

**NINTH AMENDMENT  
TO THE  
MASTER DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS, AND EASEMENTS  
FOR  
SILVER CREEK VILLAGE  
aka THE VILLAGE PARK CITY**

This NINTH AMENDMENT TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR SILVER CREEK VILLAGE AKA THE VILLAGE PARK CITY ("Ninth Amendment") is made and executed by the Declarant, Village Development Group, Inc. (the "Declarant"), on the date set forth below and shall be effective upon recording in the Office of the Summit County Recorder.

**RECITALS**

- A. The Master Declaration of Covenants, Conditions, Restrictions, and Easements for Silver Creek Village was recorded in the Summit County Recorder's Office on April 20, 2017 as Entry No. 01067652 (the "Declaration").
- B. The First Amendment to the Master Declaration of Covenants, Conditions, Restrictions, and Easements for Silver Creek Village aka The Village Park City was recorded in the Summit County Recorder's Office on September 18, 2018 as Entry No. 01098454.
- C. The Second Amendment to the Master Declaration of Covenants, Conditions, Restrictions, and Easements for Silver Creek Village aka The Village Park City was recorded in the Summit County Recorder's Office on November 7, 2018 as Entry No. 01101270.
- D. The Third Amendment to the Master Declaration of Covenants, Conditions, Restrictions, and Easements for Silver Creek Village aka The Village Park City was recorded in the Summit County Recorder's Office on December 27, 2019 as Entry No. 01124428.
- E. The Fourth Amendment to the Master Declaration of Covenants, Conditions, Restrictions, and Easements for Silver Creek Village aka The Village Park City was recorded in the Summit County Recorder's Office on February 20, 2020 as Entry No. 01127523.
- F. The Fifth Amendment to the Master Declaration of Covenants, Conditions, Restrictions, and Easements for Silver Creek Village aka The Village Park City was

recorded in the Summit County Recorder's Office on February 8, 2021 as Entry No. 01154911.

- G. The Sixth Amendment to the Master Declaration of Covenants, Conditions, Restrictions, and Easements for Silver Creek Village aka The Village Park City was recorded in the Summit County Recorder's Office on March 8, 2022 as Entry No. 01184857.
- H. The Supplement to the Master Declaration of Covenants, Conditions, Restrictions, and Easements for Silver Creek Village aka The Village Park City was recorded in the Summit County Recorder's Office on April 28, 2022 as Entry No. 01188087.
- I. The Eighth Amendment to the Master Declaration of Covenants, Conditions, Restrictions, and Easements for Silver Creek Village aka The Village Park City was recorded in the Summit County Recorder's Office on November 22, 2023 as Entry No. 01212754.
- J. This Ninth 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 "Project") and shall be binding on all parties having or acquiring any right, title, or interest to the Project or any part thereof.
- K. Pursuant to Section 14.2.1 of the Declaration, the Declarant has the right to unilaterally amend the Declaration and execute this Ninth Amendment.
- L. Unless specifically modified herein, all remaining provisions of the Declaration shall remain in full force and effect.
- M. In case of any conflict between the terms of this Ninth Amendment and the terms of the Declaration, the provisions of this Ninth Amendment shall control.
- N. Unless otherwise provided in this Ninth Amendment, capitalized terms used herein shall have the same meaning and effect as used in the Declaration.

### **NINTH AMENDMENT**

NOW, THEREFORE, the Declaration is amended as follows:

1. Section 10.3 (Alley Benefitted Use Areas) is hereby added to the Declaration and shall read as follows:

#### **10.3 Alley Benefitted Use Areas.**

- (a) Certain Lots in Silver Creek Village contain private alleys that only benefit the Lots associated therewith.
- (b) These Lots are located as follows:
  - (i) Lot 2 Subdivision. Lots located on Golden Eye Loop, Lavender Loop, Coneflower Way, another alley yet to be named (near Serviceberry Drive and Village Green Trail), and any other alley as shown on the Silver Creek Village Center Lot 2 Subdivision Plat and the Silver Creek Village

Center Lots 81 & 82 Subdivision Plat recorded in the Office of the Summit County Recorder ("Lot 2 Alley Lots"). Golden Eye Loop, Lavender Loop, Coneflower Way, another alley yet to be named (near Serviceberry Drive and Village Green Trail), and any other alley shown on the plats are collectively referred to herein as the "Lot 2 Private Alleys."

(ii) Lot 5 Subdivision. Lots located on Hosta Loop, Bluestem Lane, and any other alley as shown on the Silver Creek Village Center Lot 5 Subdivision Plat recorded in the Office of the Summit County Recorder ("Lot 5 Alley Lots"). Hosta Loop, Bluestem Lane, and any other alley shown on the plat are collectively referred to herein as the "Lot 5 Private Alleys."

(iii) Lot 6 and Lot 7 Subdivision. Lots located on Daisy Lane, Daylily Lane, Yarrow Lane, and any other alley as shown on the Silver Creek Village Center Lot 6 and Lot 7 Subdivision Plat recorded in the Office of the Summit County Recorder ("Lot 6/7 Alley Lots"). Daisy Lane, Daylily Lane, Yarrow Lane, and any other alley shown on the plat are collectively referred to herein as the "Lot 6/7 Private Alleys."

(iv) Lot 8 Subdivision. Lots located on Shasta Daisy Lane, Silvery Lupeine Way, Amarillo Drive, and any other alley as shown on the Silver Creek Village Center Lot 8 Phase 1 Subdivision Plat and Lot 8 Phase 2 Subdivision Plat recorded in the Office of the Summit County Recorder ("Lot 8 Alley Lots"). Shasta Daisy Lane, Silvery Lupeine Way, Amarillo Drive, and any other alley shown on the plat are collectively referred to herein as the "Lot 8 Private Alleys."

(v) Lot 13 and Lot 16 Subdivision. Lots located on Tree Mallow Way, Bellflower Lane, Shasta Daisy Lane, Fire Chalice Way, Stone Crop Lane, Cranes Bill Way, and any other alley as shown on the Silver Creek Village Center Lot 13 and Lot 16 Subdivision Plat recorded in the Office of the Summit Recorder ("Lot 13/16 Alley Lots"). Tree Mallow Way, Bellflower Lane, Shasta Daisy Lane, Fire Chalice Way, Stone Crop Lane, Cranes Bill Way, and any other alley shown on the plat are collectively referred to herein as the "Lot 13/16 Private Alleys."

(vi) Elk Springs at Silver Creek Subdivision. Lots located on Hibiscus Lane, Penstemon Lane, Golden Rod Lane, Indigo Lane, and any other alley as shown on the Elk Springs at Silver Creek Subdivision Plat recorded in the Office of the Summit County Recorder ("Elk Springs Alley Lots"). Hibiscus Lane, Penstemon Lane, Golden Rod Lane, Indigo Lane, and any other alley shown on the plat are collectively referred to herein as the "Elk Springs Private Alleys."

(vii) Any other Lots subject to this Declaration that are located on plats not referenced herein and that are benefited by alleys shall be considered alley Lots and shall be referenced based on the plat on which they are located, i.e. "[Plat] Alley Lots." Any Lots that are benefited by alleys

shown on the Silver Creek Village Center Lot 83 Subdivision Plat shall be considered Lot 2 Alley Lots.

(viii) Any other private alleys subject to this Declaration that are located on plats not referenced herein shall be considered private alleys and shall be referenced based on the plat on which they are located, i.e. [Plat] Private Alleys. Any private alleys shown on the Silver Creek Village Center Lot 83 Subdivision shall be considered Lot 2 Private Alleys.

(c) Private Alleys. The Lot 2 Private Alleys, Lot 5 Private Alleys, Lot 6/7 Private Alleys, Lot 8 Private Alleys, Lot 13/16 Private Alleys, Elk Springs Private Alleys, and the [Plat] Private Alleys referenced in Section 10.3(b)(viii), above, are collectively referred to herein as the "Private Alleys."

(d) Maintenance of Private Alleys. Notwithstanding anything to the contrary contained in this Declaration, the Association shall be responsible to maintain, repair, and replace the Private Alleys and to perform snow removal on the Private Alleys. The Association may utilize discretion in the frequency of snow removal and the amount of accumulation meriting removal.

(e) Easement. The Association shall have a perpetual, non-exclusive easement over, upon, and across the Private Alleys to perform maintenance, repair, and replacement of, and snow removal on, the Private Alleys and to perform all functions as required under this Declaration.

(f) Benefitted Use Area Assessments.

(i) Lot 2 Alley Lots. A Benefitted Use Area Assessment shall be levied against the Lot 2 Alley Lots for the costs and expenses (and any reserves for future costs and expenses) incurred by the Association for maintenance, repair, and replacement of, and snow removal on, the Lot 2 Private Alleys. Such Benefitted Use Area Assessments shall be assessed equally against the Lot 2 Alley Lots.

(ii) Lot 5 Alley Lots. A Benefitted Use Area Assessment shall be levied against the Lot 5 Alley Lots for the costs and expenses (and any reserves for future costs and expenses) incurred by the Association for maintenance, repair, and replacement of, and snow removal on, the Lot 5 Private Alleys. Such Benefitted Use Area Assessments shall be assessed equally against the Lot 5 Alley Lots.

(iii) Lot 6/7 Alley Lots. A Benefitted Use Area Assessment shall be levied against the Lot 6/7 Alley Lots for the costs and expenses (and any reserves for future costs and expenses)

incurred by the Association for maintenance, repair, and replacement of, and snow removal on, the Lot 6/7 Private Alleys. Such Benefitted Use Area Assessments shall be assessed equally against the Lot 6/7 Alley Lots.

- (iv) Lot 8 Alley Lots. A Benefitted Use Area Assessment shall be levied against the Lot 8 Alley Lots for the costs and expenses (and any reserves for future costs and expenses) incurred by the Association for maintenance, repair, and replacement of, and snow removal on, the Lot 8 Private Alleys. Such Benefitted Use Area Assessments shall be assessed equally against the Lot 8 Alley Lots.
- (v) Lot 13/16 Alley Lots. A Benefitted Use Area Assessment shall be levied against the Lot 13/16 Alley Lots for the costs and expenses (and any reserves for future costs and expenses) incurred by the Association for maintenance, repair, and replacement of, and snow removal on, the Lot 13/16 Private Alleys. Such Benefitted Use Area Assessments shall be assessed equally against the Lot 13/16 Alley Lots.
- (vi) Elk Springs Alley Lots. A Benefitted Use Area Assessment shall be levied against the Elk Springs Alley Lots for the costs and expenses (and any reserves for future costs and expenses) incurred by the Association for maintenance, repair, and replacement of, and snow removal on, the Elk Springs Private Alleys. Such Benefitted Use Area Assessments shall be assessed equally against the Elk Springs Alley Lots.
- (vii) [Plat] Alley Lots. A Benefitted Use Area Assessment shall be levied against the [Plat] Alley Lots for the costs and expenses (and any reserves for future costs and expenses) incurred by the Association for maintenance, repair, and replacement of, and snow removal on, the [Plat] Private Alleys. Such Benefitted Use Area Assessments shall be assessed equally against the [Plat] Alley Lots. Each plat to which this Section 10.3(f)(vii) is applicable shall have its own Benefitted Use Area Assessment, applicable to the respective [Plat] Alley Lots, unless otherwise determined by the Association.

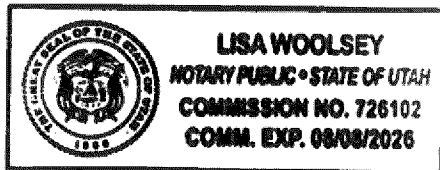
IN WITNESS WHEREOF, the Declarant has executed this Ninth Amendment to the Master Declaration of Covenants, Conditions, Restrictions, and Easements for Silver Creek Village aka The Village Park City this 20<sup>th</sup> day of November, 2024.

**Village Development Group, Inc.**  
**A Utah Corporation**

By: Matt Lowe  
Its: Matt Lowe

State of Utah )  
County of Weber ) ss.

On the 20<sup>th</sup> day of November 2024, Matt Lowe [Name] personally appeared before me who by me being duly sworn, did say that she/he is an authorized representative of Village Development Group, Inc., and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.



Notary Public Lisa Woolsey

**EXHIBIT A**  
**Legal Description and Parcel Numbers**

All of Lots 3, 4, 10, 11, 12, 14, 17, and 18 of SILVER CREEK VILLAGE CENTER SUBDIVISION, according to the official plat thereof on file of record in the Summit County Recorder's Office.

**Parcel Numbers:**    **SCVC-3**  
                              **SCVC-4**  
                              **SCVC-10**  
                              **SCVC-11**  
                              **SCVC-12**  
                              **SCVC-14**  
                              **SCVC-17**  
                              **SCVC-18**

(8 parcels)

All of SILVER CREEK VILLAGE CENTER LOT 2 SUBDIVISION, including, but not limited to, Lots 1-83, and Parcels A through G, according to the official plat thereof and any amendments thereto on file and of record in the Summit County Recorder's Office.

LESS AND EXCEPTING Lot 1 of said Silver Creek Village Center Lot 2 Subdivision, now known as Elk Springs at Silver Creek Village Center Subdivision.

**Parcel Numbers:**    **SCVC-2-2 through SCVC-2-79**  
                              **SCVC-2-83**  
                              **SCVC-2-A**  
                              **SCVC-2-B**  
                              **SCVC-2-C**  
                              **SCVC-2-D**  
                              **SCVC-2-E**  
                              **SCVC-2-F**  
                              **SCVC-2-G-AM**  
                              **SCVC-2-80A-2AM**  
                              **SCVC-2-80B-2AM**

(88 parcels)

All of SILVER CREEK VILLAGE CENTER LOT 5 SUBDIVISION, including, but not limited to, Lots 1-46, Open Space 1, Open Space 2, and Common Areas, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

**Parcel Numbers:**    **SCVC-5-1 through SCVC-5-46**  
                              **SCVC-5-OS-1**  
                              **SCVC-5-OS-2**

(48 parcels)

All of SILVER CREEK VILLAGE CENTER LOT 6 AND 7 SUBDIVISION, including, but not limited to, Lots 1-55 and Open Space 1, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

**Parcel Numbers: SCVC-6-7-1 through SCVC-6-7-55  
SCVC-6-7-OS-1**

(56 parcels)

All of SILVER CREEK VILLAGE CENTER LOT 8 PHASE 1 SUBDIVISION, including, but not limited to, all of Lots 1-50, all Open Spaces, and all Common Areas, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

**Parcel Numbers: SCVC-8-P1-1 through SCVC-8-P1-50  
SCVC-8-P1-OS**

(52 parcels)

All of SILVER CREEK VILLAGE CENTER LOT 8 PHASE 2 SUBDIVISION, including, but not limited to, Lots 51-65, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

**Parcel Numbers: SCVC-8-P2-51 through SCVC-8-P2-65**

(15 parcels)

All of SILVER CREEK VILLAGE CENTER LOT 9 SUBDIVISION, including, but not limited to, Lots 1-3, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

LESS AND EXCEPTING Lot 1 of said Silver Creek Village Center Lot 9 Subdivision, now known as Central Village Condominiums.

**Parcel Numbers: SCVC-9-2  
SCVC-9-3**

(2 parcels)

All of SILVER CREEK VILLAGE CENTER LOT 13 & LOT 16 SUBDIVISION, including, but not limited to, Lots 1-48, Lots 101-147, all Open Spaces, and all Common Areas, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

**Parcel Numbers: SCVC-13-16-1 through SCVC-13-16-48  
SCVC-13-16-OS-1 through SCVC-13-16-OS-9  
SCVC-13-16-101 through SCVC-13-16-147**

(104 parcels)



All of the SILVER CREEK VILLAGE CENTER CONDOMINIUMS Project, including, but not limited to, Units A101-A105, A201-A208, A301-A306, B101-B105, B201-B208, B301-B306, all Open Spaces, and all Common Areas and Facilities, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

**Parcel Numbers:**     **SCVCON-A101 through SCVCON-A105**  
                              **SCVCON-A201 through SCVCON-A208**  
                              **SCVCON-A301 through SCVCON-A306**  
                              **SCVCON-B101 through SCVCON-B105**  
                              **SCVCON-B201 through SCVCON-B208**  
                              **SCVCON-B301 through SCVCON-B306**

(38 parcels)

All of CENTRAL VILLAGE CONDOMINIUMS, a Utah Condominium Project, including, but not limited to, Units 111-118, 121-128, 131-138, 141-148, 211-218, 221-228, 231-238, and 241-248, all Open Spaces, and all Common Areas and Facilities, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

**Parcel Numbers:**     **CVILLC-111 through CVILLC-118**  
                              **CVILLC-121 through CVILLC-128**  
                              **CVILLC-131 through CVILLC-138**  
                              **CVILLC-141 through CVILLC-148**  
                              **CVILLC-211 through CVILLC-218**  
                              **CVILLC-221 through CVILLC-228**  
                              **CVILLC-231 through CVILLC-238**  
                              **CVILLC-241 through CVILLC-248**

(64 parcels)

All of ELK SPRINGS AT SILVER CREEK VILLAGE CENTER SUBDIVISION, including, but not limited to, Lots 1-125, all Open Spaces, and all Common Areas, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

**Parcel Numbers:**     **ESSCVC-1 through ESSCVC-125**  
                              **ESSCVC-OS-1 through ESSCVC-OS-9**

(134 parcels)

All of SILVER CREEK VILLAGE CENTER LOTS 81 & 82 SUBDIVISION, including, but not limited to, Lots 1-14, and Common Areas, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

**Parcel Numbers:**     **SCVC-81-82-1 through SCVC-81-82-14**  
                              **SCVC-81-82-A**  
                              **SCVC-81-82-B**

(16 parcels)

**(625 Total Parcels)**