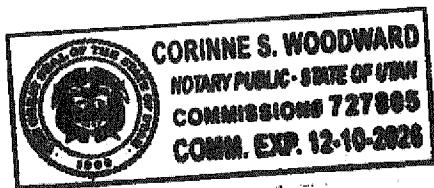
This Amendment to the BYLAWS was unanimously approved by the Board at a duly noticed meeting on December 11, 2023.

*Maria Johnson*  
By: MARIA Johnson  
Its: Treasurer

State of Utah )  
County of Summit ) :ss

I hereby certify that on this 28 day of December, 2023, personally appeared before me MARIA Johnson, Treasurer of The Lodge at Westgate Park City Resort & Spa Condominium Association, and executed the foregoing.

*Decker*  
Notary Public



All Units contained within THE LODGE AT WESTGATE PARK CITY RESORT AND SPA, A CONDOMINIUM, AMENDED, according to the Declaration of Condominium and Declaration of Covenants, Conditions and Restrictions for The Lodge at Westgate Resort & Spa, recorded June 29, 2007 as Entry No. 818013 in Book 1674 at page 479 of Official Records, (as said Declaration may have heretofore been amended and/or supplemented), and as identified in the Record of Survey Map recorded June 29, 2007 as Entry No. 818012 in Book 187 at page 478 of Official Records, (a said Record of Survey may have heretofore been amended and/or supplemented); together with an undivided appurtenant interest in and to the Common Areas and Facilities.

LWPCRS-3301A-AM	LWPCRS-3301B-AM	LWPCRS-3303A-AM
LWPCRS-3303B-AM	LWPCRS-3305A-AM	LWPCRS-3305B-AM
LWPCRS-3400-AM	LWPCRS-3401-AM	LWPCRS-3402-AM
LWPCRS-3403A-AM	LWPCRS-3403B-AM	LWPCRS-3404-AM
LWPCRS-3405-AM	LWPCRS-3406-AM	LWPCRS-3500-AM
LWPCRS-3501A-AM	LWPCRS-3501B-AM	LWPCRS-3502-AM
LWPCRS-3503A-AM	LWPCRS-3503B-AM	LWPCRS-3504-AM
LWPCRS-3505-AM	LWPCRS-3506A-AM	LWPCRS-3506B-AM
LWPCRS-3508A-AM	LWPCRS-3508B-AM	LWPCRS-3510-AM
LWPCRS-3511-AM	LWPCRS-3512A-AM	LWPCRS-3512B-AM
LWPCRS-3514-AM	LWPCRS-3516-AM	LWPCRS-3518-AM
LWPCRS-3600-AM	LWPCRS-3601A-AM	LWPCRS-3601B-AM
LWPCRS-3602-AM	LWPCRS-3603A-AM	LWPCRS-3603B-AM
LWPCRS-3604-AM	LWPCRS-3605-AM	LWPCRS-3606-AM
LWPCRS-3608-AM	LWPCRS-3610-AM	LWPCRS-3612-AM
LWPCRS-3614-AM	LWPCRS-3616-AM	LWPCRS-3618-AM
LWPCRS-3620-AM	LWPCRS-3700-AM	LWPCRS-3701A-AM
LWPCRS-3701B-AM	LWPCRS-3702-AM	LWPCRS-3703A-AM
LWPCRS-3301A-AM	LWPCRS-3301B-AM	LWPCRS-3303A-AM
LWPCRS-3303B-AM	LWPCRS-3305A-AM	LWPCRS-3305B-AM
LWPCRS-3703B-AM	LWPCRS-3704-AM	LWPCRS-3706-AM
LWPCRS-3706-AM	LWPCRS-3708-AM	LWPCRS-3710-AM

LWPCRS-3712-AM	LWPCRS-3714-AM	LWPCRS-3716-AM
LWPCRS-3718-AM	LWPCRS-3800-AM	LWPCRS-3801A-AM
LWPCRS-3801A-AM	LWPCRS-3801B-AM	LWPCRS-3802-AM
LWPCRS-3803A-AM	LWPCRS-3803B-AM	LWPCRS-3804-AM
LWPCRS-3805-AM	LWPCRS-3806A-AM	LWPCRS-3806B-AM
LWPCRS-3808-AM	LWPCRS-3810-AM	LWPCRS-3812-AM
LWPCRS-3814-AM	LWPCRS-3816-AM	LWPCRS-3818-AM
LWPCRS-3900-AM	LWPCRS-3901-AM	LWPCRS-3902-AM
LWPCRS-3903A-AM	LWPCRS-3903B-AM	LWPCRS-3904-AM
LWPCRS-3905-AM	LWPCRS-3906-AM	LWPCRS-3908A-AM
LWPCRS-3908B-AM	LWPCRS-3910-AM	LWPCRS-3912-AM
LWPCRS-3914-AM	LWPCRS-3916-AM	LWPCRS-3918-AM
LWPCRS-4200-AM	LWPCRS-4201-AM	LWPCRS-4202-AM
LWPCRS-4203-AM	LWPCRS-4204-AM	LWPCRS-4207-AM
LWPCRS-4209-AM	LWPCRS-4211-AM	LWPCRS-4300-AM
LWPCRS-4301-AM	LWPCRS-4302-AM	LWPCRS-4303A-AM
LWPCRS-4303B-AM	LWPCRS-4304-AM	LWPCRS-4305-AM
LWPCRS-4206-AM	LWPCRS-4307-AM	LWPCRS-4309-AM
LWPCRS-4311-AM	LWPCRS-4400-AM	LWPCRS-4401-AM
LWPCRS-4403-AM	LWPCRS-4404-AM	LWPCRS-4405-AM
LWPCRS-4406-AM	LWPCRS-4407-AM	LWPCRS-4408-AM
LWPCRS-4409-AM	LWPCRS-4411A-AM	LWPCRS-4411B-AM
LWPCRS-4500-AM	LWPCRS-4501-AM	LWPCRS-4502-AM
LWPCRS-4503-AM	LWPCRS-4504-AM	LWPCRS-4505-AM
LWPCRS-4506-AM	LWPCRS-4507-AM	LWPCRS-4508-AM
LWPCRS-4509-AM	LWPCRS-4510-AM	LWPCRS-4511-AM
LWPCRS-4514-AM	LWPCRS-4516-AM	LWPCRS-4600-AM
LWPCRS-4601-AM	LWPCRS-4602-AM	LWPCRS-4603A-AM
LWPCRS-4603B-AM	LWPCRS-4604-AM	LWPCRS-4605-AM
LWPCRS-4606-AM	LWPCRS-4607-AM	LWPCRS-4608-AM

LWPCRS-4609A-AM	LWPCRS-4609B-AM	LWPCRS-4610-AM
LWPCRS-4611A-AM	LWPCRS-4611B-AM	LWPCRS-4612-AM
LWPCRS-4614-AM	LWPCRS-4616-AM	LWPCRS-4700-AM
LWPCRS-4701A-AM	LWPCRS-4702-AM	LWPCRS-4703A-AM
LWPCRS-4703B-AM	LWPCRS-4704-AM	LWPCRS-4705-AM
LWPCRS-4706-AM	LWPCRS-4707-AM	LWPCRS-4708-AM
LWPCRS-4709-AM	LWPCRS-4710-AM	LWPCRS-4711A-AM
LWPCRS-4711B-AM	LWPCRS-4712-AM	LWPCRS-4714-AM
LWPCRS-4716A-AM	LWPCRS-4716B-AM	LWPCRS-4800-AM
LWPCRS-4801-AM	LWPCRS-4802-AM	LWPCRS-4803-AM
LWPCRS-4804-AM	LWPCRS-4805-AM	LWPCRS-4806-AM
LWPCRS-4807A-AM	LWPCRS-4807B-AM	LWPCRS-4808-AM
LWPCRS-4809-AM	LWPCRS-4810-AM	LWPCRS-4811-AM
LWPCRS-4812-AM	LWPCRS-4814-AM	LWPCRS-4907-AM
LWPCRS-4909-AM	LWPCRS-4910-AM	LWPCRS-4911A-AM
LWPCRS-4911B-AM	LWPCRS-4912-AM	LWPCRS-4914-AM
LWPCRS-4916-AM	LWPCRS-CRC-AM	