

Homeowners Association for The Colony
2990 White Pine Canyon, #A
Park City, UT 84060

After recording, return to:
Vial Fotheringham LLP
602 East 300 South
Salt Lake City, Utah 84102

ENTRY NO. 00943177

04/13/2012 02:06:20 PM B: 2123 P: 1789
Declaration PAGE 1/8
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
FEE 278.00 BY HOMEOWNERS ASSOCIATION FOR THE COLONY

**FOURTEENTH AMENDMENT
TO THE
BY-LAWS OF THE HOMEOWNERS ASSOCIATION
FOR
THE COLONY AT WHITE PINE CANYON**

THIS FOURTEENTH AMENDMENT TO THE BY-LAWS OF THE HOMEOWNERS ASSOCIATION FOR THE COLONY AT WHITE PINE CANYON is made and executed on the date set forth below and shall be effective upon recording in the Summit County Recorder's Office.

RECITALS

A. The Homeowners Association for The Colony at White Pine Canyon ("Association"), hereby amends the By-Laws of the Association recorded September 28, 1998, as Entry No. 518625, in Book 1186, Pages 47-58 (the "Bylaws"); as previously amended by the First Amendment to Bylaws recorded September 15, 1999, as Entry No. 548587, in Book 1287, Pages 731-733; the Second Amendment to said Bylaws recorded December 29, 2000, as Entry No. 579436, in Book 1347, Pages 712-714; the Third Amendment to said Bylaws recorded December 28, 2001 as Entry No. 607118, in Book 1424, Pages 860-863; the Fourth Amendment to said Bylaws recorded June 25, 2002, as Entry No. 623052, in Book 1456, Pages 1204-1207; the Fifth Amendment to said Bylaws recorded April 11, 2003 as Entry No. 654514, in Book 1525, Pages 1804-1809; the Sixth Amendment to said Bylaws recorded June 25, 2003, as Entry No. 663161, in Book 1545, Pages 1208-1216; the Seventh Amendment to said Bylaws recorded January 26, 2004 as Entry No. 687137, in Book 1595, Pages 1635-1640; the Eighth Amendment to said Bylaws recorded March 1, 2006 as Entry No. 770216, in Book 1774, at Pages 856; the Ninth Amendment to said Bylaws recorded August 24, 2006 as Entry No. 788382, in Book 1812, at Page 704; the Tenth Amendment to said Bylaws recorded September 21, 2007 as Entry No. 826012, in Book 1890, at Page 298; the Eleventh Amendment to said Bylaws recorded March 15, 2010 as Entry No. 894025, in Book 2024, at Page 662; the Twelfth Amendment to said Bylaws recorded June 14, 2011 as Entry No. 924376, in Book 2084, at Page 540; and the Thirteenth Amendment to said Bylaws recorded June 22, 2011 as Entry No. 925149, in Book 2085, at Page 981; (collectively the "By-Laws").

B. Except as modified by this Fourteenth Amendment, the Bylaws as originally recorded and as previously amended, remain in full force and effect.

C. Section 15 of the Bylaws provides that the Bylaws can be amended upon the written approval of Association Members holding at least sixty-percent (60%) of the total votes of the Association.

D. Association Members holding at least sixty-percent (60%) of the total votes of the Association have given written approval of this Fourteenth Amendment.

E. This Fourteenth Amendment shall be binding against the property described in "Exhibit A" and any additional land, wherein the owners become members of the Association. ;

Amendment One – Section 2.1

Section 2.1 of the By-Laws is hereby amended to read as follows:

"2.1 Number of Board of Trustees. The affairs of the Association shall be conducted by a Board of Trustees composed of seven (7) individuals. In the event there are fewer candidates than vacancies for the Board of Trustees, the Board of Trustees may reduce the Board of Trustees size to five (5) individuals until the next annual meeting of the Members."

Amendment Two – Section 2.3

Section 2.3 of the By-Laws is hereby amended to read as follows:

"2.3 Term. Members of the Board of Trustees shall serve for a term of two (2) years. The terms shall be staggered so that three (3) members of the Board of Trustees are elected one year, and four (4) members of the Board of Trustees are elected the following year. The members of the Board of Trustees shall serve until their respective successors are elected, or until their death, resignation, or removal."

Amendment Three – Section 2.7

Section 2.7 of the By-Laws is hereby amended to read as follows:

"2.7 Quorum, Election of Officers and Voting. A majority of the members of the Board of Trustees shall constitute a quorum and, if a quorum is present, the decision of a majority of those present shall be the act of the Board of Trustees. The officers shall be elected at a meeting of the Board of Trustees to be called following the annual meeting of the Association. If an officer ceases to serve due to resignation, death or removal, the Board of Trustees may elect a replacement officer as soon after such event as is reasonably practicable without waiting for the next annual meeting."

Amendment Four – Section 3.1

Section 3.1 of the By-Laws is hereby amended to read as follows:

"3.1 Quorum and Voting. The presence in person or by proxy at any meeting of the Members of the Association, duly called and noticed, representing a majority of the total of all votes vested in Members, shall constitute a quorum for the transaction of business. If however, such quorum shall not be present or represented at any meeting, the

Board of Trustees shall have power to adjourn the meeting and reschedule for a time not earlier than twenty-four (24) hours, nor later than fifteen (15) days after the set time for the original meeting. No notice of such rescheduled meeting shall be required except an oral announcement at the meeting to be rescheduled. The presence of Members and holders of proxies entitled to cast more than thirty-five percent (35%) of the total of all votes vested in Members shall constitute a quorum for the transaction of business at the rescheduled meeting. Unless otherwise provided in the Declaration, Bylaws, or Articles, any action may be taken at any meeting of the Members of the Association where a quorum is present, upon the affirmative vote of a majority of the votes of the Members present."

Amendment Five – Section 3.2

Section 3.2 of the By-Laws is hereby amended to read as follows:

"3.2 Annual Meeting. There shall be an annual meeting of the Members of the Association on the 29th of December at the main entry gate to The Colony, or at such other reasonable place (any location within Summit County shall be deemed reasonable) or time (not more than thirty days before or after such date) as may be designated by written notice from the Board of Trustees. Written notice of the annual meeting shall be sent to the Members not less than fifteen (15) days prior to the date fixed for the annual meeting and may be sent by personal delivery; by first class United States Mail, postage prepaid; or by email. Delivery by United States Mail is deemed to have been delivered three (3) days after a copy has been posted in the United States mail. At or prior to such meeting, the Board of Trustees shall furnish to the Members a proposed budget for the next fiscal year that shall itemize the estimated Common Expenses and Assessments for the fiscal year with the estimated allocation thereof to each Member, and a statement of the Common Expenses and Assessments for the fiscal year just concluded with an itemization of receipts and disbursements for that year and the allocation to each Member of those amounts."


IN WITNESS WHEREOF, pursuant to Section 15 of the By-Laws of the Homeowners Association for The Colony at White Pine Canyon, the Board of Trustees has authorized the execution of this Fourteenth Amendment after having receiving written approval of the foregoing amendments from at least 60% of the total votes of the Association.

EXECUTED this 11 day of April, 2012.

HOMEOWNERS ASSOCIATION FOR THE COLONY AT WHITE PINE CANYON

BY: GLENN EISENBERG

TITLE: PRESIDENT

Signature: 

ACKNOWLEDGMENT PAGE TO FOURTEENTH AMENDMENT TO THE BY-LAWS OF THE HOMEOWNERS ASSOCIATION FOR THE COLONY AT WHITE PINE CANYON

STATE OF UTAH)

COUNTY OF SUMMIT)

) SS:

The foregoing Fourteenth Amendment to the By-Laws of the Homeowners Association for The Colony at White Pine Canyon was acknowledged before me this 11 day of April, 2012,

by Glenn Eisenberg, for and on behalf of said homeowner association.



Reva Hazelrigg
Notary Public

Exhibit "A"

LEGAL DESCRIPTION

All of **The Colony at White Pine Canyon - Phase I Final Subdivision Plat**, according to the official plat thereof, recorded September 24, 1998 as Entry No. 518278 of the official records in the office of the Summit County Recorder, as amended by that certain **The Colony at White Pine Canyon - Phase I Amended Final Subdivision Plat**, according to the official plat thereof, recorded March 26, 1999 as Entry No. 534009 of the official records in the office of the Summit County Recorder, as amended by that certain **The Colony at White Pine Canyon Phase 1 Amendment to Lot 7 and Entry Area**, according to the official plat thereof, recorded September 20, 2007 as Entry No. 825919 of the official records in the office of the Summit County Recorder, and as amended by that certain **The Colony at White Pine Canyon Phase 1 Third Amendment**, according to the official plat thereof, recorded August 18, 2010 as Entry No. 905004 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon, Phase 1B Final Subdivision Plat**, according to the official plat thereof, recorded January 21, 2004 as Entry No. 686710 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon, Phase 1C Final Subdivision Plat**, according to the official plat thereof, recorded August 16, 2008 as Entry No. 787053 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon - Phase II Final Subdivision Plat**, according to the official plat thereof, recorded September 10, 1999 as Entry No. 548270, as amended by that certain **The Colony at White Pine Canyon Amended Phase II Final Subdivision Plat Adjusting the Boundaries of Lots 52, 53, 54 and 55 Only**, according to the official plat thereof, recorded October 6, 2006 as Entry No. 793142 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon - Phase 3A Final Subdivision Plat**, according to the official plat thereof, recorded December 29, 2000 as Entry No. 579433 of the official records in the office of the Summit County Recorder, as amended by that certain **The Colony at White Pine Canyon Phase 3A Final Subdivision Plat Amendment to Lots 110, 111 and Common Area**, according to the official plat thereof, recorded March 23, 2007 as Entry No. 807898 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon - Phase 3B Final Subdivision Plat**, according to the official plat thereof, recorded December 24, 2001 as Entry No. 609728 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon - Phase 3C Final Subdivision Plat**, according to the official plat thereof, recorded June 10, 2002 as Entry No. 621557 of the official records in the office of the Summit County Recorder, as amended by that certain **The Colony at White Pine Canyon First Amended Phase 3C Final Subdivision Plat**, according to the official plat thereof, recorded September 20, 2007 as Entry No. 825934 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon Phase 4A Final Subdivision Plat**, according to the official plat thereof, recorded March 1, 2008 as Entry No. 770208 of the official records in the office of the Summit County Recorder, as amended by that certain **The Colony at White Pine Canyon Phase 4A Amendments to Lots 161 & 163**, according to the official plat thereof, recorded May 6, 2008 as Entry No. 843740 of the official records in the office of the Summit County Recorder, and as amended by that certain **The Colony at White Pine Canyon Phase 4A Amendment to Lots 155, 158, 159 & Parcel A**, according to the official plat thereof, recorded August 20, 2008 as Entry No. 825909, and as amended by that certain **The Colony at White Pine Canyon Phase 4A Amendment to Combine Lots 158 & 160**, according to the official plat thereof, recorded September 11, 2009 as Entry No. 882141 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon Phase 4B Final Subdivision Plat**, according to the official plat thereof, recorded September 20, 2007 as Entry No. 825931 of the official records in the office of the Summit County Recorder, as amended by that certain **The Colony at White Pine Canyon Phase 4B Subdivision Amendment to Lots 220 & 221**, according to the official plat thereof, recorded June 27, 2008 as Entry No. 848394 of the official records in the office of the Summit County Recorder, as amended by that certain **The Colony at White Pine Canyon Phase 4B Subdivision Amendment to Lots 206, 207 & 214, 215**, according to the official plat thereof, recorded August 20, 2008 as Entry No. 852910 of the official records in the office of the Summit County Recorder, and as amended by that certain **The Colony at White Pine Canyon Phase 4B Subdivision Amendment to Lots 182 & 183**, according to the official plat thereof, recorded August 5, 2009 as Entry No. 879569 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon Phase 4D Subdivision**, according to the official plat thereof, recorded March 15, 2010 as Entry No. 894023 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon Phase 4E The Lakes 1 Subdivision**, according to the official plat thereof, recorded June 14, 2011 as Entry No. 924375 of the official records in the office of the Summit County Recorder.

All of **THE Colony at White Pine Canyon, Phase 4E The Lakes 2 Subdivision**, according to the official plat thereof, recorded June 22, 2011 as Entry No. 925147 of the official records in the office of the Summit County Recorder.

CWPC-1-AM
CWPC-1-A-AM
CWPC-2-AM
CWPC-3-AM
CWPC-5-6-AM
CWPC-6-5-AM
CWPC-5-AM
CWPC-6-AM
CWPC-7-EA-7-AM
CWPC-7-EA-A-AM
CWPC-7-EA-B-AM
CWPC-7-EA-C-AM
CWPC-7-EA-D-AM
CWPC-7-EA-E-AM
CWPC-8-AM
CWPC-9-AM
CWPC-10-AM
CWPC-11-AM
CWPC-12-AM
CWPC-13-AM
CWPC-14-AM
CWPC-15-AM
CWPC-16-AM
CWPC-17-AM
CWPC-17-A-AM
CWPC-18-AM
CWPC-19-AM
CWPC-20-AM
CWPC-21-AM
CWPC-22-AM
CWPC-23-AM
CWPC-24-AM
CWPC-25-AM
CWPC-26-AM
CWPC-27-AM
CWPC-28-AM
CWPC-29-AM
CWPC-29-A-AM
CWPC-30-AM
CWPC-30-A-AM
CWPC-CA-IMP
CWPC-SKI-AM
CWPC-A
CWPC-IB-6B
CWPC-IB-6C
CWPC-IB-SKI
CWPC-IC-6A

CWPC-II-31
CWPC-II-32

CWPC-II-33
CWPC-II-33-A
CWPC-II-34
CWPC-II-35
CWPC-II-36
CWPC-II-37
CWPC-II-38
CWPC-II-39
CWPC-II-40
CWPC-II-41
CWPC-II-42
CWPC-II-43
CWPC-II-44
CWPC-II-45
CWPC-II-46
CWPC-II-47
CWPC-II-48
CWPC-II-49
CWPC-II-50
CWPC-II-51
CWPC-II-52-AM
CWPC-II-53-AM
CWPC-II-54-AM
CWPC-II-55-AM
CWPC-II-56
CWPC-II-57
CWPC-II-58
CWPC-II-59
CWPC-II-60
CWPC-II-61A
CWPC-II-61B
CWPC-II-62
CWPC-II-63
CWPC-II-64
CWPC-II-65
CWPC-II-66
CWPC-II-67
CWPC-II-68
CWPC-II-69
CWPC-II-70
CWPC-II-71
CWPC-II-72
CWPC-II-73
CWPC-II-74
CWPC-II-75
CWPC-II-76
CWPC-II-76-A
CWPC-II-77
CWPC-II-77-A
CWPC-II-78
CWPC-II-79
CWPC-II-80
CWPC-II-OS
CWPC-II-SKI
CWPC-II-SKI-1
CWPC-II-SKI-1-AM
CWPC-II-SKI-2

CWPC-3A-81
CWPC-3A-82
CWPC-3A-83
CWPC-3A-84

CWPC-3A-85
CWPC-3A-86
CWPC-3A-87
CWPC-3A-88
CWPC-3A-89
CWPC-3A-90
CWPC-3A-91
CWPC-3A-92
CWPC-3A-93
CWPC-3A-94
CWPC-3A-95
CWPC-3A-96
CWPC-3A-97
CWPC-3A-98
CWPC-3A-99
CWPC-3A-100
CWPC-3A-101
CWPC-3A-102
CWPC-3A-103
CWPC-3A-104
CWPC-3A-105
CWPC-3A-106
CWPC-3A-107
CWPC-3A-108
CWPC-3A-109
CWPC-3A-110
CWPC-3A-110-A
CWPC-3A-111
CWPC-3A-111-AM
CWPC-3A-112
CWPC-3A-113
CWPC-3A-A-AM
CWPC-3A-SKI

CWPC-3B-114
CWPC-3B-115
CWPC-3B-116
CWPC-3B-117
CWPC-3B-117-A
CWPC-3B-118
CWPC-3B-119
CWPC-3B-120
CWPC-3B-121
CWPC-3B-122
CWPC-3B-123

CWPC-3C-124-1AM
CWPC-3C-126-1AM
CWPC-3C-127-1AM
CWPC-3C-128-1AM
CWPC-3C-128-ADJ
CWPC-3C-130-1AM
CWPC-3C-131-1AM
CWPC-3C-132-1AM
CWPC-3C-135-1AM
CWPC-3C-136-1AM
CWPC-3C-137-1AM
CWPC-3C-138-1AM
CWPC-3C-139-1AM
CWPC-3C-140-1AM
CWPC-3C-141-1AM
CWPC-3C-142-1AM

CWPC-3C-143-1AM
CWPC-3C-A-1AM
CWPC-3C-B-1AM

CWPC-4A-154
CWPC-4A-155
CWPC-4A-155-AM
CWPC-4A-156
CWPC-4A-158
CWPC-4A-158-AM
CWPC-4A-159
CWPC-4A-159-AM
CWPC-4A-160
CWPC-4A-161
CWPC-4A-161-AM
CWPC-4A-162
CWPC-4A-163
CWPC-4A-163-AM
CWPC-4A-164
CWPC-4A-165
CWPC-4A-166
CWPC-4A-167
CWPC-4A-168
CWPC-4A-169
CWPC-4A-170
CWPC-4A-171
CWPC-4A-172
CWPC-4A-173
CWPC-4A-174
CWPC-4A-175
CWPC-4A-176
CWPC-4A-177
CWPC-4A-178
CWPC-4A-179
CWPC-4A-180
CWPC-4A-181
CWPC-4A-A
CWPC-4A-A-AM
CWPC-4A-B

CWPC-4B-182
CWPC-4B-182-AM
CWPC-4B-183
CWPC-4B-184
CWPC-4B-185
CWPC-4B-186
CWPC-4B-187
CWPC-4B-206
CWPC-4B-206-AM
CWPC-4B-207
CWPC-4B-207-AM
CWPC-4B-212
CWPC-4B-213
CWPC-4B-214
CWPC-4B-214-AM
CWPC-4B-215
CWPC-4B-215-AM
CWPC-4B-216
CWPC-4B-217

CWPC-4B-218
CWPC-4B-219
CWPC-4B-220
CWPC-4B-220-AM
CWPC-4B-221
CWPC-4B-221-AM
CWPC-4B-A
CWPC-4B-B

CWPC-4D-208
CWPC-4D-209
CWPC-4D-210
CWPC-4D-253
CWPC-4D-254
CWPC-4D-256

CWPC-4E-233
CWPC-4E-236
CWPC-4E-237
CWPC-4E-240
CWPC-4E-244
CWPC-4E-245
CWPC-4E-246
CWPC-4E-247
CWPC-4E-248
CWPC-4E-249
CWPC-4E-250
CWPC-4E-251
CWPC-4E-224
CWPC-4E-226