

WHEN RECORDED, MAIL TO:

Parsons Behle & Latimer
201 South Main Street, Suite 1800
Post Office Box 45898
Salt Lake City, Utah 84145-0898
Attention: Kerry L. Owens

00559348 Ek01307 Pe00892-00877

ALAN SPRIGGS, SUMMIT CO RECORDER
2000 FEB 17 14:48 PM FEE \$14.00 BY DMG
REQUEST: FIRST AMERICAN TITLE CO UTAH

FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR
SUNDIAL LODGE AT THE CANYONS

THIS FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM FOR SUNDIAL LODGE AT THE CANYONS ("Amendment") is made this 17th day of February, 2000, by Sundial Lodge Condominium Owners Association, Inc., a Utah non-profit corporation ("Condominium Association"), with reference to the following:

RECITALS:

A. The Canyons Resort Properties, Inc., a Maine corporation ("Declarant") prepared and recorded in the office of the County Recorder for Summit County, State of Utah, a Record of Survey Map ("Map") for Sundial Lodge at The Canyons, a Utah condominium project, which Map was recorded on December 15, 1999 as Entry No. 555291, of the official records of the Summit County Recorder's Office.

B. Simultaneously with the recordation of the Map, Declarant caused to be recorded in the Office of the Recorder of Summit County, Utah that certain Declaration Of Condominium for Sundial Lodge at The Canyons, dated December 10, 1999 and recorded on December 12, 1999, as Entry No. 555290, in Book 1300, beginning at Page 125, of the official records of the Summit County Recorder's Office ("Declaration").

C. On February 7, 2000, the Association caused written notice to be sent to the Members of the Association of the initial annual meeting of the Association. In accordance with Section 3 of the Bylaws, the Association held the initial annual meeting ("Meeting") on February 17, 2000, at 9:00 a.m., at the offices of American Skiing Company Resort Properties, Inc., 1840 Sun Peak Drive, 2nd Floor, Park City, Summit County, Utah.

D. At the Meeting, the Association considered a proposed amendment to the Declaration to modify the legal description for the Additional Land. At the Meeting, Members representing a majority of the Total Votes of the Condominium Association, voted in favor of the proposed amendment to the Declaration as set forth herein.

E. In accordance with the Bylaws and Section 23 of the Declaration, the Association, through its duly elected president, desires to execute and record this Amendment to the Declaration for the purpose of evidencing of record the foregoing described matters.

AGREEMENT:

NOW, THEREFORE, the Association hereby amends the Declaration as follows:

1. Recitals. The recitals set forth above, are hereby incorporated and made a part of this Amendment.

2. Definitions. The capitalized terms used in this Amendment, but not otherwise defined, including those terms used in the Exhibits attached hereto, shall have the meanings ascribed to them in the Act and the Declaration.

3. Amendment. The Section 9.1.1 of the Declaration is hereby amended, replaced and restated in its entirety with the following:

"Subject to the power granted Declarant in paragraph 9.1.3 below, the real property subject to the Option to Expand consists of the real property referred to as the Additional Land, being more particularly described as follows:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 3 EAST, SALT LAKE BASE & MERIDIAN, A FOUND BRASS CAP; THENCE NORTH 89°59'43" WEST 2128.08 FEET ALONG THE SOUTH LINE OF SAID SECTION 36, (BASIS OF BEARING BEING NORTH 89°59'43" WEST ALONG THE SOUTH LINE OF SAID SECTION 36 BETWEEN THE SOUTHEAST CORNER AND SOUTH QUARTER CORNER OF SAID SECTION 36); THENCE LEAVING SAID SECTION LINE NORTH 749.43 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 56°44'36" WEST 13.73 FEET; THENCE SOUTH 60°30'24" WEST 9.84 FEET; THENCE SOUTH 33°14'47" WEST 24.71 FEET TO THE NORTHEASTERLY BOUNDARY OF THE SUNDIAL LODGE AMENDED SITE PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER; THENCE ALONG SAID BOUNDARY THE FOLLOWING SEVEN COURSES; 1.) NORTH 55°34'59" WEST 4.69 FEET; 2.) NORTH 33°16'31" EAST 6.66 FEET; 3.) NORTH 56°43'29" WEST 18.00 FEET; 4.) SOUTH 33°16'31" WEST 6.33 FEET; 5.) NORTH 56°43'29" WEST 32.67 FEET; 6.) NORTH 33°16'31" EAST 6.33 FEET; 7.) NORTH 56°43'29" WEST 18.00 FEET; THENCE LEAVING SAID SUNDIAL LODGE AMENDED SITE PLAT NORTH 33°16'31" EAST 32.49 FEET; THENCE NORTH 56°56'11" WEST 27.41 FEET; THENCE NORTH 33°15'24" EAST 26.98 FEET; THENCE NORTH 29°29'36" WEST 80.45 FEET; THENCE NORTH 60°30'24" EAST 69.82 FEET; THENCE SOUTH 29°29'36" EAST 19.42 FEET; THENCE NORTH 60°30'24" EAST 121.75 FEET; THENCE SOUTH 29°29'36" EAST 147.49 FEET; THENCE SOUTH 15°30'24" WEST 52.16 FEET; THENCE NORTH 74°29'36" WEST 3.65 FEET; THENCE SOUTH 60°30'24" WEST 126.70 FEET TO THE POINT OF BEGINNING. CONTAINS 0.874 ACRES MORE OR LESS."

4. Effective Date. This Amendment shall be effective upon recording in the Summit County Recorder's Office.

5. No Other Amendment Intended. Except for the amendments made in paragraph 3 hereof, no other amendment to the Declaration is intended hereby and all other provisions of the

Declaration are hereby ratified, affirmed and confirmed in all respects and shall remain in full force and effect as amended hereby.

IN WITNESS WHEREOF, the undersigned has executed this Amendment this 17th day of February, 2000.

Sundial Lodge Condominium Owners Association, Inc., a Utah non-profit corporation

Blaise Carrig
Blaise Carrig, its President

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 17th day of February, 2000, by Blaise Carrig, the President of Sundial Lodge Condominium Owners Association, Inc., a Utah non-profit corporation.

Spencer G. Sanders
Notary Public
Residing at: SALT LAKE COUNTY

My Commission Expires:
Nov. 12, 2003



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