

**FIRST AMENDMENT TO THE  
CONDOMINIUM DECLARATION FOR THE  
COMMON GROUND HOUSING CONDOMINIUMS**

THIS FIRST AMENDMENT to the Condominium Declaration for the Common Ground Housing Condominiums is executed this 25 day of August, 1994 for purposes of modification of that certain Condominium Declaration for the Common Ground Housing Condominiums recorded August 15, 1994 in Book 758 at Page 633.

This First Amendment is being recorded for the purpose of providing Exhibits to the Declaration which were not attached to the earlier recorded document and to make certain amendments to the above-referenced Condominium Declaration as follows:

1. **Description of the "Project".** The "Project" defined in the Condominium Declaration as "Common Ground Housing Condominiums" is hereby amended to "Common Ground Housing Subdivision at Independence Place".

2. **Description of a Condominium Unit.** Any instrument affecting a unit may legally describe it in the following form:

Condominium Unit \_\_, Common Ground Housing Subdivision at Independence Place, pursuant to the Condominium Declaration recorded in Book 758 at Page 633 and the First Amendment thereto recorded in Book 759 at Page 571, and as shown on the Condominium Map of Common Ground Housing Subdivision at Independence Place recorded in Plat Book 35 at Pages 31-39.

3. **Paragraph 2.2; Division into Condominium Units.** This provision is hereby amended in its entirety as follows:

The Project is hereby divided into twenty-one (21) Units and a Common House. Said Units and Common House are designated on the Condominium Map. Each Unit consists of a separate fee simple estate in a particular unit and an appurtenant undivided interest (as set forth in the attached Exhibit "A") in and to the common elements, including the Common House, by virtue of an undivided interest in and to that certain Ground Lease Agreement between Pitkin County and Common Ground Housing Association, Inc., dated May 24, 1993, recorded in Book 713 at Page 256. Such undivided interest results from each owner of a Unit having an automatic membership in Common Ground Housing Association, Inc. Each Owner's undivided interest in the Ground Lease Agreement shall be held as a tenant in common with the other owners and Common Housing

Association, Inc. Each owner shall have the non-exclusive right to use and enjoy the general common elements as designated on the Condominium Map and shall have the exclusive right to use and enjoy any limited common elements which are designated for such exclusive use with respect to his or her particular Unit, subject to the provisions of this Declaration and the provisions of the above-referenced Ground Lease Agreement and also subject to that certain Management Agreement for the Common House, dated August 26, 1994 recorded in Book 759 at Page 561.

4. **Paragraph 2.3; Undivided Interest in Common Elements.** This provision is hereby amended in its entirety as follows:

The undivided interest in the Ground Lease Agreement and therefore the common elements, as set forth above, is a fraction, the numerator of which is one (1) and the denominator of which is the total number of units in the Project [currently twenty one (21)], plus one (1) for the Common House, i.e., twenty two (22).

5. **Paragraph 5.4; Executive Board (c).** This provision is hereby amended in its entirety as follows:

The Unit Owners, i.e., Association members, by a 67% vote of all such owners/members, may remove any member of the Executive Board with or without cause, other than a member appointed by Declarant.

IN WITNESS WHEREOF, this First Amendment is executed on the date and year first written above.

**DECLARANT:**

PITKIN COUNTY  
a Home Rule County

By: Michael C. Ireland

Michael C. IRELAND  
AS VICE-CHAIRMAN OF

(Notary Block Contained on Page Three) Pitkin County Commissioner.

STATE OF COLORADO )  
                          ) ss.  
COUNTY OF PITKIN )

The foregoing was subscribed and sworn to before me this 25<sup>th</sup>  
day of AUGUST, 1994, by MICHAEL C. INGLAND of Pitkin  
County, a Home Rule County

Witness my hand and official seal.  
My commission expires: 11-5-96

Connie Rogge  
Notary Public

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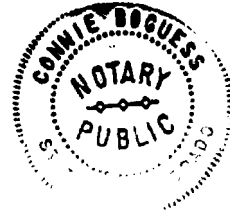


EXHIBIT A TO FIRST AMENDMENT TO THE CONDOMINIUM DECLARATION  
FOR THE COMMON GROUND HOUSING CONDOMINIUMS

UNIT	BLDG #	BDR	ADDRESS	Avg. % Per Unit
A	1	2	101 Independence Place	4.89%
B	1	3	102 Independence Place	5.45%
C	1	3	103 Independence Place	5.45%
D	1	1	104 Independence Place	3.99%
E	6	1	205 Independence Place	3.99%
F	6	3	206 Independence Place	5.45%
G	6	3	207 Independence Place	5.45%
H	5	1	308 Independence Place	3.99%
I	5	3	309 Independence Place	5.45%
J	5	3	310 Independence Place	5.45%
K	5	2	311 Independence Place	4.89%
L	4	1	412 Independence Place	3.99%
M	4	2	413 Independence Place	4.89%
N	4	1	414 Independence Place	3.99%
O	3	1	515 Independence Place	3.99%
P	3	2	516 Independence Place	4.89%
Q	3	1	517 Independence Place	3.99%
R	2	1	618 Independence Place	3.99%
S	2	3	619 Independence Place	5.45%
T	2	3	620 Independence Place	5.45%
U	2	2	621 Independence Place	4.89%
<b>TOTALS</b>				<b>100.00%</b>