

BOOK 470 738

Recorded at _____ o'clock _____ M.
Reception No. _____ Recorder _____

RECORDING REQUESTED BY:
WHEN RECORDED RETURN TO:
F. DONALD GARFIELD, ESQ.
GARFIELD & HECHT, P.C.
601 E. Hyman Avenue
Aspen, CO 81611

PITKIN COUNTY RECORDER
JUL 23 10 31 AM '84

261346

THIRD AMENDMENT TO
CONDOMINIUM DECLARATION FOR
HUNTER CREEK CONDOMINIUMS, PHASE II
BUILDINGS 5, 6, 7 and 8

THIS THIRD AMENDMENT to Condominium Declaration for
Hunter Creek Condominiums, Phase II, Buildings 5, 6, 7 and 8 is
made this 25th day of July, 1984 by SILVER KING INVESTMENTS,
LTD., a Colorado limited partnership.

RECITALS

WHEREAS, THE HOUSING AUTHORITY OF PITKIN COUNTY
("Housing Authority") did on January 21, 1982 duly execute and
cause to be recorded on February 2, 1983 in Book 430 at Page 714
of the records of Pitkin County, Colorado the CONDOMINIUM
DECLARATION FOR HUNTER CREEK CONDOMINIUMS (the "Declaration").

WHEREAS, in accordance with Paragraph 19.4 Transfer of
Declarant's Rights of the Declaration the Housing Authority did
transfer all of its rights as Declarant, under the Declaration to
SILVER KING INVESTMENTS, LTD., ("Silver King").

WHEREAS, in accordance with Paragraph 17.1 Revocation
or Amendment to Declaration of the Declaration, Declarant or its
assignee has the absolute right to amend or supplement the
Declaration or any provisions thereof in any manner that does not

7-26-84

adversely affect the marketability of title to a Condominium Unit or the percentages of interest of the respective Condominium Units in the General Common Elements.

WHEREAS, SILVER KING did on September 23, 1983 duly execute and cause to be recorded on November 23, 1984 in Book 456 at Page 273 of the records of Pitkin County, Colorado the FIRST AMENDMENT TO CONDOMINIUM DECLARATION FOR HUNTER CREEK CONDOMINIUMS ("First Amendment").

WHEREAS, Silver King did on March 28, 1984 duly execute and cause to be recorded on March 29, 1984 in Book 463 at Page 758 of the records of Pitkin County, Colorado, the SECOND AMENDMENT TO CONDOMINIUM DECLARATION FOR HUNTER CREEK CONDOMINIUMS, PHASE II, BUILDINGS 5, 6, 7 and 8 (formerly Hunter Creek Condominiums).

WHEREAS, Silver King now desires to further amend the Declaration as more fully set forth below.

WHEREAS, the following amendment in no way adversely affects the marketability of title to a Condominium Unit or the percentage of interests of the respective Condominium Units in the General Common Elements.

NOW THEREFORE, Declarant does hereby publish and declare that the following terms, covenants, conditions, easements, restrictions, uses, limitations and obligations in the form of an amendment to the Declaration shall be deemed to run with the land, shall be a burden and a benefit to Declarant and the Declarant's heirs, successors and assigns, and to any present or future owner of a Condominium Unit in the Project, their

7-26-84

grantees, successors, heirs, executors, administrators, devisees or assigns.

WITNESSETH

1. Paragraph 6.1 of the Declaration (and Paragraph 9 of the First Amendment which amended said Paragraph 6.1) are hereby deleted in their entirety and in place thereof the following is provided:

6.1 Conveyance and Description. Every contract, deed, lease, mortgage, deed of trust, will, or other instrument affecting title to a Condominium Unit shall described that Condominium Unit in the following manner:

Condominium Unit _____, Building _____, Hunter Creek Condominiums Phase II, according to the Condominium Map thereof recorded February 3, 1982, in Plat Book 12 at Page 71 and as defined and described by the Condominium Declaration recorded February 2, 1982 in Book 420 at Page 714 and Amendment thereto recorded November 23, 1983 in Book 456 at Page 273 and Second Amendment thereto recorded March 29, 1984 in Book 463 at Page 758, and Third Amendment thereto recorded _____ in Book _____ at Page _____, County of Pitkin, State of Colorado.

Such description will be construed to describe the Unit together with the appurtenant undivided interest in the Common Elements, and to incorporate all the rights incident to ownership of a Condominium Unit and all the limitations on such ownership as described in this Declaration, as amended. Any contract, deed, lease, mortgage, deed of trust or other instrument affecting title to a Condominium Unit which now or hereafter incorporates the legal description set forth in the original Paragraph 6.1 of the Declaration or Paragraph 9 of the First Amendment shall be adequate for the purposes intended.

7-26-84

2. Miscellaneous.

2.1 The provisions of this instrument shall be in addition and supplemental to the provisions contained in the recorded Declaration and any prior amendments and shall and does, in all other respects, ratify the same.

2.2 If any of the provisions of this instrument or any paragraph, sentence, clause, phrase or word, or the application thereof in any circumstance, be invalidated, such invalidity shall not affect the validity of the remainder of this instrument, and the application of any such provision, paragraph, sentence, clause, phrase, or word in any other circumstance shall not be affected thereby.

2.3 The provisions of this instrument shall be in addition and supplemental to the Condominium Ownership Act of the State of Colorado as amended and to all other provisions of law.

2.4 That whenever used herein, unless the context shall otherwise provide, the singular shall include the plural, and the use of any gender shall include all genders.

2.5 Unless the context otherwise requires, words appearing herein such as "Project" shall have the same definitions or meanings as provided in the Declaration as amended.

7-26-84

