00911523 B: 2058 P: 0415 Page 1 of 14 Alan Spriggs, Summit County Ptah Recorder 11/22/2010 04:06:54 PM Fee \$133.00 By SUMMIT ESCROW & TITLE Electronically Recorded by Simplifile Covenants, Agreements, Conditions and Restrictions,

For

THE COVE AT SUN PEAK

(aka, WINTER PARK AT SIIN PEAK) Amended and Restated Declaration of Protective he Five (5) Budget Process Approved by the Cove @ Sun Peak HOA 06/30/2010

1) Description of the Five (5) Cove @ Sun Peak Owner Groups

Estate Lot Owner Group:

Owners of the 9 Estate Lots, located on Cove Hollow Lane, own their property in full, and in addition:

- have an ownership interest in Project Property,
- have an ownership interest in the designated shared Estate Lot open space Limited Common Area, as defined by the subdivision plat,
- pay a share of expenses related to the maintenance, repair, and improvement of Project Property and designated Estate Lot Limited Common Area Property, as well as a share of any HOA Administrative and Operating Expenses (aka Project Expenses).
- Lodge Owner Group (aka Bear Lodge Condominiums/Lillehammer Lodge Condominiums);

Owners of the 18 Lodge units have an ownership interest in property located within the recorded Bear Lodge Condominium Plat boundaries, and in addition:

- have an ownership interest in Project Property,
- have an ownership interest in the designated shared Lodge win open space Limited Common Areas, as defined by the subdivision plat,
- pay a share of expenses related to the maintenance, repair, and improvement of Project Property, designated Lodge and Twin Limited Common Area Property, and Lodge exterior Building Elements, a share of any Lodge Administrative and Operating expenses, and a share of HOA Administrative and Operating Expenses (aka Project Expenses).

• Calgary/Twin Owner Group:

Owners of the 18 Calgary Twin units each own their respective half of the building in full, and in addition:

- have an ownership interest in Project Property,
- have an ownership interest in the designated shared Lodge & Twin open space Limited common Areas, as defined by the subdivision plat,
- pay a share of expenses related to the maintenance, repair, and improvement of Project Property, designated Lodge and Twin Limited Common Area Property, and designated Calgary exterior Building Elements, as well as a share of HOA Administrative and Operating Expenses (aka Project Expenses).

• (Innsbruck Twin Owner Group:

Owners of the 26 Innspruck Twin units each own their respective half of the building in full, and in addition:

- have an ownership interest in Project Property,
- have an ownership interest in the designated shared Lodge & Twin open space Limited Common Areas, as defined by the subdivision plat,
- pay a share of expenses related to the maintenance, repair, and improvement of Project Property, designated Lodge and Twin Limited Common Area Property, and designated Innsbruck exterior

Building Elements, as well as a share of HOA Administrative and Operating Expenses (aka Project Expenses).

Building Ele Project Expe St Moritz Twin Owner Group:

Owners of the 18 St Moritz Twin units each own their respective half of the building in full and in addition:

- have an ownership interest in Project Property
- have an ownership interest in the designated shared Lodge & Twin open space Limited Common Areas, as defined by the subdivision plat
- pay a share of expenses related to the maintenance, repair, and improvement of Project Property, designated Lodge and Twin Limited Common Area Property, and designated St Moritz exterior Building Elements, as well as a share of HOA Administrative and Operating Expenses (aka Project Expenses)

NOTE:

- Project Property refers to property located within the Cove @ Sun Peak subdivision that is jointly owned by all Cove @ Sun Peak Owners. It consists of the Front Entry Area, Mail Kiosk, Roads, excluding the Lodge access drive and Lodge Parking Lot.
- Project Expenses are defined as expenses related to the maintenance, repair, and improvement of designated Project Property as well as expenses related to the Administration and Operation of the HOA.
- Estate Lot Limited Common Area refers to the land surrounded by Cove Hollow Lane.
- Lodge and Twin Limited Common Area refers to all land within the subdivision (excluding the designated Lot Limited Common Area, Front Entry land, land located within the Bear Lodge Condominium Plat boundaries, and land designated as part of a Twin Unit).

2) Explanation of how Budget Line Yearly Expenses are determined:

Budget Line Yearly Expenses are determined by a variety of methods that include, but are not limited to:

- Bids
- Contracted Fees
- Past Year Expenses

3) Explanation of how a portion of Shared Expenses are assigned each relative Owner Group:

All expenses, except for those designated as Unit Specific, are assessed based on a Unit's assigned square footage

• Project Expenses: The Owner Group's total assigned square footage is compared to the total square footage of all units (within the HOA

Lot	Lodge	Calgary	Innsbruck	St Moritz
Project Square 2000 Sq	26,024 Sq	40,662 Sq Footage	51,190 Sq	42,190 Sq
Footage Total: Footage	Footage	<u>(29</u>)	Footage V	Footage

		a 6	§1)	
187,066	Percentage of	Percentage of	Percentage of Total	Percentage of	Percentage of	
	Total Project Sq	Total Project Sq	Project Sq Footage:	Total Project Sq	Total Project Sq	
\$ (O)\(\)	Footage: 14.43%	Footage 93.91%	21.74%	Footage: 27.36%	Footage: 22.55%	(O),
EGIO.		ELION.		iler,		<i>y</i>
_⊙ [∨] • Lod	ge & Twin Shared F	enses: The total as	ssigned square footage	of the Lodge Owner	group is compared to	o the total

• Lodge & Twin Shared Expenses: The total assigned square footage of the Lodge Owner group is compared to the total square footage of Lodge and Twin Units combined. The total assigned square footage of each Twin Owner Group is compared to the total square footage of Lodge and Twin Units combined.

Lodge and Twin	Lodge	Calgary	Innsbruck	St Moritz
Square Footage	26,024 Sq Footage			42,196 Sq Footage
Total:	Percentage of Total	Percentage of Total	Percentage of Total	Percentage of Total
160,066	Lodge and Twin Sq			
~(O)	Footage: 16.26 %	Footage: 25.40 %	Footage: 31.98 %	Footage: 26.36%

- Some Expenses do not have definite percentages assigned to them since the percentage allocated to an Owner group may change yearly depending on a Contract Cost, Capital Plan Balance, etc.
 - Income Taxes:
 - O An Owner Groups' share of Income Taxes is determined by the Owner Group's share of the total Capital Plan Saving amount. This percentage share is impacted by several factors balance, yearly expenditures, etc.) and can change yearly. For example, one year an Owner Group's share may be 25%, and the next year it is 20% due to withdrawals to cover Owner Group expenses.
 - Insurance:
 - Lots pay towards the Director & Officers (D&O) and Non Building yearly premium amount.
 - o Lodges and Twins pay towards the D&O, Non Building and Building yearly premium amount
 - Electrical:
 - Lodge Owners electric utility costs include both the utility costs associated with the Lodge buildings (heat tape, exterior lighting, etc) as well as Project utility costs such as front entry lighting, mail kiosk lighting, and operating irrigation control boxes.
 - o Twin and Estate Lot Owners pay towards Project utility costs only.
 - Management Fee is based on the contractual amount determined by the Property Management Co for Lots, Lodges, and Twins.

4) Calculation of Individual Owner Share:

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Once the Owner Group share of an expense has been determined, it is broken into shares assessed to each member, based on square footage

Lot	Lodge	Calgary	Innsbruck ()	St Moritz	(1) (1)
27,000 Sq	26,024 Sq	(a) 40,662 Sq	51,190 Sq (5)	42,190 Sq	(0)/2
Footage	Footage <	Footage	Footage	Footage	. 000
See the Individu	al Owner Group D	ues Structure Schedules	located at the end of this	document for the	square footage of
Individual Units	\sim		<u> </u>		

• Project Expenses: The individual unit's assigned sq footage is compared to the total square footage of all units within the HOA.

- Lodge & Twin Shared Expenses: The individual unit's assigned sq footage is compared to the total square footage of all Lodge and Twin units within the HOA.
- Lodge Shared Expenses: The individual Lodge unit's assigned square footage is compared to the total square footage of all Lodge units within the HOA
- Calgary Shared Expenses: The individual Calgary unit's assigned sq footage is compared to the total square footage of all Calgary units within the HOA.
- Innsbruck Shared Expenses: The individual Innsbruck unit's assigned sq footage is compared to the total square footage of all Innsbruck units within the HOA
- St Moritz Shared Expenses: The individual St Moritz unit's assigned sq-footage is compared to the total square footage of all St Moritz units within the HOA.
- Lot Shared Expenses: The individual Lot unit's assigned sq footage is compared to the total assigned square footage of all Lot units within the HOA.

Breakdown Of Expenses Covered by each Expense Catego

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	S) Breakd	own Of Ex	penses Covered b	y each Expens	se Category:	r			
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	(<u>)</u> A	<u>B</u>	(O) C	D	(<u>)</u> (<u></u>) E	F Contractor	(G) Y	H	
2	Project Expenses (Shared by ALL Owners)	Lodge/Twin Expenses (Shared by	Lodge Expenses (Shared by ONLY Lodge Owners)	Calgary Expenses (Shared by ONLY Calgary Owners)	Innsbruck Expenses (Shared by ONLY Innsbruck	St Moritz Expenses (Shared by ONLY St Moritz Owners)	Lot Expenses (Shared by ONLY Lot Owners	Unit Specific	
	Forus Forton	ALL Twin & Lodge Owners)	Dondo	Exterior Building	Owners) Exterior Building	Exterior Building	Designated	Master 2 (O	91
	Front Entry: Landscape	Candscape (excluding	Roads: Access Drive	Elements:	Elements:	Elements:	Limited Common Area Expenses	Dues	
	Irrigation Lighting	Front Entry)	Parking Lot Snow Removal	Decks Rails & Poles	Decks C	Decks Rails & Poles	Management Fee	Twin Fire	
	Roads:	Irrigation, (excluding Front Entry)	Walkways Access Drive	Lighting Fixtures Siding	Siding Trim	Lighting Fixtures	Project Electric	Sprinkler Inspection	
	Cove Canyon Dr Bear Ridge Rd	гтон спау	Pairking Lot	Trim	Faux Rock:	Siding	Insurance:	1	
S	Cove Hollow Lane (Excluding Lodge	\Diamond	Lodge Electric	Faux Rock: Chimneys	Walls Heat Tape	Trim Faux Rock: <	D&O and Non-Building	Twin Driveway	
	Access Drive & Parking Lot)	<i>A</i>	Heat Tape Operation Exterior Lighting	Heat Tape Other	Other	Walls Chimpeys	Premiums	Snow Removal	
	Snow Removal :		Sump Pumps Other Exterior Items	Project Electric*	Project Electric*	Heat Tape			2
ļ	Cove Canyon Dr Bear Ridge Rd Cove Hollow Lane		Project Electric*	Management Fee	Management Fee Insurance:	Project Electric*	Premiums	, CO	3 ,
	(Excluding Twin		Trash Kiosk	Insurance: D & O.	D & O, Non- Building,	Management Fee	٥,		
	Access Drive & Ranking Lot)		Fire Sprinkler System Control Building	Non-Building, and Building	and Building Premiums	Insurance: D & O,			
	Mail Kiosk:		Inspections/Repairs	Premiums		Non-Building, and Building		į	
S	Building Mailboxes	\Diamond	Exterior Building		(2)	Premiums	11/2		
ļ	Lighting		Guttering Roofs	1		1			1
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		1	D & O, Non- Building, and			1		
			Building Premiums	65/				4
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	*Project Electric refers/to	the utility costs rela	ted to lighting the Mail Kiosk,/I	ront Entry, and operatin	g the imigation control b	oxes > O >		69

Following are Dues Structure Schedules for Each Owner Group, with each member of the Owner Ollo of WAR CONTRACTOR Milital

Exhibit B, Dues Structure Supplement

Cove @ Sun Peak - Innsbruck Twin Dues Structure

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\bigcirc	Plat	Street	Unit	Unit	Individual %	Individual %	Individual % share	Unit Specific Costs]
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Exhibit B. Dues Structure Supplement

Cove @ Sun Peak - Calgary Twin Dues Structure

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Plat Street Unit Square Share of tot Square Square	F G		
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40,662 21.74%	25.40%	w\o\	$-\nu V \wedge$

^{*} Calgary Owner Group's total Share of Project Expenses: 21.74%

CC - Cove Canyon Drive;

CH Cove Hollow Lane;

- Bear Ridge Road;

Note:

Square Footages Exclude garage, patios and deck spaces Ultroffficial Colord

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^{**} Calgary Owner Group's total Share of Lodge and Twin Shared Expenses 25,40% Uno Hillell Colory

^{***} Calgary Owner Group's total Share of Calgary Building Expenses: 100%

Exhibit B. Dues Structure Supplement

Coye @ Sun Peak - St Moritz Twin Dues Structure

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本	Plat	Street	Unit	Unit	Individual %	Individual %	Individual %	Unit Specific	(O)
4	Bldg	Address		Square	share of total	share of total	share of St	Costs	
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		-	112		Expenses *	Expenses **	Expenses***	122	(5)
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\rightarrow				101 000		0.550/	(10)		1 (<i>O</i>)

*St Moritz Owner Group's total Share of Project Expenses: 22.55%

CC - Cove Canyon Drive;

CH Cove Hollow Lane;

- Bear Ridge Road;

Square Footages Exclude garage, patios and deck spaces Ultroffficial Colord

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Page 9 of 14 Summit County

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^{**} St Moritz Owner Group's total Share of Lodge and Twin Shared Expenses: 26:36%

Uno Hilledoll Golow *** St Moritz Owner Group's total Share of St Moritz Building Expenses: 100%

Exhibit B, Dues Structure Supplement

Coxe @ Sun Peak - Lodge Dues Structure

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		Sun Peak			Structure				
	A	В	С	D	E	<u>F</u>	2011)	П	F/20,
4	Plat	Street	Unit	Unit	Individual %	Individual %	Individual %	Unit Specific Costs	P
V	Bldg	Address	ľ	Square	share of total	share of total	share of Bear	())//]
	No			Footage	Project	Lodge/Twin	Lodge		
1			ً ۱		Common Area	Common Area Expenses **	Condominium Plat	٦,	1
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ŀ	~ (E) (25133 CC	201	1455	(978 ⁽²⁾	.909	5.59		
ŀ	- (4 <u>2</u>)	5133 CC	202		2.678	.792	4,87		(3/2))
İ	\bigcirc	5133 CC	300	1501	.802	.938	(B) 79	1	<i>2)/></i> ,
9	5	5133 CC	301	1577	.843	.985	6.06	$\langle \alpha \rangle$.
)\{		5133 CC	302	1501	.802	.938	5.77	$\langle \rangle \rangle$	
[5135 CC	103	1419	.759	.887	5.45		
		5135 CC	104\	1604	.857	1.002(\	6.16	\mathbb{A}	
		5135 CC	- <u>7.62√</u>	1419	.759	.887	5.45	(O)	(0)
		5135 ÇÇ 🕝	203	1268	.678	792	4.87	(0)	(A)
		5135 CC	204	1455	.778	909	5.59		
		5135 CC	205	1268	.678	.792	4.87		
ļ		\$138 CC	303	1501	.8020	.938	5.77		
ļ	<u></u>	§135 CC	304	1577	843	.985	6.06		
	(13,50)	5135 CC	305	1501	802	.938	5.77		4(3/C)\
	(9)/y.			26,024	∖33.91%	16.26%	100%		$\mathfrak{D}_{\mathcal{O}}$

* Lodge Owner Group's total Share of Project Expenses: 13.91%

CC - Cove Canyon Drive;

CH Cove Hollow Lane;

- Bear Ridge Road;

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Square Footages Exclude garage, patios and deck spaces Ultro Africal Colord

Ulta Filial Colory 9

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Umoffile de la Maria

^{**} Lodge Owner Group's total Share of Lodge and Twin Shared Expenses: 16.26%

^{***} Lodge Owner Group's total Share of Bear Lodge Condominium Plat Expenses: 100%

Exhibit B, Dues Structure Supplement

Cove & Sun Peak - Lot Dues Structure

		Δ(0	81			98J		
	Exhibi	t B, Dues S	Structu	re Supple	ement 🔬 🖰) ·	, (C	<i>y</i> ,
		Sun Peak			^/ /			
(ASS	В	C	D _	Æ,	F		
1	Plat	Street	Unit	Unit	Individual %	Individual %	Unit Specific Costs	
	Bldg	Address		Square	share of total	share Lot	7,	
\bigcirc	No	1		Footage	Project	Owner Group		
			1		Common Area	Lot Limited		1
			12		Expenses *	Common		120
	•		(0)			Anea \ Expenses		(S) V
) \\			**	. (1	
'		5300CH	Lot 1	3000	1.604	11.11	Cost determined	<i>)</i>
	(<\$320℃H	Lot 2	3000	1.60%	11.11	yearly by Contract	
	200	5340CH	Lot 3	3000	£604>>	11.11	Provider (
	1830	5360CH	Lot4	3000	1.604	11.11		
	0)	5380CH	Lot 5	3000	7.604	11.11		I
- 46	<u></u>	5400CH	Lot 6	3000	1.604	11.11		
$\langle \langle \rangle \rangle_{c}$		5420CH	Lot 7	3000	1.604	11.11	\triangleright	
		5440CH	Lot 8	3000	1.604	11.11	[
		5460CH	Lot 9	3000	1.604	11.11(\)		
		L	67	27,000	14.43%	1.00%		
			1/2			9/2	L	
					Expenses: 14.43%		(_	
	** Lot (Owner Group's	total Sha	are of Lot Li	mited Common Ar	ea Expenses: 100	0.00 %	Í
		CC – Cove C	anyon Di	rive; (0.00 %	
	² 00,	CH – Cove H		4))))\			
<u> </u>		BR – Bear R	uge Koa	u; ·		4		4
			\sim			\sim		\sim

Note:

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Square Footages Exclude garage, patios and deck spaces

Square Feet is an arbitrary pro-rate-share of ownership interest in the Cove at Sim Peak common area established for the purposes of determining voting rights for the Estate Owners..... Actual home size will not affect this number Cove, will not at

Ulta Afficilia Colori 10

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2010 CO 1931	301120191	2010 CO 1971	, all 60.63
Ulinoffiliation Color		DECLARANT: The Cove @ Sun Peak Homeowners' A BY: Date: July 7, 2010	ssociation 10
	Una Afficial Color	Date: July 7, 2010 Laurie Garland, President, The Cove @ Sun Peak HOA BY:	
		President, The Cove @ Sun Peak HOA BY:	21 200
		\sim \ll	~ <u> </u>
0100°	964)	Secretary, The Cove @ Sun Peak HOA	
		John Michael Secretary, The Cove @ Sun Peak HOA	
	Umorrine Colon	Uniothical Colord	J. C. J.
		10 0091 523 Page 12 of 14 Summit	
Old Hiller	M. O. C.	00911523 Page 12 of 14 Summit	County

		COLON	
	Individual Acknowledgement State of Utoh County of June 1		
	On the 7th day of July, 2010 personally appear the above instrument who duly acknowledge	ared before me the signer Laurie Garland	
	Notary Public in Utah	Resident city/state	d, of
Altio,	Individual Acknowledgement State of Web	KENNETH DAVIS NOTARY PUBLIC - STATE OF N 3565 E. CENTER CREEK RO HEBER CITY, UT 84032 My Comm. Exp. 06/10/20	AD
	On the 7th day of July, 2010 personally appearing the above instrument who duly acknowledge Notary Public in Utah	ared before me the signer John Michael and to me that he executed the same. He be Utah Resident city/state NNETH DAVIS PUBLIC - STATE OF UTAH ESPECIAL IT AND 22	, of
ON ATTE		He ber Uto h Resident city/state	
	NOTARY 3565E My C	PUBLIC - STATE OF UTAH CENTER CREEK ROAD BER CITY, UT 84032 ornm. Exp. 06/10/2012	
		BER CITY UT 84032 5mm. Exp. 06/10/2012	
Mar	92) Nia	9.4 Altu	5 J
		0091 523 Page 13 of 14 Summ	
Mu (ffin		0091 \$23 Page 13 of 14 Summ	it County

EXHIBIT A

Uno Hilleloll Color Lots 1, 2, 3, 4, 6, 7 and 9. The Cove Estates, contained within "The Cove at Sun Peak" according to the official plat thereof on file and of record in the Summit County Recorder's Office.

Tax ID Numbers: CSP-1, CSP-2, CSP-3, CSP-4, CSP-6, CSP-7, CSP-9

Low, The Cove at Sun Peak Subdivision Amended Lot 5, according to the official plat thereof on file and of record in the Summit County Recorder's Office

Tax ID Number: CSP-50AM

Lot 8, The Cove at Sun Peak Lot 8 Amended, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

Tax ID Number: CSP-8-AM

Units A and B, in each of Buildings 1A through 13A, Buildings B through 9B, and Buildings 1C through 9C, The Cove at Sun Peak Subdivision, according to the official plat thereof on tile and of record in the Summit County Recorder's Office.

Tax ID Numbers: CSP-1A-A through CSP-13A-A CSP-1A-B through CSP-13A-B, CSP-1B-A through CSP-9B-A, CSP-1B-B through CSP-9B-B, CSP-1C-A through CSP-9C-A, and CSP-1C-Bothrough CSP-9C-B

Units 100, 101, 102, 200, 201, 202, 300, 301 and 302, in Building A (South), Bear Lodge Condominiums, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

Tax ID Numbers: BL-100-A, BL-101-A, BL-102-A, BL-200-A, BL-201-A, BL-202-BL-300-A. BL-301-A, and BL-302-A

Units 103, 104, 105, 203, 204, 205, 303, 304 and 305, in Building B (North) Bear Lodge Condominiums, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

Tax ID Numbers: BL-103-B BL-104-B, BL-105-B, BL-203-B, BL-204-B, BL-205-B, BL-303-B, BL-304-B, and BL-305-B

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