

RECORDED IN 10:10 A ON DEC 13 1984

BOOK 224107 JERRY L. KELLY  
CLERK AND RECORDER

CERTIFICATE OF FOURTH AMENDMENT TO THE  
DECLARATION OF GRANTS, COVENANTS, CONDITIONS, AND  
RESTRICTIONS ESTABLISHING A PLAN OF CONDOMINIUM  
OWNERSHIP OF IRON HORSE CONDOMINIUMS

KNOW ALL MEN BY THESE PRESENTS:

364 11319

RECITALS

WHEREAS, Colorado Rockies Base Area Development Company, a Colorado corporation, caused to be filed of record in the offices of the Clerk and Recorder of Grand County, Colorado on December 30, 1982, in Book 321 at Page 77, that certain DECLARATION OF GRANTS, COVENANTS, CONDITIONS, AND RESTRICTIONS ESTABLISHING A PLAN OF CONDOMINIUM OWNERSHIP OF IRON HORSE CONDOMINIUMS (the "Declaration"), which Declaration was subsequently amended by instruments recorded on January 10, 1983, in Book 322 at Page 252, on April 11, 1983, in Book 326 at Page 643, on April 5, 1984, in Book 348 at Page 310 and on April 5, 1984, in Book 348 at Page 313 in the offices of the Clerk and Recorder of Grand County, Colorado; and

WHEREAS, Article XIII of the Declaration entitled "Reformation or Amendment of Declaration," provides that any amendment to the Declaration may be evidenced by a written certificate recorded by the Secretary of Iron Horse Condominium Association, Inc. ("Association") certifying that at a meeting of the owners, duly called, owners representing an aggregate ownership interest of sixty-six and two-thirds percent (66 2/3%) and at least fifty-one percent (51%) of the holders of First Mortgages (as that term is defined in the Declaration) have given written consent to the amendment, and that copies of such written consent are in the corporate records of the Association; and

WHEREAS, at a meeting duly called, an aggregate ownership interest of sixty-six and two-thirds percent (66 2/3%) or more of the common elements and at least fifty-one percent (51%) of the holders of recorded First Mortgages covering the condominium units gave written consent to the amendments to the Declaration set forth below and instructed the Secretary of the Association to record such amendments in accordance with the Declaration, with copies of such written consent documents having been placed in the corporate records of the Association; and

WHEREAS, the Secretary is desirous of recording this Certificate, as instructed;

NOW, THEREFORE, be it hereby published and declared, that the following Amendments to the Declaration have been adopted and consented to pursuant to the terms of the Declaration:

Sections 6.2 and 25.1. Parking. Section 6.2 and 25.1 of the Declaration are hereby amended by the insertion of the following additional provision.

Nothing in Section 6.2 or Section 25.1, or in any other provision of the Declaration, shall be construed as requiring Declarant, its successors and assigns, to construct or provide covered or enclosed parking spaces.

Section 13.9 A. Leases. Section 13.9 A. of the Declaration is hereby amended in its entirety to read as follows:

A. All leases or rental agreements shall be in writing.

Section 25.2. Recreational Facility Use. Section 25.2 is deleted in its entirety.

Section 26.1. Declarant's Right to Control Initial Board. Section 26.1 of the Declaration is hereby amended in its entirety to read as follows:

Two of the initial three members of the Board of Managers, elected by the Declarant, shall serve until the earlier of the following:

- a. Four months after the date by which seventy-five percent (75%) of the units in the project, as expanded, have been conveyed by the Declarant to the initial purchasers, or
- b. Seven (7) years after the first unit in the project is conveyed by the Declarant to a purchaser.


Conflicts

In the event of any conflict or inconsistency between the terms of the Declaration, as amended, in this Fourth Amendment to the Declaration, the terms and provisions of this Fourth Amendment shall control. In all other respects, the provisions of the Declaration, as amended, shall remain in full force and effect.

Dated this 7 day of July, 1984, at Winter Park, Colorado.

IRON HORSE CONDOMINIUM ASSOCIATION, INC., a Colorado non-profit corporation,

(S E A L)

  
David Bradley, Secretary

STATE OF COLORADO

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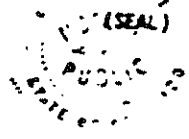
COUNTY OF GRAND

} ss.

The above and foregoing Certificate of Fourth Amendment to the Declaration of Grants, Covenants, Conditions, and Restrictions Establishing a Plan for Condominium Ownership of Iron Horse Condominiums was subscribed, acknowledged, and sworn to before me this 7 day of April, 1984, by J. Scott Bradley, as Secretary of Iron Horse Condominium Association, Inc.

Witness my hand and official seal.

My commission expires: April 7 1985



J. Scott Bradley  
Notary Public

Address 275 1st St  
Grand Junction, CO