

FIRST CERTIFICATE OF AMENDMENT TO

CONDOMINIUM DECLARATION FOR

ETTA PLACE TOO CONDOMINIUMS

THIS FIRST AMENDMENT TO THE CONDOMINIUM DECLARATION for Etta Place Too Condominiums is made and entered this 13th day of August, 1986, by the Declarant undersigned. All provisions of the Condominium Declaration for Etta Place Too Condominiums, as recorded in the records of the Clerk and Recorder, San Miguel County, Colorado, in Book 428 at Pages 960 - 999 under Reception Number 244425 (The Declaration) remain in full force and effect except as amended hereby. If any provision of the Declaration shall be in conflict with this FIRST CERTIFICATE OF AMENDMENT, then this Amendment shall control.

THE DECLARATION IS AMENDED AS FOLLOWS:

1. Paragraph 28 (b) is hereby amended to read:

In form and substance, each supplement to the Declaration shall provide for division of the specified additional real property and improvements into condominium Units similar in form to the division made of the Property and improvements by this Declaration. Each Unit shall be separately designated, and each Building shall be identified by symbol or designation dissimilar to any other Building in the Complex. The undivided interest in and to the General Common Elements appurtenant to each such Unit shall be a part of the Condominium Units described and initially created by this Declaration and the (initial) map.

2. Paragraph 28 is further amended by the addition of the following:

f. This Reservation to Enlarge and Supplement the Complex is specifically restricted to enlargement of the Complex by the addition of not more than 35 condominium units.

3. Paragraph 33 is amended as follows:

All references to "Exhibit C" in paragraph 33 are hereby changed to "Exhibit D (that real property set forth as "G-2")"

4. Paragraph 33 (b) is amended as follows:

Declarant, for itself, its successors and assigns, hereby reserves the right, from time to time, to convey any or all of the Common Elements described in EXHIBIT D, to any person or entity, including itself, free and clear of the provisions of this Declaration. By this reservation Declarant, for itself and its successors or assigns, reserves the right of the grantee if permitted by local ordinance, rules and/or regulations, to sever the property conveyed, and all rights appurtenant thereto, including but not limited to development rights, if any, from the existing Complex. Anything to the contrary notwithstanding, Declarant, its successors and assigns, shall not convey any property as security which has an improvement constructed upon it. Anything to the contrary notwithstanding, the Deed of Trust authorized under this paragraph 33 (a) shall not have any force or effect if it purports to convey any part of a Unit, General Common Element, or Limited Common Element which is outside of the limits or the real property described in "EXHIBIT D" (that real property is set forth as "G 2") hereto. Any and all interest in Deeds, Mortgages, Deeds of Trust or other security instruments are taken subject to this paragraph.

IN WITNESS WHEREOF, the Declarant sets its hand and seal the day and year first above written.

DECLARANT:

ETTA PLACE TOO ASSOCIATES TRUST, a Massachusetts business trust.

BY:

Peter Ricciardelli as Attorney in Fact for
W. Albert Ellis Trustee
W. ALBERT ELLIS, TRUSTEE

Peter Ricciardelli as Attorney in Fact for
George Macomber, Trustee
GEORGE MACOMBER, TRUSTEE

STATE OF COLORADO)
 COUNTY OF SAN MIGUEL) ss

Thomas M. Pallas a notary public, hereby certify that on the 13th day of August, 1986, the above was signed by Peter A. Ricciardelli, as attorney in fact for George Macomber and W. Albert Ellis.

My Commission Expires:

Thomas M. Pallas
 Notary Public

My Commission Expires April 11, 1990

ALIAS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That George Macomber, Trustee, is also known as George B.H. Macomber, Trustee.

Dated this 13th day of August, 1986.

Peter Ricciardelli as Attorney in Fact
for George Macomber Trustee

GEORGE MACOMBER, TRUSTEE

BY PETER A. RICCIARDELLI, as Attorney in fact for George Macomber.

STATE OF COLORADO)
COUNTY OF SAN MIGUEL)

ss

Marianne McKeay, a notary public, hereby certify that on the 13th day of August, 1986, the above was signed by Peter A. Ricciardelli, as attorney in fact for George Macomber.

My commission expires:

My Commission Expires April 11, 1990

Marianne McKeay

ADDENDUM A
TO THE CONDOMINIUM DECLARATION FOR
ETTA PLACE TOO CONDOMINIUMS
SAN MIGUEL COUNTY, COLORADO

This Addendum A to the Condominium Declaration for Etta Place Too Condominiums is submitted for record pursuant to paragraph 34(d) of the Etta Place Too Condominium Declaration, filed for record on July 31, 1986 in Book 428 at pages 960-999 under Reception No. 244425, of the records of the Clerk of Recorder, San Miguel County, Colorado (the "Condominium Declaration"), which provides that supplemental provisions may be added to the Declaration by the Seller, so as to conform descriptions of actual Complex conditions.

This Addendum to the Condominium Declaration provides a legal description of that area known as "G-2", as set forth in "Exhibit D" to the Condominium Declaration.

The legal description of that real property set forth in "G-2" of the Condominium Declaration is as follows:

That part of Lot G, Backman Village Subdivision Amended Plat No. 1 according to the plat recorded in the office of the Clerk and Recorder in Plat Book 1 at page 328, Reception No. 220160 dated March 10, 1981 described as follows:

Beginning at the Northeast corner Lot G, thence N 70 degrees 14'48"W 77.69 feet; thence S 19 degrees 45'12"W 9.30 feet; thence S 70 degrees 14'48"E 12.50 feet; thence S 19 degrees 45'12"W 8.74 feet; thence S 70 degrees 14'48"E 25.40 feet; thence S 19 degrees 45'12"W 30.67 feet; thence N 59 degrees 00'00" E 62.90 feet to the point of beginning, containing 1,543.62 square feet.

IN WITNESS WHEREOF, Declarant has duly executed this Addendum this 16th day of March, 1987.

Declarant: Etta Place Too Associates Trust, a Massachusetts business trust

Pat A. Ricciardelli, as attorney in fact for
By: W. Albert Ellis, Trustee
W. Albert Ellis, Trustee

Pat A. Ricciardelli, as attorney in fact for
By: W. Albert Ellis, Trustee
George Macomber, Trustee

AMENDMENT TO THE CONDOMINIUM DECLARATION FOR
ETTA PLACE TOO CONDOMINIUMS RECORDED JULY 31,
1986 AT RECEPTION NO. 244425, BOOK 428 PAGE 960

The square footage for the following units is hereby changed as follows:

Unit 9	614.97
Unit 10	950.96

This Amendment is recorded in conjunction with the First Amendment to the Plat of Etta Place Too Condominiums which was recorded October 9, 1995 in Plat Book 1 at page 1919.

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