

RECEPTION # 507892 *Ceta Sauer, Recorder*
Recorded at 4:46 o'clock P.M. Aug. 9, 1984
State of Colorado La Plata County

FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM
OWNERSHIP AND COVENANTS, CONDITIONS AND RESTRICTIONS
FOR SILVER PICK AT PURGATORY

Silverpick I, Ltd., a California limited partnership ("Declarant"), is the owner of certain real property situated in the County of La Plata, State of Colorado, and more particularly described in Exhibits "A" and "B" attached to that certain Declaration of Condominium Ownership and Covenants, Conditions and Restrictions for Silver Pick at Purgatory dated June 1, 1984 and recorded at Reception Number 500293 in the official records of La Plata County (the "Declaration"). Declarant wishes to amend the Declaration in order to reflect certain changes in the Map as defined therein (all defined terms used in the Declaration shall have the same declaration herein) and to correct certain other matters.

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

1. The following subparagraphs are added to Paragraph 1:

1(p) "Special Property" means Lots 1, 2 and 3 as described on the Map, and is property retained by Declarant for commercial use and other purposes, which property is not a part of this condominium project; together with an easement reserved by Declarant for ingress, egress and parking over the areas as shown as roads and parking on the Map and for utilities now constructed or to be constructed for service to the Special Property. Said easement shall be for Declarant, its successors, assigns, lessees and guest and/or invitees of any of them.

(q) "Special General Common Area" shall consist of common areas so designated on the Map which is for the exclusive use of Declarant for sales, advertising, and/or recreation. Such property shall revert to General Common Area as such time as Declarant records a release of such uses.

2. Paragraph 1(m) of the Declaration is hereby deleted and the following inserted in its place instead:

(m) "Special Property Owner" means an individual, corporation, partnership, association, trust or other legal entity or combination of legal entities, which is the record owner of Lots 1, 2 and 3 as noted on the Map.

3. The following shall be added to Paragraph 6:

"6(d) Each of the owners is hereby granted an easement for ingress, egress, access and utility lines of all kinds over the Special Property and the Special General Common Area as required for the orderly operation of the units and related recreation facilities subject to reasonable rules and regulations as established from time to time by the Special Property Owners."

4. Paragraph 3(a) is hereby amended to read in full as follows:

"The Real Property is initially divided into 41 condominiums numbered 101 through 109; 201 through 216; 301 through 316, each consisting of a Unit, Special Property designated Lots 1, 2 and 3 on the Map, together with

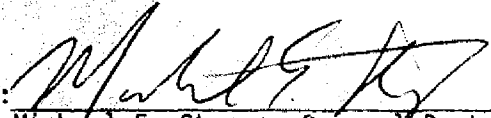
undivided interest in the General Common Elements appurtenant to such units and Special Property and the exclusive or nonexclusive right to use and enjoy common elements as set forth on Exhibit "C" attached hereto. The percentage of ownership of General Common Elements shall be recomputed by Declarant in a reasonable and equitable manner at such time as additional property is annexed".

5. Exhibits "A", "B" and "C" are amended to read as attached hereto.

6. Except as specifically amended hereby, the Declaration continues unchanged and in full force and effect.

IN WITNESS WHEREOF, Declarant has duly executed this Amendment this 5th day of November, 1984.

SILVERPICK I, LTD., a limited partnership,
By: SILVER PICK ENTERPRISES, General Partner,

By: 
Michael E. Steres, General Partner

507892

STATE OF COLORADO)
) ss.
COUNTY OF LA PLATA)

The foregoing instrument was acknowledged before me this 5th day of November, 1984, by Michael E. Steres as General Partner of Silver Pick Enterprises, General Partner of Silverpick I, Ltd.

Witness my hand and official seal.

My commission expires October 4, 1987.

Laurel Campbell
Notary Public

Address: 1130 Main Avenue
Durango, CO 81301

GOFF

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EXHIBIT "A"SILVERPICK
PHASE I

A tract of land located in Section 25, T39N, R9W, N.M.P.M.,
in La Plata County, Colorado, being more particularly described
as follows:

Beginning at a point whence the southwest corner of said
Section 25 bears S 53° 55' 06" W, 803.77 feet;
Thence N 14° 30' 00" E, 252.70 feet;
Thence S 75° 36' 00" E, 90.00 feet;
Thence N 38° 40' 00" E, 596.77 feet;
Thence N 00° 39' 48" W, 179.68 feet to the north line of the
SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 25;
Thence N 88° 52' 43" E, 110.00 feet along the north line of
the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 25 to the westerly right-of-way of
U.S. Highway 550;
Thence S 06° 09' 43" W, 152.18 feet along the westerly right-
of-way of U.S. Highway 550;
Thence S 20° 24' 11" E, 111.80 feet along the westerly right-
of-way of U.S. Highway 550;
Thence S 06° 09' 43" W, 94.80 feet along the westerly right-
of-way of U.S. Highway 550;
Thence along the arc of a curve to the right with a delta angle
of 07° 04' 16" and a radius of 5679.58 feet for a distance of
700.94 feet, the long chord bears S 09° 41' 52" W, 700.50 feet,
along the westerly right-of-way of U.S. Highway 550;
Thence N 72° 00' 00" W, 552.70 feet to the point of beginning.

Excepting therefrom Lots 1, 2 and 3 as described on the Map.

Contains 4.9282 acres, more or less.

A tract of land being the SW 1/4 SW 1/4 of Section 25, T 39 N, R 9 W, N.M.P.M., in La Plata County, Colorado, less and except the U.S. Highway 550 right-of-way, and being more particularly described as follows:

Beginning at the SW corner of said Section 25; thence N $00^{\circ} 33' 44''$ E. 1318.65 feet along the west line of said Section 25; thence N $88^{\circ} 52' 43''$ E. 1268.06 feet along the north line of the SW 1/4 of said Section 25 to the westerly right-of-way of U.S. Highway 550; thence S $06^{\circ} 09' 43''$ W. 152.18 feet along the said westerly right-of-way; thence S $20^{\circ} 24' 11''$ E. 111.80 feet along the said westerly right-of-way; thence S $06^{\circ} 09' 43''$ W. 94.80 feet along the said westerly right-of-way; thence along the arc of a curve to the right with a delta angle of $10^{\circ} 13' 17''$, and a radius of 5679.58 feet, for a distance of 1013.22 feet along the said westerly right-of-way to the south line of said Section 25; thence S $89^{\circ} 57' 44''$ W. 1095.45 feet along the south line of said Section 25 to the point of beginning.

Contains 37.321 acres more or less.

EXCEPTING THEREFROM:

A tract of land located in Section 25, T39N, R9W, N.M.P.M., in La Plata County, Colorado, being more particularly described as follows:

Beginning at a point whence the southwest corner of said Section 25 bears S $53^{\circ} 55' 06''$ W, 803.77 feet;
 Thence N $14^{\circ} 30' 00''$ E, 252.70 feet;
 Thence S $75^{\circ} 36' 00''$ E, 90.00 feet;
 Thence N $38^{\circ} 40' 00''$ E, 596.77 feet;
 Thence N $00^{\circ} 39' 48''$ W, 179.68 feet to the north line of the SW 1/4 of said Section 25;
 Thence N $88^{\circ} 52' 43''$ E, 110.00 feet along the north line of the SW 1/4 of said Section 25 to the westerly right-of-way of U.S. Highway 550;
 Thence S $06^{\circ} 09' 43''$ W, 152.18 feet along the westerly right-of-way of U.S. Highway 550;
 Thence S $20^{\circ} 24' 11''$ E, 111.80 feet along the westerly right-of-way of U.S. Highway 550;
 Thence S $06^{\circ} 09' 43''$ W, 94.80 feet along the westerly right-of-way of U.S. Highway 550;
 Thence along the arc of a curve to the right with a delta angle of $07^{\circ} 04' 16''$ and a radius of 5679.58 feet for a distance of 700.94 feet, the long chord bears S $09^{\circ} 41' 52''$ W, 700.50 feet, along the westerly right-of-way of U.S. Highway 550;
 Thence N $72^{\circ} 00' 00''$ W, 552.70 feet to the point of beginning.
 Excepting therefrom Lots 1, 2 and 3 as described on the Map.

Contains 4.9282 acres, more or less.

EXHIBIT "C"

Limited Common Elements shall consist of open garages, decks, and service areas. Garages and decks shall be for the exclusive use of the owners or occupants of the Unit to which they are attached or immediately adjacent, provided that agents of the Association shall be allowed access for snow removal, maintenance and similar activities. Limited Common Elements adjacent to Special Property shall be for the exclusive use of the owners of the Special Property for delivery trucks and similar uses.

Undivided interest shall be as follows:

Units 201 - 216	2.2491875% of each
Units 301 - 316	2.513% of each
Units 101 - 109	2.645% of each

STATE OF COLORADO)
LA FLATA COUNTY) SS Filing No. 507893

I hereby certify that this instrument was
filed for record at 4:47 O'clock P M
NOV 9 1984 and duly recorded
Microfilm No. 507893 Fee \$ 60.00

I, A. A. R., Recorder

By [Signature] Deputy

Silverpick I. P. U. D., Phase 1

to

Whom it May Concern