

ENTRY NO. 00934371

11/21/2011 10:44:49 AM B: 2104 P: 1293

Declaration PAGE 1/4

ALAN SPRIGGS SUMMIT COUNTY RECORDER

FEE 111.00 BY VIAL FOTHERINGHAM LLP



WHEN RECORDED RETURN TO:
VIAL FOTHERINGHAM LLP
602 EAST 300 SOUTH
SALT LAKE CITY, UTAH 84102

**THIRD AMENDMENT TO THE
DECLARATION OF CONDOMINIUM**

OF

**NEWPARK RESORT RESIDENCES
(also sometimes referred to as Newport Townhomes)**

THIS THIRD AMENDMENT TO THE DECLARATION OF CONDOMINIUM OF
NEWPARK RESORT RESIDENCES is made and executed on the date set forth below.

RECITALS

A. Certain real property in Summit County known as Newport Resort Residences was subjected to certain covenants, conditions, and restrictions as contained in the Declaration of Condominium of Newport Resort Residences, recorded in the Recorder's Office for Summit County, Utah on April 23, 2004 as Entry No. 00696020, in Book 1614, beginning at Page 1666 ("Declaration");

B. The Declaration was amended by the First Amendment to Declaration of Condominium of Newport Resort Residences, recorded in the Recorder's Office for Summit County, Utah on July 28, 2004, as Entry No. 00705900, in Book 1636, beginning at Page 1309; and the Second Amendment to Declaration of Condominium of Newport Resort Residences Exercising Option to Expand, recorded in the Recorder's Office for Summit County, Utah on November 24, 2004, as Entry No. 00718118, in Book 1662, beginning at Page 1505;

C. This Amendment shall be binding against the property described in "Exhibit A" and the Declaration and any annexation or supplement thereto;

D. Pursuant to Section 21.2.7, the Association has properly approved this Amendment;

E. NOW, THEREFORE, the Association, through its Management Committee, hereby amends the Declaration as follows:

Section 13.6 of the Declaration is hereby amended to read as follows:

"13.6 Each Residential Unit Owner and long-term occupant shall be permitted to have two (2) household pets, only one (1) of which may be a dog, authorized by the Condominium Management Committee of an aggregate weight not to exceed 100 pounds, in the Residential Unit, all subject to rules and regulations established by the Condominium Management Committee, which rules may contain provisions regarding noise, waste, leash requirements, approved household pets, and monetary penalty for violation of such rules. As used in this section, "long-term occupant" means an individual(s) residing within a Residential Unit for at least six (6) consecutive months. Only a Residential Unit Owner or a long-term occupant shall be permitted to have pets."

Section 22.7 is hereby added to the Declaration to read as follows:

"22.7 If a Residential Unit Owner fails or refuses to pay any Assessments within sixty (60) days from when it was due, the Management Committee may terminate the Residential Unit Owner's right to receive utility services paid as a Common Expense, and access to and use of the Common Areas and Facilities. Before terminating any utility service or restricting access to or use of the Common Areas and Facilities, the Association shall notify the Residential Unit Owner and give such Residential Unit Owner at least seventy-two (72) hours to pay the amount of the Assessments due, including any interest and/or late fee penalty. The Residential Unit Owner shall also pay all costs incurred by the Association in taking any action under this Section 22.7, including reasonable attorney fees."

EXECUTED this 4th day of November, 2011.

NEWPARK RESORT RESIDENCES OWNERS ASSOCIATION, INC.

BY: Robert Frank

TITLE: President, NPR OA,

STATE OF UTAH)
)SS:
COUNTY OF SUMMIT)

On the 4th day of November 2011, personally appeared before me Robert Frank, who by me being duly sworn, did say that he is the President of the Newpark

Resort Residences Owners Association, Inc., and that the foregoing instrument was approved as required by Section 21.2.7 of the Declaration.



Kimberly Stanley
Notary Public



EXHIBIT A
NEWPARK RESORT RESIDENCES

Parcel Numbers

NPKTH-1-1 through NPKTH-1-24

NPKTH-2-25 through NPKTH-2-46

NPKTH-3-47 through NPKTH-3-95

