

WHEN RECORDED, RETURN TO:

Legassi Investments, LLC
9480 Beverly Crest
Beverly Hills, CA 90210
Attn: Albert Legittino

ENTRY NO. 01066210

03/24/2017 04:29:07 PM B: 2402 P: 1119

Declaration PAGE 1/14

MARY ANN TRUSSELL, SUMMIT COUNTY RECORDER

FEE 39.00 BY PARK CITY TITLE



**SUPPLEMENTAL DECLARATION AND AMENDMENT NO. 3
TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF SILVER STAR**

THIS SUPPLEMENTAL DECLARATION AND AMENDMENT NO. 3 TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SILVER STAR, (this “**Supplemental Declaration**”), dated as of March __, 2017, is executed by LEGASSI INVESTMENTS, LLC, a California limited liability company, as the successor in interest to the rights of the Declarant previously held by Paladin Development Partners, L.L.C., a Utah limited liability company (referred to herein as “**Declarant**”), and by SILVER STAR MASTER OWNERS ASSOCIATION, INC., a Utah nonprofit corporation (referred to herein as the “**Master Association**”) for the purpose of amending that certain Master Declaration of Covenants, Conditions and Restrictions of Silver Star, dated September 13, 2005, that was recorded in the Office of the Recorder of Summit County, Utah on September 14, 2005 as Entry No. 750782 in Book 1733, at Pages 1631 through 1715, which was previously supplemented and amended by that certain Supplemental Declaration and Amendment No. 1 to the Master Declaration of Covenants, Conditions and Restrictions of Silver Star dated as of December 31, 2005, that was recorded in the Office of the Recorder of Summit County, Utah on January 4, 2006, as Entry No. 764116 in Book 1762 at Pages 1540 through 1547, and which was previously further supplemented and amended by that certain Supplemental Declaration and Amendment No. 2 to the Master Declaration of Covenants, Conditions and Restrictions of Silver Star dated as of January 23, 2008, that was recorded in the Office of the Recorder of Summit County, Utah on February 19, 2008, as Entry No. 837982 in Book 1915 beginning at Page 812 (collectively referred to herein as the “**Original Declaration**”). The Original Declaration, as amended and supplemented pursuant to this Supplemental Declaration, is collectively referred to herein as the “**Declaration**,” which term, shall for all purposes thereof or of any related document, mean and refer to the Declaration as so amended, supplemented, or otherwise modified. All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Declaration.

A. Declarant previously subjected to the Declaration that certain real property located in Summit County, Utah, more particularly described on Exhibit A attached hereto and made a part hereof (collectively referred to herein as the “**Property**”).

B. Declarant previously established the Master Association, which is responsible for governing Silver Star on matters of common concern, as more particularly described in the Declaration.

C. The Declaration provides that Declarant shall have the right and option, from time to time at any time, to amend the provisions of the Declaration and to subject some or all of the Additional Land described in the Original Declaration to the terms, conditions and restrictions

created by the Declaration by the recordation of a Supplemental Declaration, which shall be effective upon recording the Supplemental Declaration in the Office of the Recorder of Summit County, Utah.

D. Pursuant to the provisions of Article XXI of the Declaration, Declarant desires to subject the real property located in Summit County, Utah (the “**Subject Property**”) more particularly described on Exhibit D attached hereto and made a part hereof to the provisions of the Declaration, and Declarant desires to amend certain of the provisions of the Original Declaration as hereinafter set forth.

E. Declarant owns all of the Subject Property. The Subject Property previously constituted a portion of the Common Areas and Facilities of The Silver Star Plaza Condominiums. However, as a result of the recording in the Office of the Recorder of Summit County, Utah of an amendment to the Record of Survey Map for The Silver Star Plaza Condominiums Building N, O, P, Q & R, First Amendment, the Subject Property is now a commercial condominium unit identified and legally described as Commercial Unit #75 of The Silver Star Plaza Condominiums. The Subject Property originally constituted a portion of the Additional Land described in Section 1.1 of the Original Declaration.

F. Declarant is executing and delivering this Supplemental Declaration for the purpose of subjecting the Subject Property to the provisions of the Declaration and for the purpose of amending certain provisions of the Original Declaration as hereinafter set forth.

NOW, THEREFORE, in consideration of the foregoing premises, Declarant hereby declares and states as follows:

1. Subject Property Subjected to the Declaration.

(a) The Subject Property is hereby subjected to the Declaration and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens of the Declaration, which provisions are hereby ratified, approved, confirmed and incorporated herein by this reference, with the same force and effect as if fully set forth herein and made again as of the date hereof, and the Subject Property is hereby subjected to the jurisdiction of the Master Association.

(b) The Land Use Classification, Neighborhood designation and density allocation affecting the Subject Property shall be the same as all other portions of the Property included within The Silver Star Plaza Condominiums, all of which are set forth on Exhibit B attached hereto and incorporated herein for all purposes.

2. Amendments to the Declaration.

(a) The Declaration is hereby amended to include the following provision as a new Section 7.18 of the Declaration:

7.18 Elimination of Artists in Residence Fee. Section 1.6 of the Declaration contains a definition of the term “Artists in Residence Fee,” which means a portion of the Annual Assessment that is imposed by the Master

Association against all of the Units within Silver Star other than Exempt Property, which Artists in Residence Fee is to be deposited by the Master Association into a separate bank account from which the Master Association is authorized to make disbursements from time to time to one or more third-party nonprofit organizations that are formed for the purpose of fostering, organizing or operating artists in residence activities at Silver Star. Section 7.3.1 of the Declaration provides that the Annual Assessments that are computed and assessed against all Units and Parcels (other than Exempt Property) within Silver Star may include, without limitation, the Artists in Residence Fee. The artists in residence program within Silver Star began in 2008 and continued until 2013, when it moved to a location outside of Silver Star. All of the Sub-Associations within Silver Star have recommended to the Master Association that the Master Association no longer collect the Artists in Residence Fee. Consequently, all references to the Artists in Residence Fee within the Declaration are hereby deleted, and effective as of January 1, 2014, the Master Association shall no longer include within the Annual Assessments an Artists in Residence Fee, and the Master Association shall no longer fund or contribute to any artists in residence programs.

(b) Exhibit B attached to the Declaration is hereby amended and restated in its entirety to be as set forth on Exhibit B attached to this Supplemental Declaration and incorporated herein by this reference.

(c) Exhibit C attached to the Declaration is hereby amended and restated in its entirety to be as set forth on Exhibit C attached to this Supplemental Declaration and incorporated herein by this reference.

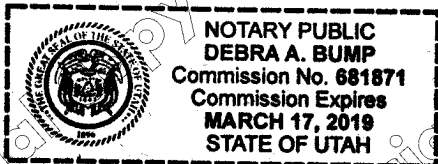
3. Supplemental Declaration Runs with the Land. The provisions of this Supplemental Declaration shall run with the Subject Property and shall be binding upon all parties having any right, title, or interest in the Subject Property or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each Owner thereof.

4. Effective Date. This Supplemental Declaration shall be effective as of the date of its recordation in the Office of the Recorder of Summit County, Utah.

5. Approval by the Members of this Supplemental Declaration. The Master Association hereby certifies that the amendments to the Declaration as set forth in this Supplemental Declaration have been approved by the written consent, without a meeting, of the Members of the Master Association casting at least sixty-seven percent (67%) of the votes of the Members, as permitted in Section 17.2 of the Declaration.

IN WITNESS WHEREOF, Declarant and the Association have executed and delivered this Supplemental Declaration as of the date and year first above written.

LEGASSI INVESTMENTS, LLC,
a California limited liability company



By: [Signature]
Name: ALBERT LEGITINO
Title: MANAGING MEMBER
LEGASSI INVESTMENTS LLC

STATE OF Utah)
: ss.
COUNTY OF Summit)

The foregoing instrument was acknowledged before me this 17 day of March, 2017, by Albert Legitino, as the Managing member of Legassi Investments, LLC, a California limited liability company.

[Signature]
NOTARY PUBLIC

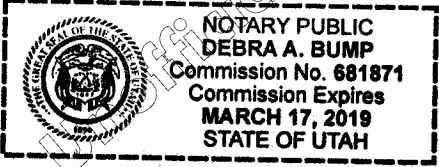
My Commission Expires:
3/17/2019

Residing at:
1100 Snowcreek Dr.
Park City UT 84060

SILVER STAR MASTER OWNERS ASSOCIATION, INC.,
 a Utah nonprofit corporation

By: [Signature]
 Name: JEFF WARD
 Title: PRESIDENT

STATE OF UTAH)
) : ss.
 COUNTY OF SUMMIT)



The foregoing instrument was acknowledged before me this 17 day of March, 2017, by Jeff Ward, as the President of Silver Star Master Owners Association, Inc., a Utah nonprofit corporation.

[Signature]
 NOTARY PUBLIC

My Commission Expires:
3/17/2019

Residing at:
1100 Snow Creek Dr.
Park City UT 84062

**EXHIBIT A
TO
SUPPLEMENTAL DECLARATION AND AMENDMENT NO. 3
TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF SILVER STAR**

(Legal Description of Property)

The real property referred to in this Supplemental Declaration as the Property is located in Summit County, Utah and is more particularly described as follows:

All of Lot 1, Lot 2 and Lot 3 of Silver Star at Park City Minor Subdivision, according to the official plat thereof recorded June 9, 2005, as Entry No. 738970 in the Office of the Recorder of Summit County, Utah.

Tax Serial Numbers: SSTAR-1, SSTAR-2 and SSTAR-3

**EXHIBIT B
TO
SUPPLEMENTAL DECLARATION AND AMENDMENT NO. 3
TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF SILVER STAR**

(Land Use Classifications, Neighborhoods, Density Allocations)

1. Land Use Classifications. The Land Use Classifications are as follows:

(a) For the portion of the Property included within The Spiro Condominiums: Residential Condominium Development Use, Commercial Condominium Use and Retail Use.

(b) For the portion of the Property included within The Cottages at Silver Star: Residential Condominium Development Use.

(c) For the portion of the Property included within The Silver Star Plaza Condominiums: Apartment Development Use, Commercial Condominium Use (including office use) and Retail Use.

The Land Use Classifications established by Declarant for the Property pursuant to this Declaration shall not obviate the need for compliance with: (i) the Design Guidelines and the Declaration; (ii) all codes, rules, regulations and requirements of Park City; (iii) the requirements of the MPD; and (iv) the City's approvals for such property. The Property may only be developed upon the approval of a conditional use permit pursuant to the final conditions, findings of fact and conclusions of law of the Park City Planning Commission for the Property.

2. Neighborhood Designation. The Neighborhood Designations for the Property are as follows:

(a) All portions of the Property located within The Spiro Condominiums are made a part of The Spiro Condominiums Neighborhood.

(b) All portions of the Property located within The Cottages at Silver Star are made a part of The Cottages at Silver Star Neighborhood.

(c) All portions of the Property located within The Silver Star Plaza Condominiums are made a part of The Silver Star Plaza Condominiums Neighborhood.

3. Density Allocation. The density allocated to the Property is as follows:

(a) With respect to The Spiro Condominiums: 148,126 square feet.

(b) With respect to The Cottages at Silver Star: 90,771 square feet.

(c) With respect to The Silver Star Plaza Condominiums: 29,369 square feet

**EXHIBIT C
TO
SUPPLEMENTAL DECLARATION AND AMENDMENT NO. 3
TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF SILVER STAR**

Schedule of Square Footage and Percentage of Total Square Footage of
All Units Within Silver Star and Number of Votes Per Unit

The Spiro Condominiums Unit Identifying Number	Square Footage of Unit	Percentage of Total Square Footage	Number of Votes Per Unit
1101	1,964	0.73%	73
1102	1,967	0.73%	73
1103	1,454	0.54%	54
1104	1,454	0.54%	54
1105	1,964	0.73%	73
1201	1,964	0.73%	73
1202	1,967	0.73%	73
1203	1,454	0.54%	54
1204	1,454	0.54%	54
1205	1,964	0.73%	73
1301	1,964	0.73%	73
1302	1,967	0.73%	73
1303	1,454	0.54%	54
1304	1,454	0.54%	54
1305	2,485	0.93%	93
30	1,377	0.51%	51
50	1,085	0.40%	40
70	953	0.36%	36
2101	1,983	0.74%	74
2102	1,982	0.74%	74
2201	1,997	0.74%	74
2202	1,997	0.74%	74

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The Spiro Condominiums Unit Identifying Number	Square Footage of Unit	Percentage of Total Square Footage	Number of Votes Per Unit
2301	1,996	0.74%	74
2302	1,996	0.74%	74
2401	1,988	0.74%	74
2402	1,985	0.74%	74
601	2,499	0.93%	93
602	1,418	0.53%	53
603	1,970	0.73%	73
604	1,916	0.71%	71
701	1,945	0.73%	73
702	1,418	0.53%	53
703	1,945	0.72%	72
801	2,499	0.94%	94
802	1,418	0.53%	53
803	1,970	0.73%	73
804	1,916	0.71%	71
901	1,916	0.71%	71
902	1,970	0.73%	73
903	1,418	0.53%	53
904	2,499	0.94%	94
3101	1,963	0.73%	73
3102	1,467	0.55%	55
3103	1,969	0.73%	73
3201	1,972	0.73%	73
3202	1,467	0.55%	55
3203	1,972	0.73%	73
3301	2,443	0.91%	91
3302	2,433	0.91%	91
3303	2,443	0.91%	91
4101	1,996	0.74%	74

The Spiro Condominiums Unit Identifying Number	Square Footage of Unit	Percentage of Total Square Footage	Number of Votes Per Unit
4102 (ADA Unit)	1,980	0.74%	74
4201	1,971	0.73%	73
4202	1,954	0.73%	73
4204	1,954	0.73%	73
4203	1,971	0.73%	73
4301	1,986	0.74%	74
4302	1,970	0.73%	73
4304	1,970	0.73%	73
4303	1,986	0.74%	74
101	2,478	0.92%	92
102	1,401	0.52%	52
103	1,970	0.73%	73
104	1,929	0.72%	72
201	1,929	0.72%	72
202	1,401	0.52%	52
203	1,929	0.72%	72
301	1,929	0.72%	72
302	1,401	0.52%	52
303	1,929	0.72%	72
401	2,478	0.92%	92
402	1,401	0.52%	52
403	1,970	0.73%	73
404	1,929	0.72%	72
501	1,929	0.72%	72
502	1,970	0.73%	73
503	1,401	0.52%	52
504	1,970	0.73%	73
505	1,929	0.72%	72

The Spiro Condominiums Unit Identifying Number	Square Footage of Unit	Percentage of Total Square Footage	Number of Votes Per Unit
	Total Square Footage of The Spiro Condominium Units 148,126		
The Silver Star Plaza Condominiums Unit Identifying Number	Square Footage of Unit	Percentage of Total Square Footage	Number of Votes Per Unit
#15	3,965	1.49%	149
25-#1	820	0.31%	31
25-#2	426	0.16%	16
25-#3	820	0.31%	31
25-#4	426	0.16%	16
25-#5	820	0.31%	31
25-#6	426	0.16%	16
25-#7	820	0.31%	31
25-#8	426	0.16%	16
25-#9	820	0.31%	31
25-#10	820	0.31%	31
65-#1 (ADA Type A)	1,241	0.46%	46
65-#2 (ADA Type A)	611	0.23%	23
65-#3 (ADA Type A)	611	0.23%	23
65-#4 (ADA Type A)	611	0.23%	23
65-#5 (ADA Type B)	611	0.23%	23
65-#6 (ADA unit)	611	0.23%	23
65-#7 (ADA unit)	611	0.23%	23
65-#8 (ADA unit)	611	0.23%	23
65-#9 (ADA unit)	611	0.23%	23
65-#10 (ADA unit)	611	0.23%	23
65-#11 (ADA unit)	611	0.23%	23
#10	1,995	0.75%	75

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The Spiro Condominiums		Square Footage of Unit	Percentage of Total Square Footage	Number of Votes Per Unit
#45		4,875	1.83%	183
#75		2,297	0.87%	87
#85		1,852	0.70%	70
S-1		410	0.16%	16
		Total Square Footage of The Silver Star Plaza Condominium Units		
		29,369		
The Cottages at Silver Star Unit Identifying Number as Shown on the Plat	The Cottages at Silver Star Unit Identifying Number Based on the Street Address	Square Footage of Unit	Percentage of Total Square Footage	Number of Votes Per Unit
C-1	04	4,232	1.58%	158
C-2	05	3,956	1.47%	147
C-3	08	4,232	1.58%	158
C-4	11	3,922	1.46%	146
C-5	15	4,009	1.49%	149
C-6	21	4,220	1.57%	157
C-7	26	4,191	1.56%	156
C-8	24	4,191	1.56%	156
C-9	20	4,191	1.56%	156
C-10	18	4,191	1.56%	156
C-11	14	4,191	1.56%	156
C-12	12	4,191	1.56%	156
C-13	31	4,021	1.50%	150
C-14	33	4,021	1.50%	150
C-15	32	4,232	1.58%	158

The Cottages at Silver Star Unit Identifying Number as Shown on the Plat	The Cottages at Silver Star Unit Identifying Number Based on the Street Address	Square Footage of Unit	Percentage of Total Square Footage	Number of Votes Per Unit
C-16	36	4,232	1.58%	158
C-17	40	4,232	1.58%	158
C-18	39	4,021	1.50%	150
C-19	41	4,021	1.50%	150
C-20	44	4,232	1.58%	158
C-21	45	4,021	1.50%	150
C-22	47	4,021	1.50%	150
		Total Square Footage of The Cottages at Silver Star Units 90,771		
		Total Square Footage of all Units within Silver Star 268,266	Total Percentage Interests 100%	Total Votes 10,000

**EXHIBIT D
TO
SUPPLEMENTAL DECLARATION AND AMENDMENT NO. 3
TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF SILVER STAR**

(Description of the Subject Property)

The real property referred to in this Supplemental Declaration as the Subject Property is located in Summit County, Utah and is more particularly described as all portions of the following described real property that were not previously subjected to the provisions of the Declaration:

That certain real property located in Summit County, State of Utah, more particularly described as follows:

Unit 75 (Building S), contained within the SILVER STAR PLAZA CONDOMINIUMS BUILDINGS N, O, P, Q & R, FIRST AMENDMENT, a Utah Condominium Project, as the same is identified in the Record of Survey Map recorded September 14, 2015 as Entry No. 1028091 (as said Record of Survey Map may have heretofore been amended or supplemented) and in the Declaration of Condominium recorded February 19, 2008 as Entry No. 837980 in Book 1915 at page 743, and the Amendment No. 1 to the Declaration of Condominium for the Silver Star Plaza Condominiums recorded September 14, 2015 as Entry No. 1028092 in Book 2314 at page 546, (as said Declaration of Condominium may have heretofore been amended or supplemented), records of the Recorder of Summit County, Utah.

SSP-75-11M