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RASHELLE HOBBS
RECORDER, SALT LAKE COUNTY, UTAH
MATTHEW B HUTCHINSON
1225 DEER VALLEY DR
STE 201
PARK CITY UT 84060
BY: NUA, DEPUTY - WI 4 P.

WHEN RECORDED, RETURN TO:

Matthew B. Hutchinson
HOGGAN LEE HUTCHINSON
1225 Deer Valley Drive, Suite 201
Park City, UT 84060

**FIRST AMENDMENT TO AMENDED AND RESTATED
DECLARATION OF CONDOMINIUM
FOR
THE BLACKJACK CONDOMINIUM LODGE
A CONDOMINIUM DEVELOPMENT**

This FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM FOR THE BLACKJACK CONDOMINIUM LODGE ("**First Amendment**") is made and executed by The Blackjack owners Association, Inc., a Utah non-profit corporation (the "**Association**"), on behalf of its current and future Members.

RECITALS

A. WHEREAS, the Association is a Utah nonprofit corporation formed under the Utah Revised Nonprofit Corporation Act, Utah Code Annotated section 16-6a-101, et seq.;

B. WHEREAS, on February 14, 1977, the Record of Survey Map for the Blackjack Condominium Lodge was recorded in the office of the Salt Lake County Recorder, State of Utah, as Entry No. 2908738 (the "**Plat**");

C. WHEREAS, on February 14, 1977 the Declaration of Condominium for the Blackjack Condominium Lodge was recorded in the office of the Salt Lake County Recorder, State of Utah, as Entry No. 2908739 (the "**Initial Declaration**");

D. WHEREAS, on May 7, 1990, the Amendments to the Declaration of Condominium for the Blackjack Condominium Lodge were recorded in the office of the Salt Lake County Recorder, State of Utah, as Entry No. 4913609;

E. WHEREAS, on May 24, 1991, a second instrument titled Amendment to Declaration of Condominium for the Blackjack Condominium Lodge was recorded in the office of the Salt Lake County Recorder, State of Utah, as Entry No. 5071803 (the "**First Amendment to Initial Declaration**") modifying the Allocated Interests in the Common Area and Facilities and the Association appurtenant to each Unit established in the Initial Declaration;

F. WHEREAS, on December 1, 2006, a third instrument titled Amendment to Declaration of Condominium for Blackjack Condominium Lodge was recorded in the office of the Salt Lake County Recorder, State of Utah, with the Salt Lake County Recorder as Entry No. 9926991 (the "**Third Amendment to Initial Declaration**"). Among other things, the Third Amendment to Initial Declaration authorized further amendment of the Initial Declaration with the approval of at least sixty-seven percent (67%) of the total Allocated Interests in the Association;

G. WHEREAS, on March 11, 2019, the "Amended and Restated Declaration of

Condominium for the Blackjack Condominium Lodge were recorded in the office of the Salt Lake County Recorder as Entry No. 12947580 (the “Amended and Restated Declaration”);

H. WHEREAS, on March 11, 2019, the “Amended Bylaws of The Blackjack Owners Association” were recorded in the office of the Salt Lake County Recorder as Entry No. 12947581 (the “Amended Bylaws”);

I. WHEREAS, Section 14.06 of the Amended and Restated Declaration provides that the Declaration may be amended if Owners holding at least sixty-seven percent (67%) of the Allocated Interests in the Association consent and agree to such amendment by instruments duly recorded in the office of the County Recorder for Salt Lake County, State of Utah;

J. WHEREAS, on or about December 5, 2020, at a duly noticed Meeting of the Association, at least sixty-seven percent (67%) of the Allocated Interests in the Association voted in the affirmative to approve the amendments contained in this First Amendment. The President of the Association has certified the vote to execute and record this First Amendment pursuant to the requirements of the Act and the Declaration;

K. WHEREAS, SARS-CoV-2 is causing a global pandemic with high infection and transmission rates in the United States and the State of Utah;

L. WHEREAS, COVID-19, the disease caused by infection with SARS-CoV-2, is a potentially lethal disease with high morbidity and mortality especially in older populations and those with certain pre-existing conditions;

M. WHEREAS, there is no currently available effective specific treatment or widely available effective vaccine for this disease and the primary strategy to prevent mortality and morbidity is to reduce transmission of SARS-CoV-2;

N. WHEREAS, increased contact and proximity to other humans, even with the use of PPE increases the risk of transmission;

O. WHEREAS, the Association has resolved to amend the Amended and Restated Declaration to allow the Board of Directors to make special rules during the time of COVID-19 to provide for the health, safety and protection of the owners and property protection of Owners and the Property;

P. WHEREAS, this First Amendment and the Amended and Restated Declaration may hereinafter be collectively referred to as the “Declaration.”

NOW, THEREFORE, the Association hereby submits this First Amendment to the Amended and Restated Declaration as follows:

AMENDMENT

1. **Defined Terms.** Capitalized terms used and not otherwise defined in this First Amendment shall have the meaning or meanings given to them in the Declaration.

2. **Status of Recitals.** The Recitals set forth above shall constitute a portion of the terms of this First Amendment.

3. **Emergency Rules and Regulations.** At any time when a SARS-CoV-2 pandemic related government declaration of emergency is in effect, the Board of Directors may issue temporary exceptions to the Rules and/or additional Rules for the health, safety and protection of the Owners and Property for the period of the emergency, even if they conflict with one or more

provisions of the Declaration. Any Exceptions or additional Rules are subject to 30 day review and renewal by the Board of Directors. Any Exceptions or Additional Rules may be nullified by a majority vote of the Owners.

4. Declaration and Bylaws Remain in Effect. This First Amendment shall be considered supplement to the Amended and Restated Declaration. Except as expressly amended herein, the Amended and Restated Declaration shall remain in full force and effect and shall not be cancelled, suspended or otherwise abrogated by the recording of this First Amendment.

5. Effective Date. This First Amendment shall be effective as of the date of its recordation in the official real property records of the Recorder in and for Salt Lake County, Utah.

IN WITNESS WHEREOF, the Association has executed and delivered this First Amendment as of the ____ day of January, 2021.

THE BLACKJACK OWNERS ASSOCIATION,
INC.

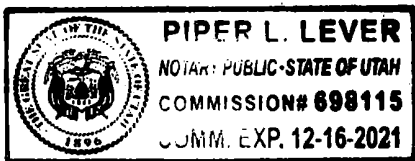
By: 
Its President

STATE OF UTAH)

:ss

COUNTY OF SALT LAKE)

On this 29 day of January, 2021, personally appeared before me, Jerome Wile, representative for The Blackjack Owners Association, Inc., whose identity was proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this document, and who acknowledged that he signed the foregoing document for its stated purpose.



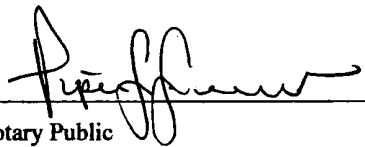

Notary Public

EXHIBIT "A"

Legal Description of Blackjack Condominiums

Tax Identification Nos:

83-0292157



DocQuery

Parcel Number Documents & Details
Parcel Number • 30-06-427-014-0000

Active Parcel Number

Acres • 0.0100

Property Address • 9021 S BLACKJACK RD # 2F • ALTA • 84092

Parcel Owners:

PARKER ILYSA JT
PARKER STEPHEN J JT

Property Description For Taxation Purposes Only

UNIT #2F, BLACKJACK CONDM LODGE 3.0% INT 4868-1226 6032-0941 6882-1565

Conveyance Documents (Highest sequence number is the vesting deed.)

Entry	Type	Book	Page	Date	FirstParty	SecondParty	Seq	Convey	Bounce
12616320	WD	10598	6687	9/15/2017	SHAW, RONALD IAN	PARKER, ILYSA JT PARKER, STEPHEN J JT	4	Conveys	
6964924	WD	7978	2955	5/15/1998	STAHLY, DIANE F STAHLY, WILLIAM F	SHAW, RONALD IAN	3		
5750829	WD	6882	1565	2/28/1994	EINHORN, CAROL	STAHLY, DIANE F JT STAHLY, WILLIAM F JT	2		

All Documents Total Records Found: 20

Entry	Type	Book	Page	Date	FirstParty	SecondParty	Consid	Abstracted	Plat
4913609	DECLAR	6218	2983	5/7/1990	METCALF, GLENDA TR SMITH, GREG TR	TO WHOM IT MAY CONCERN			
5094978	SUB TR	6335	393	7/9/1991	FIRST SEC BK OF UT	BOYCE, DAVID B TR			
5094979	RECON	6335	395	7/9/1991	BOYCE, DAVID B TR	STONEMAN, DARWON R			
5291894	POATTY	6485	1192	7/13/1992	EINHORN, GERALD	EINHORN, CAROL			
5291895	TRD	6485	1195	7/13/1992	EINHORN, CAROL	CHASE MANHATTAN OF UT FOUNDERS TITLE CO TR	90,000		