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Rhonda Francis Summit County Recorder

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By MILLER HARRISON LLC

Electronically Recorded

**FOURTH AMENDMENT TO THE  
DECLARATION OF CONDOMINIUM  
FOR  
THE LODGES AT BEAR HOLLOW  
INCLUDING  
THE LODGES AT BEAR HOLLOW VILLAGE I**

A Utah Expandable Condominium Project

This FOURTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR THE LODGES AT BEAR HOLLOW INCLUDING THE LODGES AT BEAR HOLLOW VILLAGE I ("Fourth Amendment") is effective when recorded with the Summit County Recorder's Office by The Lodges at Bear Hollow Condominium Homeowners Association, Inc. ("Association"), pursuant to the Utah Condominium Ownership Act.

**RECITALS**

- A. The Declaration of Condominium for the Lodges at Bear Hollow was recorded on December, 16 2005 as Entry No. 00761898 in the office of the Summit County Recorder.
- B. The First Amendment to Declaration of Condominium for the Lodges at Bear Hollow including the Lodges at Bear Hollow Village I was recorded on September 18, 2006 as Entry No. 00791358 in the office of the Summit County Recorder ("Declaration").
- C. The Second Amendment to Declaration of Condominium for the Lodges at Bear Hollow including the Lodges at Bear Hollow Village I was recorded on December 6, 2006 as Entry No. 00798440 in the office of the Summit County Recorder.
- D. The Third Amendment to Declaration of Condominium for the Lodges at Bear Hollow including the Lodges at Bear Hollow Village I was recorded on July 2, 2007 as Entry No. 00818218 in the office of the Summit County Recorder.
- E. This Fourth Amendment affects the real property situated in Summit County, Utah, described with particularity on Exhibit A, which exhibit is attached hereto and incorporated in this Amendment by reference (the "Project") and shall be binding on all parties having or acquiring any right, title, or interest to the Project or any part thereof.
- F. This Fourth Amendment is adopted to allow the Association to adopt a Reinvestment Fee pursuant to Utah Code Ann. §57-1-46, such Reinvestment Fee to be adopted in the discretion of the Board of Directors of the Association.

- G. Pursuant to the amendment requirements contained in Section 16.2.1 of the Declaration, the undersigned hereby certifies that this Fourth Amendment was approved by Owners holding at least sixty-seven (67%) of the Ownership Interests in the Association.
- H. Unless specifically modified herein, all remaining provisions of the Declaration and shall remain in full force and effect.
- I. In case of any conflict between the terms of this Fourth Amendment and the terms of the Declaration, the provisions of this Fourth Amendment shall control.
- J. Unless otherwise provided in this Fourth Amendment, capitalized terms used herein shall have the same meaning and effect as used in the Declaration.

#### **FOURTH AMENDMENT**

NOW, THEREFORE, the Declaration is amended as follows:

1. Section 12.4.A (Reinvestment Fee) is hereby added and shall read as follows:

**12.4.A Reinvestment Fee.** The Board, by resolution, shall have the right to establish from time to time (but shall not be required to establish) a "Reinvestment Fee" assessment in accordance with this Section and Utah Code §57-1-46. If established by the Board, the following terms and conditions shall govern Reinvestment Fees.

(a) Upon the occurrence of any sale, transfer, or conveyance of any Unit as reflected in the office of the Summit County recorder, regardless of whether it is pursuant to the sale of the Unit or not (as applicable, a "Transfer"), the party receiving title to the Unit (the "Transferee") shall pay to the Association a Reinvestment Fee.

(b) The amount of the Reinvestment Fee shall be set by the Board, in the Board's sole discretion, provided that in no event shall the Reinvestment Fee exceed the maximum rate permitted by law.

(c) The Association shall not levy or collect a Reinvestment Fee for any of the Transfer exempted by Utah Code § 57-1-46.

(d) The Reinvestment Fee shall be due and payable by the Transferee to the Association at the time of the Transfer giving rise to the payment of such Reinvestment Fee and shall be treated as an Individual Assessment for collection purposes.

IN WITNESS WHEREOF, the Association has caused this Fourth Amendment to be executed by its President.

DATED as of the 23<sup>rd</sup> day of August, 2021

**The Lodges at Bear Hollow Condominium Homeowners Association, Inc.**  
a Utah Nonprofit Corporation

By: Timothy W Barton  
Its: President

Arizona  
State of Utah )  
                          ) ss.  
County of Maricopa

On the 23<sup>rd</sup> day of August, 2021, personally appeared before me Timothy Barton who by me being duly sworn, did say that she/he is the President of The Lodges at Bear Hollow Condominium Homeowners Association, Inc., and that the foregoing instrument is signed on behalf of said corporation and executed with all necessary authority.

Notary Public Natalia Kirpichev



**EXHIBIT A  
LEGAL DESCRIPTION**

All of the Units in **The Lodges at Bear Hollow Village I (Amending Lot 403 of Bear Hollow Village 2<sup>nd</sup> Amendment)** Plat, according to the official plat on file in the office of the Summit County Recorder.

**Parcel Numbers:**

LBHV-1-1101

LBHV-1-1102

LBHV-1-1103

LBHV-1-1104

LBHV-1-1105

LBHV-1-1201

LBHV-1-1202

LBHV-1-1203

LBHV-1-1204

LBHV-1-1205

LBHV-1-1206

LBHV-1-1207

LBHV-1-1208

LBHV-1-1209

LBHV-1-1210

LBHV-1-1211

LBHV-1-1212

LBHV-1-1213

LBHV-1-1301

LBHV-1-1302

LBHV-1-1303

LBHV-1-1304

LBHV-1-1305

LBHV-1-1306

LBHV-1-1307

LBHV-1-1308

LBHV-1-1309

LBHV-1-1310

LBHV-1-1311

LBHV-1-1312

LBHV-1-1313

LBHV-1-1401

LBHV-1-1402

LBHV-1-1403

LBHV-1-1404

LBHV-1-1405

LBHV-1-1406

All of the Units in **The Lodges at Bear Hollow Village II (Amending Lot 404 of Bear Hollow Village 2<sup>nd</sup> Amendment)** Plat, according to the official plat on file in the office of the Summit County Recorder.

**Parcel Numbers:**

LBHV-II-3101

LBHV-II-3102

LBHV-II-3103

LBHV-II-3104

LBHV-II-3201

LBHV-II-3202

LBHV-II-3203

LBHV-II-3204

LBHV-II-3205

LBHV-II-3206

LBHV-II-3207

LBHV-II-3208

LBHV-II-3301

LBHV-II-3302

LBHV-II-3303

LBHV-II-3304

LBHV-II-3305

LBHV-II-3306

LBHV-II-3307

LBHV-II-3308

LBHV-II-3401

LBHV-II-3402

LBHV-II-3403

LBHV-II-3404

LBHV-II-3405

All of the Units in **The Lodges at Bear Hollow Village III (Amending Lot 402 of Bear Hollow Village 2<sup>nd</sup> Amendment)** Plat, according to the official plat on file in the office of the Summit County Recorder.

**Parcel Numbers:**

LBHV-III-4101

LBHV-III-4102

LBHV-III-4103

LBHV-III-4104

LBHV-III-4201

LBHV-III-4202

LBHV-III-4203

LBHV-III-4204

LBHV-III-4205

LBHV-III-4206

LBHV-III-4207

LBHV-III-4208

LBHV-III-4209

LBHV-III-4210

LBHV-III-4211

LBHV-III-4212

LBHV-III-4301  
LBHV-III-4302  
LBHV-III-4303  
LBHV-III-4304  
LBHV-III-4305  
LBHV-III-4306  
LBHV-III-4307  
LBHV-III-4308  
LBHV-III-4309  
LBHV-III-4310  
LBHV-III-4311  
LBHV-III-4312  
LBHV-III-4401  
LBHV-III-4402  
LBHV-III-4403  
LBHV-III-4404  
LBHV-III-4405  
LBHV-III-4406  
LBHV-III-4407