



1217188

Kathleen Neel - Summit County Recorder

5 Pages

12/31/2019 08:17 AM

DF: \$0.00



1217109

Kathleen Neel - Summit County Recorder

4 Pages

12/30/2019 12:45 PM

DF: \$0.00

Re-recorded to include Exhibit A that was inadvertently missing from original recording

**AMENDMENT TO THE
CONDOMINIUM DECLARATION FOR
CHATEAU ACADIAN CONDOMINIUMS**

THIS AMENDMENT is made this 17th day of December, 2019.

RECITALS

A. Colorado Condos, Inc., a Louisiana corporation and the original Declarant, created Chateau Acadian Condominium Association (the "Community") by recording a Condominium Declaration for Chateau Acadian Condominiums in the real property records of Summit County, State of Colorado, at Reception No. 265065 on October 7, 1983 (the "Declaration").

B. The Declaration provides for and allows for this Amendment (the "Amendment") in Article XVI, Section 16.02(b), which provides as follows:

... amendment of this Declaration shall require the written approval of Owner (including Declarant) holding at least two-thirds (2/3) of the total number of votes in the Association then entitled to be cast.

C. 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.

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

E. The purpose of this Amendment is to correct inequities in Exhibit A as related to the allocated interests in the Community and to more equitably allocate costs associated with special assessments.

F. The undersigned, being the President and Secretary of the Association, hereby certify that two-thirds of the Owners in the Association have consented and agreed to this Amendment.

NOW THEREFORE,

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

- (a) **Repeal and Restatement.** Exhibit A is hereby repealed in its entirety and the attached Exhibit A is substituted.
- (b) **Repeal and Restatement.** Article IX, Section 9.07 is hereby repealed in its entirety and replaced with the following language:

In addition to the annual assessments and the long distance telephone assessments authorized by this Article, the Association may levy through its Board of Directors special assessments, payable over such periods as the Board of the Association may determine, for the purpose of defraying, in whole or in part, the cost of any emergency expenditure for unexpected repair or replacement of the Common Elements or other unexpected expense, for construction of capital improvements and such other special assessments as may be authorized by other Sections of this Declaration. If any such special assessment exceeds Five Thousand Dollars (\$5,000.00), the same shall have the assent of not less than fifty one percent (51%) of the votes of the Members who are voting in person or by proxy at a meeting duly called for this purpose or at the regular annual meeting of Members. Written notice of any such meeting shall be sent to all Members not less than fifteen (15) days nor more than thirty (30) days in advance of the meeting and such notice shall set forth the purpose of the meeting. Any amounts assessed pursuant hereto shall be assessed to all Members equally. However, the Board of Directors reserves the right to allocate any such special assessment to Members in proportion to their percentage interest in the Common Elements, as set forth in Exhibit A, should the Board of Directors determine that this type of allocation is more equitable. Further, the Association may levy special assessments against one or more Condominium Units for amounts owing due to tortious, willful or negligent damage to the Common Elements by such Owner or related parties as provided herein, for the purpose of discharging any unauthorized mechanic's lien against a Condominium Unit pursuant to Article VI above, or for amounts due pursuant to any arrangement for special services, and any such special assessment shall be fixed by the Board of the Association without a vote of the membership. Notice in writing of the amount of any special assessment and the time for payment thereof shall be given promptly to the Owners, and no payment shall be due less than thirty (30) days after such notice shall have been given; provided, however, that special assessments due to tortious, willful, or negligent damages, due to any unauthorized mechanic's lien, or due to arrangement for special services may be made due upon receipt.

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

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

**CHATEAU ACADIAN CONDOMINIUM
ASSOCIATION, a Colorado nonprofit corporation**

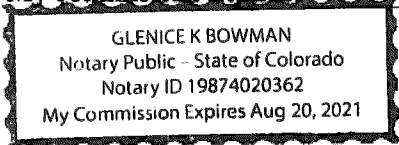
By: *J. Watson*
President

By: _____
Secretary

STATE OF COLORADO)
) ss.
COUNTY OF Summit)

The foregoing was acknowledged before me this 17th day of December,
2019, by James G. Watson, President of Chateau Acadian Condominium
Association, a Colorado nonprofit corporation.

Witness my hand and official seal.
My commission expires: 8/20/21



Glenice K Bowman
Notary Public

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this _____ day of _____,
20____, by _____, Secretary of Chateau Acadian Condominium
Association, a Colorado nonprofit corporation.

Witness my hand and official seal.
My commission expires: _____

Notary Public

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

EXHIBIT A
TO
CONDOMINIUM DECLARATION
FOR
CHATEAU ACADIAN CONDOMINIUMS

<u>CONDOMINIUM</u> <u>UNIT</u>	<u>SQUARE</u> <u>FOOTAGE</u> <u>OF UNIT</u>	<u>PERCENTAGE UNDIVIDED</u> <u>INTEREST IN</u> <u>COMMON ELEMENTS</u>
101	2,500	6.69%
102	1,950	5.81%
103	1,950	5.81%
104	2,500	6.69%
105	2,500	6.69%
106	1,950	5.81%
107	1,950	5.81%
108	2,500	6.69%
109	2,500	6.69%
110	1,950	5.81%
111	1,950	5.81%
112	2,500	6.69%
113	2,500	6.69%
114	1,950	5.81%
115	1,950	5.81%
116	<u>2,500</u>	<u>6.69%</u>
TOTALS:	35,600	100.00%