

**LIMITED AMENDMENT TO THE  
AMENDED AND RESTATED DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
CROSS CREEK CONDOMINIUMS**

THIS AMENDMENT is made this 20 day of June, 2025.

**RECITALS**

A. The Amended and Restated Declaration of Covenants, Conditions and Restrictions for Cross Creek Condominiums was adopted by the membership and recorded in the real property records of the County of Summit, State of Colorado, at Reception No. 669891, on December 3, 2001 (the "Declaration").

B. The Declaration provides for and allows for this Limited Amendment to the Declaration (the "Amendment") in Article XIII, Section 13.03, which provides as follows:

This Declaration shall be amended in accordance with the provisions of C.R.S. § 38-33.3-218 of the Act.

C. C.R.S. § 38-33.3-218 speaks to termination of the community. C.R.S. § 38-33.3-217 speaks to amendments. As Section 218 is irrelevant and there are no other amendment provisions in the Declaration, Colorado law (Section 217) would apply. Section 217 provides that "the declaration, including the plats and maps, may be amended only by the affirmative vote or agreement of unit owners of units to which more than fifty percent of the votes in the association are allocated or any larger percentage, not to exceed sixty-seven percent, that the declaration specifies."

D. All Owners are aware of the provisions of the Declaration allowing for amendment, by virtue of the record notice of the Declaration, by acts and disclosures, newsletters or notices of the Association and by other means.

E. This Limited Amendment has been prepared and determined by the Association and by the Owners that have approved this Limited Amendment to be reasonable and not burdensome.

F. The purpose of this Limited Amendment is to reallocate window maintenance obligations and classify them as Owner maintenance obligations as opposed to Association maintenance obligations.

G. The undersigned, being the President of the Association, hereby certify that Owners representing at least a majority of the Association votes have consented and agreed to this Limited Amendment.

H. As amended by this Limited Amendment, this amendment shall become part of and incorporated into the "Declaration."

NOW THEREFORE,

I. **Amendments.** The Declaration is hereby amended as follows:

(a) *Repeal and Restatement.* Article VI, Section 6.01(a)(i) is hereby repealed and replaced with the following paragraph:

(i) maintenance, operation, repair and replacement of the Common Elements, not including Limited Common Element windows serving a single Unit, and except as otherwise provided;

(b) *Addition.* The following sentence is hereby added to Article VI, Section 6.02 as follows:

Owners shall be responsible for maintenance, repair, and replacement of Limited Common Element windows serving a single Unit.

(c) *Repeal and Restatement.* Article XIII, Section 13.03 is hereby repealed and replaced with the following paragraph:

Except as otherwise provided in this Declaration, any provision, covenant, condition, restriction or equitable servitude contained in this Declaration may be amended, revised, removed or repealed, and new provisions, covenants, conditions, restrictions or equitable servitudes may be added, at any time and from time to time upon approval of Owners holding at least 51% of the total votes in the Association. The amendment or repeal shall be effective upon the recordation in the office of the Clerk and Recorder of Summit County, Colorado of a certificate, setting forth the amendment in

full and certifying that the amendment has been approved as set forth above.

II. No Other Amendments. Except as amended by the terms of this Limited Amendment, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, this Amendment is executed by the undersigned.

**CROSS CREEK CONDOMINIUM ASSOCIATION, INC.**, a Colorado nonprofit corporation

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

*[Handwritten Signature]*

STATE OF COLORADO )  
COUNTY OF Summit ) ss.

The foregoing was acknowledged before me this 20th day of June 2025, Franklyn Lukens Jr., as President of by Cross Creek Condominium Association, Inc.

Witness my hand and official seal  
My commission expires: 05/25/2027

*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public

AFTER RECORDING RETURN TO:  
Altitude Community Law P.C.  
555 Zang Street, Suite 100  
Lakewood, CO 80228  
Attn: MSD

**DALE LOOKARD**  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20234019787  
MY COMMISSION EXPIRES 05/25/2027