

THIS INSTRUMENT PREPARED BY:  
AND RETURN TO:  
Leonard Lubart, Esq.  
Greenspoon Marder, P.A.  
100 West Cypress Creek Road, Suite 700  
Ft. Lauderdale, FL 33309

**ENTRY NO. 00973672**

06/27/2013 04:39:54 PM B: 2194 P: 0948

Declaration PAGE 1/8

MARY ANN TRUSSELL, SUMMIT COUNTY RECORDER  
FEE 224.00 BY GREENSPOON MARDER



**SIXTH 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 Sixth 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 24 day of April, 2013, by WESTGATE RESORTS, LTD., a Florida limited partnership ("Declarant").

**WITNESSETH:**

**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, 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. Article XIV, Section 14.14 is hereby amended to provide as follows:

14.14 Timeshare Interest Ownership – Reservation Right. To the extent permitted under applicable law and all necessary governmental approvals have been obtained, Declarant, for itself, its successors and assigns, expressly reserves the right to submit ~~up to sixteen (16)~~ any number of Units in the Project to a plan of timeshare ownership and, in connection therewith, establish a timeshare regime and owners association, all of which shall be subject to all of the terms and conditions herein. A unit shall not be deemed a timeshare unit until the first Deed conveying a unit week in such unit is recorded in the Public Records of Summit County. ~~The sixteen (16) Units subject to being submitted to timeshare ownership are identified on Exhibit "G" attached hereto. Declarant may unilaterally modify the list of Units set forth on Exhibit "G" without the consent or approval of any Owner or Institutional Lender; provided that the substitution/replacement of any Unit set forth on Exhibit "G" shall be with a Unit then owned by Declarant.~~ Exhibit "G" to the Declaration is hereby deleted. Without limitation, such reservation right shall include the right to include the timeshare regime within the adjacent timeshare resort known as "Westgate Park City Resort & Spa". If the timeshare regime is not created within the "Westgate Park City Resort & Spa" timeshare regime, then the timeshare regime for the Units within the Project shall be pursuant to a separate owners association that shall maintain and manage these Units, subject to this Declaration of Condominium. The right to submit a Unit or any other unit located on the Project to any such plan of timeshare ownership shall extend only to Declarant, its successors or assigns, and shall specifically and expressly not be available to Non-Declarant Owners or their successors or assigns, except with the prior written consent of the Declarant. Submission of a Unit or any other unit located on the Project to such a plan of timeshare ownership shall not be subject to the prior written consent of any Owner, except to the extent a Unit is already owned by a Non-Declarant Owner, or any mortgagee, except the first mortgagee of record of any such Unit to be submitted. Each Owner acknowledges that Commercial Unit Owner has the right to create timeshare interest regimes or units within the Project. Each Owner, by acceptance of a deed or other instrument creating in such Owner the interest required to be deemed an Owner, is deemed to covenant and agree at any time and from time to time upon prior request by the Declarant, to execute, acknowledge and deliver any instrument indicating such Owner's unconditional approval of the submission of the Project to a plan of timeshare ownership, in the event the Commercial Unit Owner elects to pursue such submission.

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]

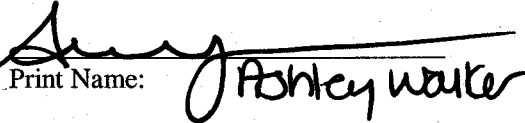
Underlined text indicates additions;  
~~Struck through~~ text indicates deletions.

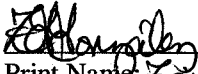
IN WITNESS WHEREOF, the Developer has executed this Sixth Amendment to the Declaration on the date set forth above.

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: Anthony Walker

  
Print Name: Zoila Gonzalez

  
BY: DAVID A. SIEGEL, President

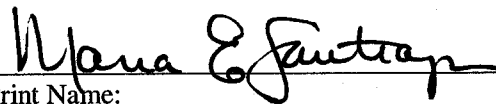
STATE OF FLORIDA           )  
  ) SS.  
COUNTY OF ORANGE       )

The foregoing instrument was acknowledged before me this 24 day of April, 2013, 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.



MARIA E. SANTIAGO  
MY COMMISSION # DD 932538  
EXPIRES: October 31, 2013  
Bonded Thru Budget Notary Services

My commission expires:

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

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

**THE LODGE AT WESTGATE PARK CITY RESORT & SPA, A CONDOMINIUM  
SUMMIT COUNTY TAX SERIAL NUMBERS**

**MOOSE LODGE**

**UNIT NUMBERS**

**PARCEL NUMBER**

3301A	LWPCRS-3301A
3301B	LWPCRS-3301B
3303A	LWPCRS-3303A
3303B	LWPCRS-3303B
3305A	LWPCRS-3305A
3305B	LWPCRS-3305B
3400	LWPCRS-3400
3401	LWPCRS-3401
3402	LWPCRS-3402
3403A	LWPCRS-3403A
3403B	LWPCRS-3403B
3404	LWPCRS-3404
3405	LWPCRS-3405
3406	LWPCRS-3406
3500	LWPCRS-3500
3501A	LWPCRS-3501A
3501B	LWPCRS-3501B
3502	LWPCRS-3502
3503A	LWPCRS-3503A
3503B	LWPCRS-3503B
3504	LWPCRS-3504
3505	LWPCRS-3505
3506A	LWPCRS-3506A
3506B	LWPCRS-3506B
3508A	LWPCRS-3508A
3508B	LWPCRS-3508B
3510	LWPCRS-3510
3511	LWPCRS-3511
3512A	LWPCRS-3512A
3512B	LWPCRS-3512B
3514	LWPCRS-3514
3516	LWPCRS-3516
3518	LWPCRS-3518
3600	LWPCRS-3600
3601A	LWPCRS-3601A
3601B	LWPCRS-3601B
3602	LWPCRS-3602
3603A	LWPCRS-3603A
3603B	LWPCRS-3603B
3604	LWPCRS-3604
3605	LWPCRS-3605
3606	LWPCRS-3606
3608	LWPCRS-3608
3610	LWPCRS-3610
3612	LWPCRS-3612
3614	LWPCRS-3614
3616	LWPCRS-3616

3618	LWPCRS-3618
3620	LWPCRS-3620
3700	LWPCRS-3700
3701A	LWPCRS-3701A
3701B	LWPCRS-3701B
3702	LWPCRS-3702
3703A	LWPCRS-3703A
3703B	LWPCRS-3703B
3704	LWPCRS-3704
3705	LWPCRS-3705
3706	LWPCRS-3706
3708	LWPCRS-3708
3710	LWPCRS-3710
3712	LWPCRS-3712
3714	LWPCRS-3714
3716	LWPCRS-3716
3718	LWPCRS-3718
3800	LWPCRS-3800
3801A	LWPCRS-3801A
3801B	LWPCRS-3801B
3802	LWPCRS-3802
3803A	LWPCRS-3803A
3803B	LWPCRS-3803B
3804	LWPCRS-3804
3805	LWPCRS-3805
3806A	LWPCRS-3806A
3806B	LWPCRS-3806B
3808	LWPCRS-3808
3810	LWPCRS-3810
3812	LWPCRS-3812
3814	LWPCRS-3814
3816	LWPCRS-3816
3818	LWPCRS-3818
3900	LWPCRS-3900
3901	LWPCRS-3901
3902	LWPCRS-3902
3903A	LWPCRS-3903A
3903B	LWPCRS-3903B
3904	LWPCRS-3904
3905	LWPCRS-3905
3906	LWPCRS-3906
3908A	LWPCRS-3908A
3908B	LWPCRS-3908B
3910	LWPCRS-3910
3912	LWPCRS-3912
3914	LWPCRS-3914
3916	LWPCRS-3916
3918	LWPCRS-3918

Total # of Units

95

**BISON LODGE****UNIT NUMBERS****PARCEL NUMBER**

4200	LWPCRS-4200
4201	LWPCRS-4201
4202	LWPCRS-4202
4203	LWPCRS-4203
4204	LWPCRS-4204
4207	LWPCRS-4207
4209	LWPCRS-4209
4211	LWPCRS-4211
4300	LWPCRS-4300
4301	LWPCRS-4301
4302	LWPCRS-4302
4303A	LWPCRS-4303A
4303B	LWPCRS-4303B
4304	LWPCRS-4304
4305	LWPCRS-4305
4306	LWPCRS-4306
4307	LWPCRS-4307
4309	LWPCRS-4309
4311	LWPCRS-4311
4400	LWPCRS-4400
4401	LWPCRS-4401
4402	LWPCRS-4402
4403	LWPCRS-4403
4404	LWPCRS-4404
4405	LWPCRS-4405
4406	LWPCRS-4406
4407	LWPCRS-4407
4408	LWPCRS-4408
4409	LWPCRS-4409
4411A	LWPCRS-4411A
4411B	LWPCRS-4411B
4500	LWPCRS-4500
4501	LWPCRS-4501
4502	LWPCRS-4502
4503	LWPCRS-4503
4504	LWPCRS-4504
4505	LWPCRS-4505
4506	LWPCRS-4506
4507	LWPCRS-4507
4508	LWPCRS-4508
4509	LWPCRS-4509
4510	LWPCRS-4510
4511	LWPCRS-4511
4512	LWPCRS-4512
4514	LWPCRS-4514
4516	LWPCRS-4516
4600	LWPCRS-4600
4601	LWPCRS-4601
4602	LWPCRS-4602
4603A	LWPCRS-4603A

4603B	LWPCRS-4603B
4604	LWPCRS-4604
4605	LWPCRS-4605
4606	LWPCRS-4606
4607	LWPCRS-4607
4608	LWPCRS-4608
4609A	LWPCRS-4609A
4609B	LWPCRS-4609B
4610	LWPCRS-4610
4611A	LWPCRS-4611A
4611B	LWPCRS-4611B
4612	LWPCRS-4612
4614	LWPCRS-4614
4616	LWPCRS-4616
4700	LWPCRS-4700
4701	LWPCRS-4701
4702	LWPCRS-4702
4703A	LWPCRS-4703A
4703B	LWPCRS-4703B
4704	LWPCRS-4704
4705	LWPCRS-4705
4706	LWPCRS-4706
4707	LWPCRS-4707
4708	LWPCRS-4708
4709	LWPCRS-4709
4710	LWPCRS-4710
4711A	LWPCRS-4711A
4711B	LWPCRS-4711B
4712	LWPCRS-4712
4714	LWPCRS-4714
4716A	LWPCRS-4716A
4716B	LWPCRS-4716B
4800	LWPCRS-4800
4801	LWPCRS-4801
4802	LWPCRS-4802
4803	LWPCRS-4803
4804	LWPCRS-4804
4805	LWPCRS-4805
4806	LWPCRS-4806
4807A	LWPCRS-4807A
4807B	LWPCRS-4807B
4808	LWPCRS-4808
4809	LWPCRS-4809
4810	LWPCRS-4810
4811	LWPCRS-4811
4812	LWPCRS-4812
4814	LWPCRS-4814
4816	LWPCRS-4816
4907	LWPCRS-4907
4909	LWPCRS-4909
4910	LWPCRS-4910
4911A	LWPCRS-4911A

4911B  
4912  
4914  
4916

LWPCRS-4911B  
LWPCRS-4912  
LWPCRS-4914  
LWPCRS-4916

Total # of Units

106