

ENTRY NO. 01224438

08/29/2024 09:52:51 AM B: 2830 P: 1056

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RHONDA FRANCIS, SUMMIT COUNTY RECORDER

Fee 40.00 BY COALITION TITLE COMPANY



**FOURTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM
FOR
SILVER QUEEN CONDOMINIUMS**

THIS FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM FOR SILVER QUEEN CONDOMINIUMS (this “**Amendment**”) is made and executed by the undersigned Owners of the units collectively comprising that certain real property commonly known as the “Silver Queen Condominiums” in Park City, Utah and more particularly described in **Exhibit A** hereto (the “**Project**”), and THE SILVER QUEEN HOTEL HOME OWNERS’ ASSOCIATION (the “**Association**”), as of this 30th day of July, 2024 (the “**Effective Date**”). Capitalized terms not defined herein shall have the meanings ascribed to them in the Declaration.

RECITALS

A. WHEREAS, each of the members of the Association (the “**Owners**”) own legal and equitable title to the Units and Common Areas identified in and governed by that certain Condominium Declaration for Silver Queen Condominiums, recorded with the Summit County Recorder on May 5, 1995, Entry No. 429305, Book 881, beginning at Page 674, as amended by the First Amendment to Condominium Declaration for Silver Queen Condominiums, recorded with the Summit County Recorder on March 5, 2007, Entry No. 806272, Book 185, beginning at Page 662, and the Second Amendment to Condominium Declaration for Silver Queen Condominiums, recorded with the Summit County Recorder on August 24, 2015, Entry No. 1026469, and the Third Amendment to Condominium Declaration for Silver Queen Condominiums, recorded with the Summit County Recorder on February 23, 2017, Entry No. 1064295 (as amended, the “**Declaration**”);

B. WHEREAS, the Project is described in that certain Record of Survey Map recorded with the Summit County Recorder on May 5, 1995, Entry No. 429304 (the “**Map**”), which Map was subsequently amended and supplemented by that certain First Amended Record of Survey Map recorded with the Summit County Recorder on August 24, 2015, Entry No. 1026468 (the “**Amended Map**”);

C. WHEREAS, pursuant to a request by the Owner of Unit 4A of the Project, a portion of the Common Areas comprising a portion of roof of the Project are being converted from Common Areas to Limited Common Residential areas and, as such, are being made appurtenant to Unit 4A (such areas, the “**Converted Areas**”);

D. WHEREAS, on even date herewith, in order to document the conversion of the Converted Areas from Common Areas to Limited Common Area, the Map and the Amended

Map have again been amended and supplemented by that certain Second Amended Record of Survey Map recorded with the Summit County Recorder on Aug 29, 2024 as Entry No. 122-4437 (the "Second Amended Map" (along with the Map and the Amendment Map, the "Maps"));

E. WHEREAS, the current schedule of square feet, votes and undivided interests in the Common Areas are as outlined on **Exhibit C** attached hereto and incorporated herein by this reference; and

F. WHEREAS, in accordance with the Association's Bylaws, the Owners have agreed, unanimously by written agreement, that the Converted Areas may be formally converted from Common Area to Limited Common Area, for the use of the Owner of Unit 4A.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which is acknowledged, the undersigned, with the consent and on behalf of all of the Owners in the Condominium, have caused the Second Amended Map to be prepared and recorded herewith, and agree that the Declaration is hereby amended as follows:

AMENDMENT

1. **Addition of Converted Areas to Definition of Limited Common Areas.** Section 2.15 of the Declaration is hereby stricken and replaced with the following:

2.15. **Limited Common Areas.** "Limited common area" shall mean and refer to those portions of the Common Areas and Facilities reserved for the use of certain adjacent owners, as specified herein. The Limited Common Areas shall include both: (i) the second-floor balcony (as the same is more particularly identified on the Map, the "Balcony Limited Common Area"); and (ii) those certain portions of the roof comprising the Converted Areas cross-hatched on the Second Amended Map and identified as "Limited Common Residential" (the "Roof-Deck Limited Common Area.")

The use and occupancy of the Limited Common Areas is reserved to the Units adjacent to the Limited Common Areas and each such Unit Owner is hereby granted an irrevocable license to use the same so long as such Owner owns the adjacent Unit associated with such Limited Common Area. This use is subject to Article X of this Declaration.

2. **Amendment to Article X.** Article X of the Declaration is replaced with the following:

ARTICLE X **Limited Common Areas**

Each Unit Owner may use the Balcony Limited Common Area adjacent to their Units only for plants or any other use approved, in advance, by the

Management Committee. The Limited Common Areas shall not be utilized for human occupancy.

The Unit 4A Owner may use the Roof-Deck Limited Common Area for furniture, planters, solar panels, and accompanying fixtures and equipment.

Except to the extent authorized herein, the Management Committee may restrict or prohibit any use of any Limited Common Area as it sees fit.

[Signature page follows.]

IN WITNESS WHEREOF, the Manager of the Association has executed and delivered this Fourth Amendment with the authorization and consent of the Association Board, on behalf of the Owners of the Association, as of the 30 day of July, 2024.

THE SILVER QUEEN HOTEL HOME OWNERS'
ASSOCIATION



Rob Alday, Authorized Manager

STATE OF UTAH)
: ss.
County of Summit)

On this 30 day of July, 2024, personally appeared before me, Rob Alday, Manager of the Silver Queen Hotel Home Owners' Association., who upon oath did swear that he is empowered to sign the foregoing and acknowledged to me that he signed the same of his own free act and deed, and that the foregoing amendment was passed by an affirmative vote of all of the Owners in the Association, at a properly noticed and held meeting of the Association or through written approval received from each owner.



Shannon Ireland
Notary Public

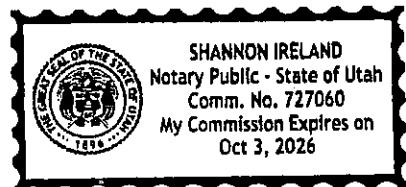


EXHIBIT A

LEGAL DESCRIPTION OF PROJECT

ALL OF UNITS 2A, 2C, 3A, 3C, 4A, 4B, 4C, & C-1, CONT WITHIN THE SILVER QUEEN CONDO, A CONDO PROJECT, AS THE SAME IS IDENTIFIED IN THE FIRST AMENDED RECORD OF SUR MAP REC ON AUGUST 24, 2015, SUMMIT CO AS ENTRY NO 1026468 IN BK 2310 AT PAGE 1128.

TAX PARCEL NUMBERS:

Unit 2A: SQ-2A-1AM

Unit 2C: SQ-2C-1AM

Unit 3A: SQ-3A-1AM

Unit 3C: SQ-3C-1AM

Unit 4A: SQ-4A-1AM

Unit 4B: SQ-4B-1AM

Unit 4C: SQ-4C-1AM

Unit 1 (commercial): SQ-C1-1AM

EXHIBIT C

SCHEDULE OF SQUARE FEET/ VOTES/UNDIVIDED INTERESTS IN COMMON AREAS

Unit #	Unit Type	Unit SF	Undivided Interest per Unit	Votes per Unit
2A	Residential	2,118	15.143%	15
2C	Residential	1,247	8.915%	9
3A	Residential	2,163	15.464%	16
3C	Residential	1,259	9.001%	9
4A	Residential	2,107	14.421%	14
4B	Residential	1,006	7.192%	7
4C	Residential	1,204	8.608%	9
Residential Unit Subtotal		11,014	78.745%	79
C-1	Commercial	2,973	21.255%	21
Commercial Unit Subtotal		2,973	21.255%	21
TOTALS		13,987	100%	100