

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

**AMENDMENT TO THE AMENDED AND RESTATED CONDOMINIUM  
DECLARATION FOR THE PLAZA AT WOOD CREEK**

THIS AMENDMENT is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**RECITALS**

A. Wood Creek Plaza Condominium Association did cause to be recorded that certain Amended and Restated Condominium Declaration for the Plaza at Wood Creek in the real property records of the County of Gunnison, State of Colorado, at Reception No. 644353, on January 12, 2017 (the "Declaration").

B. The Declaration provides for and allows for this amendment to the Condominium Declaration for The Plaza at Wood Creek Condominium Association, (the "Amendment") in Article 10, Section 10.2, which provides as follows:

10.2 Except for any amendment that by the terms of this Declaration may be and is duly executed, acknowledged and Recorded by or on behalf of the Board, an amendment to this Declaration is effective only when all of the following events occur:

(a) The amendment is reduced to a writing that is approved by affirmative vote or written consent by the Owners of Units to which at least the applicable required percentage of votes in the Association are allocated as provided for in Section 10.1.

(b) a written certificate, executed and acknowledge by the president or any other authorized officer of the Association, is attached to the written amendment which states that the amendment was approved by the applicable required percentage of Owners pursuant to Section 10.1.

(c) the approved written amendment described in Section 10.2(a) and the certificate described in Section 10.2(b) are recorded.

Article 10.1 requires the affirmative vote of sixty-seven percent (67%) of the allocated interest in the community and fifty-one percent (51%) of all eligible mortgagees to approve the amendment.

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 remove requirements of exclusive management for short term occupancies which manager must be named by the Association.

F. The undersigned, being the President and Secretary of the Association, hereby certify that sixty-seven percent (67%) of the Ownership interest and fifty-one percent (51%) of Eligible Mortgagees have consented and agreed to this Amendment. Alternatively, the Association has obtained approval for this proposed Amendment pursuant to the terms and conditions of the Colorado Common Interest Ownership Act.

G. As amended by this Amendment, the Original Declaration is referred to as the "Declaration."

NOW THEREFORE,

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

(a) **Repeal and Restatement. Article 4, Section 4.7(c) is hereby repealed in its entirety and the following Article 4.7(c) is substituted:**

4.7(c) Short Term Rentals: No-Rental Agreement. Any rental or lease of a Residential Unit for less than 90 consecutive days is expressly permitted so long as such rental is arranged for and managed by a rental management company having at a minimum the following qualifications: (i) a local representative located within a forty-five (45) minute drive of the Owner's Unit; (ii) available on-call full time (24/7) while renters are in-Unit; (iii) shall have physical access to the Unit; (iv) shall be authorized to make decisions regarding the Unit on behalf of the licensee. The Unit owner may not name the association as an authorized representative.

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

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

**THE PLAZA AT WOOD CREEK  
CONDOMINIUM ASSOCIATION**, a Colorado  
nonprofit corporation

By: \_\_\_\_\_  
President

By: \_\_\_\_\_  
Secretary

STATE OF COLORADO                    )  
  ) ss.  
COUNTY OF \_\_\_\_\_            )

The foregoing was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by \_\_\_\_\_, President of The Plaza at Wood Creek Condominium Association, a Colorado  
nonprofit corporation.

Witness my hand and official seal.  
My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

STATE OF COLORADO                    )  
  ) ss.  
COUNTY OF \_\_\_\_\_            )

The foregoing was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by \_\_\_\_\_, Secretary of The Plaza at Wood Creek Condominium Association, a Colorado  
nonprofit corporation.

Witness my hand and official seal.  
My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public