

SECOND AMENDMENT TO AMENDED CONDOMINIUM DECLARATION

3001 CONDOMINIUM

This document constitutes the second amendment to that certain document captioned Amended Condominium Declaration - 3001 Condominium dated November 4, 1968, recorded in Book 928, pages 895 - 926, of the records of Mesa County, Colorado.

Section 9.1 is hereby amended to read as follows:

Section 9.1 The Common Elements. Subject to the rights of the Owners as set forth in Article V hereof and to duties of maintenance as assigned in Sections 5.2 and 11.5 hereof, the Association shall be responsible for the exclusive management and control of the Common Elements and all improvements thereof (including furnishings and equipment related thereto), and shall keep the same in good, clean, attractive and sanitary condition, order and repair. The Association shall be responsible for all maintenance and repair for which provision is not made in Sections 5.2 and 11.5 hereof. The cost of such management, operation, maintenance and repair shall be borne as provided in Article X.

The Association shall have the right to grant easements for utility purposes over, upon, under or through any portion of the Common Elements, and is hereby irrevocably appointed as attorney in fact for each Owner for such purposes.

Section 10.3 is hereby amended to read as follows:

Section 10.3 Apportionment of Annual Assessments. Casualty insurance premiums shall be apportioned among all the Owners in proportion to the square footage owned by each in a Unit or Units. All other expenses not otherwise assigned by this Declaration exclusively to a Unit or Units shall be apportioned at the rate of 1/11th to each Unit.

Section 11.5 is hereby amended to read as follows:

Section 11.5 Maintenance by Unit Owners. In addition to the duty of maintenance assigned to individual Owners by Section 5.2 herein, and notwithstanding the definition of a Unit as contained in Section 2.2 herein, each individual Owner of a Unit shall be responsible for the maintenance of interior walls, exterior walls adjacent to his Unit, ceilings, roofs and floors adjacent to his Unit, foundations, window glass and doors within or serving his Unit, pipes,

vents, ducts, flues, chutes, conduits, wires and other utility installations serving his Unit and any other part or parts of the Project which serve to enclose or protect the unit as a living space or area. If repair is necessary to some portion of the Project which relates to more than one Unit, including, but not by way of limitation, a water pipe or a common wall (but not merely the interior surface of a common wall), the expense shall be shared by each Owner served by such pipe or wall. All units shall be maintained in a clean, sanitary and attractive condition. All repairs to the outside shall be done in a manner harmonious in color and design with the remainder of the Project.

The undersigned are Owners representing an aggregate ownership interest of 9/11ths or more of the Condominium Units as defined in the Amended Condominium Declaration - 3001 Condominium Units referred to above, as reflected on the real estate records of Mesa County, Colorado and any or all of the holders of any recorded mortgage covering or affecting any or all of the said Condominium Units.

This Second Amendment to Amended Condominium Declaration - 3001 Condominium is executed as of the 6th day of November, 1985.

Helen C. Bassler
Helen C. Bassler

Reed C. Miller
Reed C. Miller

D. G. Son
D. G. Son

Gene Crissman
Gene Crissman

Harvey M. Tupper
Harvey M. Tupper

Muriel M. Corn
Muriel M. Corn

Emmett Elizondo
Emmett Elizondo

Betty J. White
Betty J. White

M. Jane Miller
M. Jane Miller

Mabel B. Son
Mabel B. Son

Blanche Munro
Blanche Munro

Barbara G. Tupper
Barbara G. Tupper

Sterling Smith
Sterling Smith

Maria A. Elizondo
Maria A. Elizondo

STATE OF COLORADO)
) ss.
COUNTY OF MESA

The foregoing instrument was acknowledged before me between the
dates of November 6, 1985 and December 20,
1985 by Helen C. Bassler, Betty J. White, Reed C. Miller, M. Jane Miller,
D. G. Son, Mabel B. Son, Gene Crissman, Blanche Munro, Harvey M.
Tupper, Barbara G. Tupper, Muriel M. Corn, Sterling Smith, Emmett
Elizondo and Maria M. Elizondo.

Witness my hand and official seal.

My commission expires: November 21, 1986



Cynthia S. Cole
Notary Public