

**FIRST AMENDMENT OF THE AMENDED AND RESTATED
CONDOMINIUM DECLARATION OF
ENGLEWOOD EXECUTIVE CENTER AND ENGLEWOOD BUSINESS PARK**

THIS FIRST AMENDMENT OF THE AMENDED AND RESTATED CONDOMINIUM DECLARATION ("Amendment") is adopted as of 5 - 1, 2017, by the CENTER & PARK ASSOCIATION, INC., a Colorado nonprofit corporation (the "Association").

RECITALS

A. The Association is the owners' association for Englewood Executive Center and Englewood Business Park Condominium (the "Condominium"), formed in accordance with applicable provisions of the Colorado Common Interest Ownership Act, Colorado Revised Statutes §§ 38-33.3-101 et. seq. ("CCIOA"). The Condominium was created by, among other documents, the Original Condominium Declaration of Englewood Executive Center and Englewood Business Park Condominium, recorded May 31, 1983 at Book 3875, Page 659, in the records of the Clerk and Recorder of Arapahoe County, Colorado (the "Original Declaration"), as amended and restated in the Amended and Restated Condominium Declaration of Englewood Executive Center and Englewood Business Park Condominium, recorded November 12, 2015 at Reception Number D5130517 as may be amended from time to time (the "Declaration"), and the Condominium Map of Englewood Executive Center and Englewood Business Park Condominium recorded May 12, 1984, at Reception No. 2283524 in the Arapahoe County records, as amended and replatted from time to time, (collectively referred to as the "Map"). Terms which are defined in the Declaration shall have the same meanings herein unless otherwise defined.

B. There are six prior Amendments and/or Supplements to the Original Declaration; this is the first Amendment of the Amended and Restated Declaration.

C. Article XVI, paragraph 16.2 of the Declaration authorizes amendment of the Declaration, including moving boundaries of Units and changing percentage of ownership interests in the Common Elements appurtenant to Units, provided the Owners representing an aggregate ownership interest of sixty-seven percent (67%) or more of the Common Elements agree via written consent or vote to authorize the amendment. In addition, consent of 100% of First Mortgagees and/or First Deed of Trust Beneficiaries is required (via the procedure for notification and deemed consent described in paragraph 16.2).

D. Article V, paragraph 5.3 of the Declaration specifically authorizes subdivision of Units,

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D. Article V, paragraph 5.3 of the Declaration specifically authorizes subdivision of Units,

upon written application to and approval by the Association. Consent of the Owner of the Unit to be subdivided shall be evidenced by the Owner's signature on the amendment authorizing the subdivision.

E. At the request of the Owner of Unit 202, Building 200, the Board of Directors has proposed this Amendment to subdivide Unit 202 into two Units, numbered 202 and 203 of Building 200. The Members of the Association have agreed to amend the Declaration as set forth in this Amendment and according to the recording of the corresponding Condominium Map of Englewood Executive Center and Englewood Business Park Condominium – Amendment No. 7 (the "Amended Map").

NOW, THEREFORE, in accordance with and subject to the provisions of CCIOA and the Declaration, the Association adopts the following Amendment:

A M E N D M E N T

1. Unit 202 of Building 200 of the Condominium is hereby subdivided into two Units, hereinafter referred to as Unit 202 and Unit 203 of Building 200. Both of these Units are within the property which is subject to the Declaration, which is more fully described in Exhibit A attached hereto ("the Property").
2. The Owner of original Unit 202, which is subdivided by this Amendment, consents to this action. The Board of the Association has approved the Owner's application for subdivision of original Unit 202.
3. The Units created within the Property are identified on the Amended Map and are listed on Exhibit B attached hereto and identified by this Amendment as Unit 202 and Unit 203 of Building 200. The boundaries of both Units are designated as shown on the Amended Map.
4. Upon recording of this Amendment, the percentage of ownership interests in the Common Elements appurtenant to each Unit in the Property will be as set forth in the attached Exhibit B.
5. The Amended Map contains the certification of an independent licensed engineer, surveyor or architect, as required by CCIOA §§ 38-33.3-201(2) and 38-33.3-209(6).
6. No Further Amendments: all provisions of the Declaration, including, but not limited to those provisions regarding obligations to pay assessments to the Association and any right to cast votes as Members, shall be deemed to apply to the new Unit hereby created upon recording of this Amendment.

A. Defined Terms. Capitalized terms used but not defined in this Amendment have the meanings given those terms in the Declaration.

B. Conflict; Interpretation. In the event of a conflict between the terms of this Amendment and the Declaration, the terms of this Amendment shall control. Except as modified hereby, the Declaration, as previously amended, shall remain in full force and effect. In the event that any part of this Amendment is held to be invalid for any reason, such provisions shall be reformed to the least amount necessary to make them valid and the remainder of this Amendment shall be unaffected.

C. Conditions to Effectiveness of this Amendment. This Amendment shall take effect subject only to recordation in the County Records, at such time as it has been approved by the affirmative vote or written consent of Owners representing an aggregate ownership interest of sixty-seven percent (67%) or more of the Common Elements; consent of 100% of First Mortgagees and/or First Deed of Trust Beneficiaries (via the procedure for notification and deemed consent described in paragraph 16.2); and the agreement of the Owner of the Unit to be subdivided.

Dated: 6-21, 2017

Association:
CENTER & PARK ASSOCIATION, INC.

Owner of Original Unit 202:
ESTES PARK INSTITUTE, INC.

By: Lois E. Lanorovitz ^{VP}
Lanorovitz Vice President

By: Kellene S. Klocke
Kellene S. Klocke, Vice President

By: David Lawrence
David Lawrence Secretary

**SWORN CERTIFICATION AS TO SATISFACTION OF CONDITIONS
AND
ADOPTION AND IMPLEMENTATION OF THIS AMENDMENT,
EFFECTIVE UPON RECORDING IN THE COUNTY RECORDS**

The undersigned, being each duly sworn, certify that:

- Lois E. Lanorovitz ^{Vice President}
- _____ is the President of the Center & Park Association Inc., a Colorado nonprofit corporation (the "Association").

EXHIBIT A
TO THE FIRST AMENDMENT OF THE AMENDED AND RESTATED
CONDOMINIUM DECLARATION OF
ENGLEWOOD EXECUTIVE CENTER AND ENGLEWOOD BUSINESS PARK

All of the property subject to that certain Condominium Declaration of Englewood Executive Center and Englewood Business Park recorded in the real property records of Arapahoe County, Colorado on May 31, 1983 at Book 3875, Page 659, as amended and restated in the Amended and Restated Condominium Declaration of Englewood Executive Center and Englewood Business Park Condominium, recorded November 12, 2015 at Reception Number D5130517 as may be amended from time to time, including but not limited to the following:

All lots, blocks, tracts, Units and Common Elements, *excluding* Proposed Building Two and *excluding* Proposed Building 900, all as shown on the Condominium Map of Englewood Executive Center and Englewood Business Park Condominium recorded in the real property records of Arapahoe County, Colorado on May 12, 1984, at Reception No. 2283524, and as that Condominium Map was subsequently amended,

County of Arapahoe, State of Colorado,

And having the following street addresses:

3677 South Huron Street, Englewood, CO 80110
3669 South Huron Street, Englewood, CO 80110
3671 South Huron Street, Englewood, CO 80110
3679 South Huron Street, Englewood, CO 80110
925 West Kenyon Avenue, Englewood, CO 80110

A-1

EXHIBIT B
TO THE FIRST AMENDMENT OF THE AMENDED AND RESTATED
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Condominium Building #	Unit #	Percentage of Interest in Common Elements Appurtenant to the Unit*	
Building No. 100	101	2.75%	
	102	2.47%	
	104 & 105	6.22%	
Building No. 200	201	3.31%	
	202	4.99%	
	203	3.12%	
Building No. 300	301	2.83%	
	302	2.29%	
	303	5.66%	
Building No. 400	401	3.88%	
	402	4.37%	
	403	1.20%	
	404	2.68%	
Building No. 1	1	7.72%	
	2	5.14%	
	4	2.57%	
	5	2.57%	
	6	2.39%	
	7	2.57%	
	8	2.52%	
	9	2.40%	
	10	2.52%	
	11	7.74%	
	14	5.40%	
	15	5.34%	
	16	5.34%	
	Total		100.00%

*The undivided interest of each Unit Owner in the Common Elements of the Project shall be that percentage which the square footage within the exterior perimeter of that Unit, as shown on the Map or Maps of the Project, bears to the aggregate square footage within the exterior perimeters of all of the Units in the Project. The percentage of interest in the Common Elements appurtenant to each Unit are subject to change as more fully provided in the Declaration, including without limitation Article V, Paragraph 5.2 and 5.3 and Article XIV, Paragraph 16.2