

SECOND AMENDMENT
TO
DECLARATION OF CONDOMINIUM
FOR
BUCK CREEK CONDOMINIUMS

WHEREAS, on February 4, 1980, Buck Creek Associates, a partnership ("Declarant") caused to be recorded the Condominium Declaration for Buck Creek Condominiums in Book 298 at Page 264, Reception No. 194655, of the records of the Clerk and Recorder of Eagle County, Colorado ("Declaration");

WHEREAS, Buck Creek Associates II, a Colorado partnership ("Declarant") acquired all of the right, title and interest of Buck Creek Associates in, and is the owner of the following described property situated in the County of Eagle, State of Colorado, to wit:

Lot 15, Block 2, Benchmark at Beaver Creek Subdivision, Amendment Number 4, according to the plat recorded September 5, 1978 in Book 274 at Page 701 and according to the Official Plat - Town of Avon, Eagle County, Colorado - Amendment No. 5 and Final Subdivision Plat - Amendment No. 9 Benchmark at Beaver Creek and Condominium Map for Buck Creek Condominiums Building B, recorded February 7, 1980 in Book 298 at Page 506, County of Eagle, State of Colorado, being more particularly described as follows:

Beginning at the Southeast corner of said Lot 15, said Block 2, thence N 04°43'18" E a distance of 204.65 feet to the Northeast corner of said Lot 15; thence 128.60 feet along the arc of a curve to the left having a central angle of 01°42'08", a radius of 4328.70 feet and a chord which bears N 79°43'55" W 128.60 feet distant; thence S 04°43'18" W a distance of 68.08 feet; thence N 81°50'16" W a distance of 2.00 feet; thence S 04°43'18" W a distance of 149.12 feet to the Southwest corner of said Lot 15; thence S 85°16'42" E a distance of 130.00 feet to the point of beginning, containing 27330 square feet or 0.627 acres, more or less.

WHEREAS, Declarant has constructed condominium units on the real property described above with other improvements thereon; and

WHEREAS, Declarant desires to amend the Declaration by adding thereto the real property described above and to subject said real property to the terms and provisions of the Declaration.

1. Property Subject to Declaration. The real property described above and improvements constructed thereon are subject to all of the provisions of the Declaration except as otherwise set forth in this Amendment.

2. Division of Property into Condominium Units. The real property described above and the improvements constructed thereon are hereby divided into 10 fee simple estates. Each such estate shall consist of the separately designated Unit and an individual interest in and to the General Common Elements, which interest is described in Exhibit A attached hereto. The

undivided interest in the General Common Elements appurtenant to the Units herein described shall not include an interest in the General Common Elements heretofore or hereafter created; provided, however, that all Owners shall have a non-exclusive right in common with all of the other Owners to the use of the sidewalks, pathways, driveways, recreational facilities and all other General Common Elements and Common Areas within the entire condominium project that are not specifically dedicated to the use of less than all of the Owners.

3. Condominium Map. Declarant shall file a Supplement to the Condominium Map depicting at least the following: the legal description of the above described real property and a survey thereof; the building constructed on such real property and the location of the units within the building, both horizontally and vertically; the perimeter boundary of each Unit and the location therein of any structural components or supporting elements of the building; the thickness of the common walls between Units and the Unit numbers or other designations. The Supplement to the Condominium Map shall contain the certifications required by the Declaration and shall be entitled "Condominium Map for Buck Creek Condominiums Building C."

4. Prorata Assessments. The amount of the assessments to be paid by the Owners shall be prorated in the proportion to which the square footage of each Unit described in Exhibit A attached hereto bears to the total square footage of all Units which are subject to the Declaration.

5. Reservation for Further Additions of Property. Declarant reserves the right to bring additional property within the condominium project as provided in Paragraph 32 of the Declaration.

IN WITNESS WHEREOF, the Declarant has caused this Second Amendment to Declaration of Condominium of Buck Creek Condominiums to be executed on the 9th day of December, 1981.

BUCK CREEK ASSOCIATES II, a partnership

By BUCK CREEK, INC., a Colorado corporation, a partner

By Thomas M. Landauer
Thomas M. Landauer, President

STATE OF COLORADO)
) ss.
COUNTY OF EAGLE)

The foregoing Second Amendment to Declaration of Condominium was acknowledged before me this 9th day of December, 1981 by Thomas M. Landauer as President of Buck Creek, Inc., one of the partners of Buck Creek Associates II, a partnership.

Witness my hand and official seal.

My commission expires: August 23, 1983

Betty J. Landauer
Notary Public
P.O. Box 7
Vail, Co. 81658

The foregoing instrument is approved and accepted.

ATTEST:

BUCK CREEK CONDOMINIUM ASSOCIATION

Helen E. Bird
Helen Bird
Secretary

By Thomas M. Landauer
Thomas M. Landauer
President

SEAL

EXHIBIT A
TO
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Unit Number	Square Feet	Appurtenant Undivided Interest in General Common Elements
101	1047.60	9.43%
102	1039.66	9.35%
103	855.81	7.70%
104	857.57	7.72%
201	1049.72	9.44%
202	1039.44	9.35%
203	1335.66	12.02%
204	1337.67	12.03%
301	1323.01	11.90%
302	1229.36	<u>11.06%</u>
		100.00%