RECORDED IN
COUNTY OF JEFFERSON
STATE OF COLORADO
RECEPTION NO. 85033163
04/10/85 14:00 24.00

24.00

## FIRST AMENDMENT TO DECLARATION FOR PARK MEADOWS VILLAGE, A CONDOMINIUM

THIS FIRST AMENDMENT, made this day of March, 1985, by SIMMS/UNION LTD., a Colorado Limited Partnership hereinafter referred to as "Declarant", M. JAMES HERBIC, ROBERT M. YURGLICH, ALAN M. ANGELICH, RICHARD S. ROTH, and WILLIAM C. ROTH, as Owners and CAPITOL FEDERAL SAVINGS AND LOAN ASSOCIATION OF DENVER, JOHANN KULA and KATHARINA KULA, OMNIBANK UNIVERSITY HILLS, N.A. and FIRST SERVICE MORTGAGE CORPORATION as Mortgagees.

WITNESSETH:

WHEREAS, the Declarant executed a condominium declaration for PARK MEADOWS VILLAGE, A CONDOMINIUM, which Declaration was duly recorded with the Clerk and Recorder of Jefferson County, Colorado on December 11, 1984 at Reception No. 84114609, and

WHEREAS, the aforementioned Declarant, Owners and Mortgagees desire to make certain amendments and supplements to the Declaration, and

WHEREAS, Section 18.1.1 of Article XVIII of the Declaration relating to amendments provides as follows:

18.1.1 If Declarant has not conveyed all Condominium Units to the first private Condominium Unit Owners or leased or rented to the first lessees or renters, then any amendment to or termination of this Declaration will require the prior written approval of the Declarant, all other Owners and 51% of the First Mortgagees.

, and

WHEREAS, Declarant as of this date has not conveyed all condominium units to the first private condominium unit owners or leased or rented to the first lessees or renters, and

WHEREAS, the parties referred to above constitute the Declarant, all other Owners and 51% of the First Mortgagees.

NOW THEREFORE, the undersigned by fixing their signatures to this First Amendment do hereby amend and supplement the Declaration of PARK MEADOWS VILLAGE, A CONDOMINIUM, in the following respects:

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- 1. Section 1.6 of Article I shall be amended in its entirety to read as follows:
  - 1.6. Individual Air Space Unit. "Individual Air Space Unit" shall mean, and refer to the air space contained within the enclosed rooms occupying part of a floor or floors in a Condominium Building and bounded by the interior surfaces of the perimeter walls, lowermost floors, the uppermost ceilings, windows and window frames, door and door frames of a Condominium Building, which unit is to be used for residential purposes and have access to a public street, and shall be separately identified on the Condominium Map.
- 2. Section 1.9 of Article I shall be supplemented by the addition of the following two subsections; to wit:
  - 1.9.6 No general common elements may be conveyed to any person or entity other than condominium unit owners.
  - 1.9.7 No general common elements may be allocated subsequently as limited common areas.
- 3. Section 2.1 of Article II shall be amended in its entirety to read as follows:
  - 2.1. Division Into Condominium Units. The Project is hereby divided into 14 equal and separate Condominium Units as identified in Exhibit B attached hereto.
- 4. Exhibit B attached hereto as amended is hereby deemed attached to the Declaration to the same extent and effect as it would have been had it been originally so affixed and recorded in its present form.
- 5. Section 12.11 of Article XII is supplemented by addition of the following sentence to the end thereof, to wit:

Twenty-five foot fire lane access and utility easement and twenty-five foot fire lane and utility easement are shown on the Condominium Map recorded in Condominium Book 42 Page 35 at Reception No. 84114610 on December 11, 1984.

UNITS

All units except Condominium

Units A and B, Building 1, PARK MEADOWS, A CONDOMINIUM

6. The Section 18.1.1 of Article XVIII is hereby amended in its entirety to read as follows:

If Declarant has not conveyed all Condominium Units to first private Condominium Unit Owners or leased or rented to the first lessees or renters, then any amendment to or termination of this Declaration will require the prior written approval of 67% of the Condominium Unit Owners and 51% of the First Mortgagees. Supplements expanding this Condominium Project under Article XX may be accomplished by Declarant on its signature alone and such supplements shall not be deemed amendments hereunder.

7. Since Capitol Federal Savings and Loan Association of Denver and Johann Kula and Katharina Kula had trust deeds of record on the Property prior to the recording of the Declaration, they hereby ratify and confirm the Declaration in all respects as recorded on December 11, 1984 at Reception No. 84114609 except as amended and supplemented hereby.

IN WITNESS WHEREOF, the parties hereto set their hands and seals the day and year first above written.

## OWNERS

SIMMS/UNION, LTD.
A Colorado Limited Partnership

By: RBI, Inc., A Colorado Corporation

A General Partner

Richard S. Roth President

By: Unique Venture Corporation A Colorado Corporation

A General Partner

Helmuts Aberkalns President

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Manusterbie M. James HERBIC	Condominium Unit B, Buildin
	PARK MEADOWS, A CONDOMINIUM
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RICHARD S. ROTH	Condominium Unit A, Buildin PARK MEADOWS, A CONDOMINIUM
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WILLIAM C. ROTH	
63 AUG LOM	CAPITOL FEDERAL SAVINGS AND LOAN ASSOCIATION OF DENVER
(COPPOS)	
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Secretary	
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	JOHANN KULA
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240	OMNIBANK UNIVERSITY HILLS, N.A.
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Attest: Koky My	
Secretary	

title

FIRST SERVICE MORT	GAGE CORPORATION
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SCAZ	
By: V	7.00

Attest: Zellandenn Secretary

STATE OF COLORADO )

The foregoing instrument was acknowledged before me this day of March, 1985 by: Richard S. Roth as President of RBI, INC., A Colorado Corporation, General Partner and Helmuts Aberkalns as President of UNIQUE VENTURE CORPORATION, a Colorado Corporation, General Partner in SIMMS/UNION LTD., A Colorado Limited Partnership.

Witness my hand and official seal.

My commission expires: 9-28-88

Marily Desart

(SEAL)

A. S. Mark

COUNTY OF

STATE OF COLORADO

ss.

COUNTY OF

The foregoing instrument was acknowledged before me this 25th day of March, 1985, by M. JAMES HERBIC.

Witness my hand and official seal.

My commission expires: 9-28-86

s: <u>9 20 0</u>

NOTARY PUBLIC

(SEAL)

STATE OF COLORADO

ss.

COUNTY OF

The foregoing instrument was acknowledged before me this day of March, 1985, by ROBERT M. YURGLICH.

Witness my hand and official seal.

My commission expires: 9-28-80

aren 1

(SEAL)

OTARY

STATE O	F COLORADO )	
COUNTY	). )F	<b>SS'.</b> New York with the little of the control
	e foregoing instrument ay of March, 1985, by	was acknowledged before me this ALAN M. ANGELICH.
Wi	tness my hand and offi	icial seal.
My	commission expires:_	92888
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JULIC (SEAL)		
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COUNTY	<b>)</b>	
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		하다 하는 물리 다른 나는 하다 그는 목모님, 그리는 아이를 하는데 보내가 되어 그를 맞아야 하다고 살아가 있었다.
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	Marherry as S	ry President and Joann L. Carson
as		ry President and <u>Joann L. Carson</u> PITOL FEDERAL SAVINGS AND LOAN
ASSOCIA'	TION OF DENVER.	
Wi	tness my hand and offi	icial seal.
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	nt was acknowledged before me this by JOHANN KULA and KATHARINA KULA.		
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My commission expires:	9-28-88		
OTARY	Mary Second		
(SEAL)			
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STATE OF COLORADO  COUNTY OF	) ) ss.		
Acknowledged before me <u>George R. Hagen</u> as as Secretary of OMN	this <u>goth</u> day of March, 1985, by Vice President and Robert W. Graf IBANK UNIVERSITY HILLS, N.A.		
Witness my hand and of	ficial seal.		
My commission expires:	9-28-88		
(SEAL)	Mary Desard NOTARY PUBLIC		
STATE OF COLORADO ) COUNTY OF )			
Acknowledged before me	this 25th day of March, 1985, by President and William Penn IRST SERVICE MORTGAGE CORPORATION.		
Witness my hand and of	ficial seal.		
My commission expires:	9-28-88		
OTARY (SEAL)	Marija Secord NOTARY PUBLIC		
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## EXHIBIT "B"

The real property described in Exhibit "A" of this Declaration shall contain the following:

Building No.	Condominium Unit Designation	General Common Elements Appurtenant to the Condo- minium Unit
1 11745 W. 66th Pla	ice A	1/14th
	$oldsymbol{B}$ , which is the $oldsymbol{B}$ . The second state of $oldsymbol{B}$	√ 1/14th
	전 등 급입성 <b>: C</b> . [시급 : 12] 하는 10[12] :	1/14th
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3 11720 W. 66th Place	ice A	1/14th
		1/14th
		[] 1/14th (
17 11685 W. 66th Pla	ice A	1/14th
	게임님의 이 전투 <b>B</b> 및 전략으로 살린 이번 어려면	1/14th
	and the second of the second o	Life grade agency at 1/14th property and the

As additional land is annexed under Article XX, the ownership interests in the common elements shall decrease accordingly; and if the Condominium Project is fully expanded, the ownership interests shall be 1/65th each.