

051451

1982 DEC 28 PM 1:02

F.J. HAMIL
COUNTY CLERK
DENVER COUNTY

2715 294

FIRST AMENDMENT
TO
CONDOMINIUM DECLARATION
FOR
PARK WASHINGTON CONDOMINIUMS

MISC 1 13.00

THIS FIRST AMENDMENT TO CONDOMINIUM DECLARATION FOR PARK WASHINGTON CONDOMINIUMS is made and executed on August 1, 1982, 1982, by PARK WASHINGTON ASSOCIATES, a Colorado joint venture, (the "Declarant") pursuant to the Condominium Ownership Act of Colorado, as amended.

RECITALS

Declarant's predecessor in interest Park Washington Associates, Ltd., a Colorado limited partnership, caused the Condominium Declaration of Park Washington Condominiums (the "Declaration") to be filed for record on August 14, 1981, in Book 2433 at Page 279, et seq., in the records of the Clerk and Recorder of the City and County of Denver, State of Colorado. The Declarant desires to amend the Declaration in certain respects.

Accordingly, the Declarant hereby amends the Declaration as follows:

1. Amendment of Paragraph 12. The first sentence of paragraph 12 of the Declaration is hereby amended to read in its entirety as follows:

"Until seventy-five percent (75%) of the Condominium Units have been sold (meaning that title to said Condominium Units has been conveyed by Declarant) or until August 12, 1984, whichever first occurs, there is hereby reserved to the Declarant the right to combine a Unit with one or more adjoining Units."

2. Amendment of Paragraph 16

(a) Subparagraph (b) of paragraph 16 of the Declaration is hereby amended to read in its entirety as follows:

"(b) The Owner of each Condominium Unit shall be entitled to one vote in any meeting of the members of the Association, provided however, that if any such Owner shall be more

Will

1982

2715 294

than one person or shall be a corporation or other entity, such persons, corporation or entity shall nevertheless have only one vote with respect to such Condominium Unit. Nothing contained herein shall limit or deny the right of any Owner to own more than one Condominium Unit; in that event, such Owner shall be entitled to one vote for each Condominium Unit it owns, subject to the limitation of the foregoing sentence. Voting by proxy shall be permitted. Notwithstanding anything to the contrary set forth herein, until seventy-five percent (75%) of the Condominium Units have been sold (meaning that title to said Condominium Units has been conveyed by the Declarant) or until August 12, 1984, whichever first occurs, the members of the Board of Managers shall be appointed by the Declarant and need not be Owners of Condominium Units."

(b) The second sentence of subparagraph (c) of paragraph 16 of the Declaration is hereby amended to read in its entirety as follows:

"Notwithstanding anything to the contrary provided herein, until seventy-five percent (75%) of the Condominium Units have been sold (meaning that title to said Condominium Units has been conveyed by the Declarant) or until August 12, 1984, whichever first occurs, the members of the Board of Managers shall be appointed by the Declarant and need not be Owners of Condominium Units."

3. Amendment of Paragraph 17. Clause (i) of subparagraph (d) of paragraph 17 of the Declaration is hereby amended to read in its entirety as follows:

"(i) may obtain and pay for the services of a Managing Agent to manage its affairs, or any part thereof to the extent it deems advisable, as well as such other personnel as the Association shall determine to be necessary or desirable for the proper operation of the Project, whether such personnel are furnished or employed directly by the Association or by any Party with whom or with which it contracts, provided however,



that no contract with a Managing Agent shall exceed a term of three years, and any such contract shall be terminable without notice or cost by either the Association or the Managing Agent on no more than ninety days' notice;"

4. Amendment of Paragraph 30. The first sentence of paragraph 30 of the Declaration is hereby amended to read in its entirety as follows:

"Declarant, for itself, its successors and assigns, expressly reserves the right until August 12, 1984, to modify and enlarge Unit 901, and in such event to incorporate within said Unit any portion or all of the appurtenant Limited Common Elements."

The Declarant has executed this First Amendment to Condominium Declaration as of the date first written above.

DECLARANT:

PARK WASHINGTON ASSOCIATES,
a Colorado joint venture

By: Marvin I. Naiman
Marvin I. Naiman,
joint venturer

By: Bernard A. Naiman
Bernard A. Naiman,
joint venturer

By: Benjamin P. Friedman
Benjamin P. Friedman,
joint venturer



STATE OF COLORADO)

ss:

CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me on the 10 day of August, 1980, by Marvin I. Naiman, Bernard A. Naiman, and Benjamin F. Friedman, as joint venturers of Park Washington Associates, a Colorado joint venture.

My commission expires: My Commission Expires April 2, 1984

717 Seventeenth St. #1650
Denver, CO 80202

[Signature]
Notary Public

[address]

MORTGAGEES' CONSENT

The undersigned, being the holders of any and all recorded mortgages or deeds of trust conveying or affecting the Condominium Units, hereby consent and agree to the foregoing First Amendment to Condominium Declaration of Park Washington Condominiums.

[Signature]
Donald Melvin Gruber

[Signature]
Albert Gerald Gruber

PARK WASHINGTON ASSOCIATES,
a Colorado joint venture

By: [Signature]
Marvin I. Naiman,
joint venturer

By: Benjamin F. Friedman
Benjamin F. Friedman,
joint venturer

53:

Commission expires: My Commission Expires April 1, 1984
~~717 Seventeenth St. #1-70~~
 Denver, CO 80202

Public