

THIS INSTRUMENT PREPARED BY:
AND RETURN TO:
Heidi Boyles, Esq.
Greenspoon Marder, P.A.
201 East Pine Street, Suite 500
Orlando, Florida 32801

ENTRY NO. 00864200

02/02/2009 04:06:17 PM B: 1965 P: 1624

Declaration PAGE 1/6

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE 35.00 BY GREENSPOON MARDER



**FOURTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM AND
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

FOR

THE LODGE AT WESTGATE PARK CITY RESORT & SPA, A CONDOMINIUM

*** * ***

This Fourth Amendment to The Declaration of Condominium and Declaration of Covenants, Conditions and Restrictions (the "Declaration") for The Lodge at Westgate Park City Resort & Spa, a Condominium, is made this 4th day of November, 2008, by WESTGATE RESORTS, LTD., a Florida limited partnership ("Declarant").

W I T N E S S E T H:

WHEREAS, Declarant is developing The Lodge at Westgate Park City Resort & Spa, a Condominium (the "Condominium"), which is located and situated in Summit County, Utah and described on Exhibit "A" attached hereto and incorporated herein, according to the Declaration thereof, recorded at Entry Number 00818013 of the Records of Summit County Recorder's Office, and all Exhibits thereto (the "Declaration"); and

WHEREAS, pursuant to Article XX, Section 20.1 of the Declaration, the Declarant reserved the right at any time, so long as it has a right to appoint all officers and directors of the Board to amend the Declaration as the Declarant may deem appropriate in its sole discretion to carry out the purposes of the project; provided that such amendment shall not prejudice or impair to any material extent the rights of any Owner; and

WHEREAS, Declarant has determined that it is appropriate to amend the Declaration as set forth below.

NOW, THEREFORE, the Declaration is amended as follows:

1. The above recitals are true and correct and form a material part of this Amendment.

Underlined text indicates additions;
~~Struck-through~~ text indicates deletions.

2. Exhibit "G" to the Declaration is hereby modified as shown on Exhibit "G" attached hereto and incorporated herein

3. Capitalized words and phrases shall have the meaning set forth in the Declaration, unless otherwise defined herein.

4. Except as herein modified, the Declaration shall remain unmodified and in full force and effect. To the extent of any conflict, the terms of this Amendment shall control and govern.

[Signature Page to Follow]

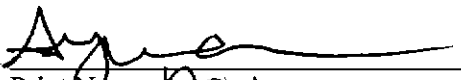
Underlined text indicates additions;
~~Struck-through~~ text indicates deletions.


IN WITNESS WHEREOF, the Developer has executed this Third Amendment to the Declaration on the date set forth above.

Signed, Sealed and Delivered
in the presence of:

WESTGATE RESORTS, LTD., a Florida limited
partnership

BY: WESTGATE RESORTS, INC., a
Florida corporation, its general partner

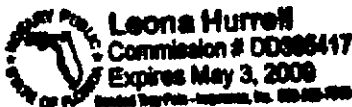

Print Name: Ashley Walker


Print Name: Lisa R. Panella

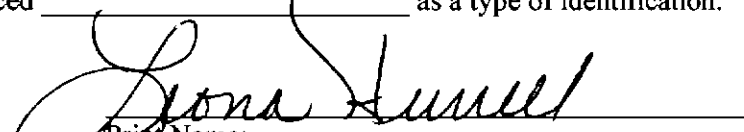

BY: DAVID A. SIEGEL, President

STATE OF FLORIDA)
) SS
COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me this 4 day of November, 2008, by DAVID A. SIEGEL, as President of WESTGATE RESORTS, INC., a Florida corporation, as General Partner of WESTGATE RESORTS, LTD., a Florida limited partnership, on behalf of the partnership. He is personally known to me or has produced _____ as a type of identification.



My commission expires:


Print Name:
Notary Public, State of:
Serial Number, if any:

K:\HNB\00108 - CFT\1555 park city bldg 19\Building 19\Amendment to Declaration\Fourth Amendment to Declaration.DOC

Underlined text indicates additions;
~~Struck through~~ text indicates deletions.

EXHIBIT G

UNITS THAT MAY BE SUBMITTED TO TIMESHARE OWNERSHIP

Unit Numbers

Moose Lodge

3406

LWPC RS - #

3500

3600

3700

3810

Bison Lodge

4200

4203

4207

4209

~~4211~~ 4202

4300

4302

4304

4400

4500

~~4600~~ 4407

Underlined text indicates additions;
~~Struck-through~~ text indicates deletions.

**JOINDER AND CONSENT
OF MORTGAGEE**

Bank of America, N.A., a national banking corporation, whose mailing address is P.O. Box 31590, Tampa, FL 33631 ("Mortgagee"), is the owner and holder of the Deed of Trust, Assignment of Rents and Leases and Security Agreement recorded in Book 1886, beginning at Page 129 (the "Mortgage"), in the Public Records of Summit County Recorder ("Public Records"). The Mortgage encumbers the property submitted to a condominium plan (the "Resort") pursuant to the Declaration of Condominium and Declaration of Covenants, Conditions and Restrictions for the Resort, recorded in Book 1874, beginning at Page 479, of the Public Records (the "Declaration"), as amended by that certain First Amendment to Declaration dated July 2, 2008, recorded in Book 1938, beginning at Page 0477, of the Public Records, that certain Second Amendment to Declaration dated May 30, 2008, recorded in Book 1942, beginning at Page 0605, of the Public Records and that certain Third Amendment to Declaration dated July 8, 2008, recorded in Book 1964, beginning at Page 1024, of the Public Records. The Declaration is being amended by and through a Fourth Amendment to Declaration ("Fourth Amendment"), to be recorded immediately prior to the recordation of this instrument.

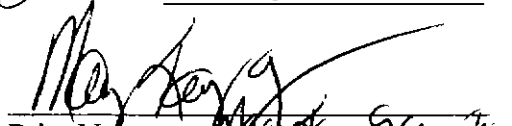
Mortgagee hereby joins in and consents to the making of the Fourth Amendment, and agrees that the lien of its Mortgage shall be upon the condominium units and undivided percentage interest in the Common Areas and Facilities appurtenant thereto according to the Declaration, as amended by the Second Amendment, and that, in the event of foreclosure of the Mortgage, the Declaration shall remain effective in accordance with its terms. Mortgagee's execution of this instrument and joinder in the Fourth Amendment, is not intended as, and shall not be deemed to give rise to, an assumption by Mortgagee of any obligations or liabilities of the developer or declarant under the Declaration or of any person.


Dated on this 14 day of November, 2008.

WITNESSES:

BANK OF AMERICA, N.A., a national banking corporation


Print Name: Joan T. Baker


Print Name: Mary Kay Greenstein

By: 
Print Name: KYLE ERIKSON WORTHINGTON
As Its: Vice President


STATE OF FLORIDA)
)ss.:
COUNTY OF Hillsborough)

The foregoing instrument was acknowledged before me this 14th day of November, 2008, by Kyle Erikson Workinger, as Vice President of and on behalf of Bank of America, N.A., a national banking corporation. She is personally known to me or produced
_____ as identification.

Joan T. Baker

Print Name: Joan T. Baker

My Commission Expires:

NOTARY PUBLIC-STATE OF FLORIDA
 Joan T. Baker
Commission #DD749881
Expires: APR. 16, 2012
BONDED THRU ATLANTIC BONDING CO., INC.

[SEAL]