

## AFTER RECORDING RETURN TO:

Law Office of Diane Wolfson  
560 Mountain Village Blvd., 102A  
Mountain Village, CO 81435

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FIRST AMENDMENT TO THE DECLARATION OF  
PACIFIC STREET TOWNHOMES,  
A CONDOMINIUM COMMUNITY

November 12, 2008

WHEREAS, Pacific Street Townhomes is a condominium community originally created by the following instruments recorded in the Office of the Clerk and Recorder of San Miguel County, Colorado:

- A. Declaration of the Pacific Street Townhomes recorded on August 4, 2000, at Reception No. 335879 ("Original Declaration"),
- B. Original condominium map recorded at Reception No. 335880.
- C. Supplement/Amendment to Declaration for The Pacific Street Townhomes, a Condominium Community, recorded November 20, 2000, at Reception No. 338193.
- D. Supplemental and Annexation Declaration for the Pacific Street Townhomes recorded March 27, 2002, at Reception No. 348006.

WHEREAS, the Owners desire to amend the Original Declaration as set forth in this First Amendment to the Declaration of Pacific Street Townhomes, a Condominium Community ("First Amendment to the Declaration").

WHEREAS, pursuant to Section 20 of the Original Declaration, as amended, the Prior Declarations may be amended with the written consent of owners representing an aggregate ownership interest of eighty percent (80%) or more of the votes of the Association. Pursuant to Senate Bill 05-100, which amends C.R.S. 38-33.3-217 (1)(a), effective as of January 1, 2006, "Any provision in the declaration that purports to specify a percentage larger than sixty-seven percent is hereby declared void as contrary to public policy, and until amended, such provision shall be deemed to specify a percentage of sixty-seven percent."

WHEREAS, the Association has complied with Section 20 and C.R.S. § 38-33.3-217(1)(b) by obtaining the affirmative vote of at least sixty-seven percent (67%) of the votes of the Association.

NOW THEREFORE, this First Amendment to the Declaration amends the Original Declaration as follows.

**Section 3.6, entitled "Association Agreements," is hereby deleted in its entirety.**

All other provisions of the Original Declaration shall remain unchanged and in full force and effect. Any action taken by the Association and/or the Board of Directors prior to the effective date hereof shall hereby be ratified so long as such action was in conformance with either the Prior Declarations or this First Amended and Restated Declaration.

CERTIFICATION OF ADOPTION

The undersigned hereby certify that the Association has complied with C.R.S. § 38-33.3-217 (1)(a), effective January 1, 2006, by obtaining the affirmative written consent of owners representing an aggregate ownership interest of at least sixty-seven percent (67%) of the Common Elements, which are attached hereto.

Pacific Street Townhomes Owners Association, Inc.,  
a Colorado nonprofit corporation,

By: \_\_\_\_\_  
President

By: [Signature]  
Secretary

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss.

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, as President of Pacific Street Townhomes Owners Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.

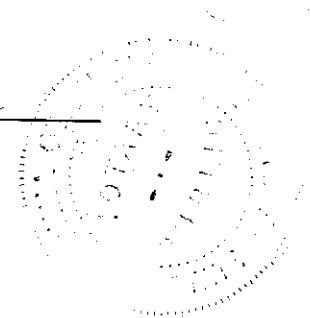
My commission expires: \_\_\_\_\_  
Notary Public

STATE OF ~~COLORADO~~ <sup>ILLINOIS</sup> }  
COUNTY OF COOK } ss.

The foregoing was acknowledged before me this 13<sup>th</sup> day of July, 2009, by LRA CHAPLIK, as Secretary of Pacific Street Townhomes Owners Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: 3/17/2012  
[Signature]  
Notary Public

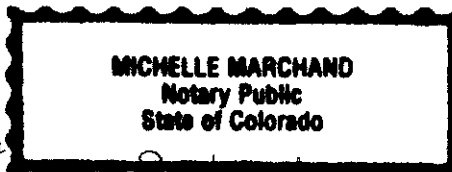


Pacific Street Townhomes Owners Association, Inc.,  
a Colorado nonprofit corporation,

By: [Signature]  
President

By: \_\_\_\_\_  
Secretary

STATE OF Colorado }  
COUNTY OF Boulder } ss.



The foregoing was acknowledged before me this 1st day of September, 2009, by Trent R. Hein, as President of Pacific Street Townhomes Owners Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: 6/5/2012 Michelle Marchand  
Notary Public

STATE OF COLORADO }  
COUNTY OF \_\_\_\_\_ } ss.

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, as Secretary of Pacific Street Townhomes Owners Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_  
Notary Public