

**FIRST AMENDMENT TO THE
AMENDED AND RESTATED CONDOMINIUM DECLARATION FOR
CHILL, A CONDOMINIUM COMMUNITY
AND THE CHILL CONDOMINIUMS AS-BUILT MAP**

THIS FIRST AMENDMENT to the Amended and Restated Condominium Declaration for CHILL, a Condominium Community and The CHILL Condominiums As-Built Map (“First Amendment”) is made on the date hereinafter set forth and is effective upon recording.

RECITALS

- A. On April 17, 2019, the Condominium Declaration for CHILL, a Condominium Community (“Original Declaration”) was recorded by Unicume Colorado, LLC, a Colorado limited liability company (the “Declarant”), in the real estate records of the Clerk and Recorder of Grand County, Colorado at Reception No. 2019002929.
- B. On September 6, 2019, the Original Declaration was superseded and replaced in its entirety with the Amended and Restated Condominium Declaration for CHILL, a Condominium Community (the “Declaration”), which was recorded in the real estate records of the Clerk and Recorder of Grand County, Colorado at Reception No. 2019007113.
- C. The CHILL, a Condominium Community As-Built Condominium Map of Buildings 1 and 2 (“Map”) was recorded on April 17, 2019 in real estate records of the Clerk and Recorder of Grand County, Colorado at Reception No. 20019002919.
- D. C.R.S. § 38-33.3-212 and Section 3.12 of the Declaration permits the combination of one or more adjoining Units if requested by the applicable Unit Owners and approved by the Executive Board. Declarant is the Owner of Commercial Units 2-306 and 2-307, and Residential Unit 2-405. Declarant has determined to combine adjoining Commercial Units 2-306 and 2-307 with Residential Unit 2-405. The Executive Board has consented to such combinations of Units.
- E. The Allocated Interests for the Units will be reallocated as set forth herein to reflect the combined Units.
- F. The Declarant also desires to reallocate certain Limited Common Elements garage and parking spaces as set forth herein.
- G. The Association, Declarant and sole Mortgagee have consented to this amendment.

NOW, THEREFORE, the Declaration and Map are hereby amended as follows:

1. Commercial Units 2-306 and 2-307 shall henceforth be combined with Residential Unit 2-405, resulting in a single combined Unit to be known as Residential Unit 2-405.

2. The Map is amended by Exhibit A attached hereto and incorporated by this reference. The depiction of Units 306, 307 and 405 shown on Sheets 4 and 5 of the Map is amended to reflect that the vertical boundary between Units 306 and 307 are deleted, and the horizontal and vertical boundaries between those Units and Unit 405 is deleted, resulting in a single Unit identified as 405, with a total area equaling 3,800 square feet. Any Common Element space between the removed vertical walls between Units and 306 and 307, or horizontal and vertical boundary walls between 306 and 307 and 405, shall be become part of the Unit 405.

3. Exhibit B to the Declaration reflecting the Allocated Interests is deleted and replaced in its entirety by Exhibit B, attached hereto and incorporated by reference.

4. Exhibit C to the Declaration reflecting the allocation of Limited Common Elements is deleted and replaced in its entirety by Exhibit C, attached hereto and incorporated by reference.

5. This amendment is limited to the additional provisions as stated above. All other covenants, restrictions, and conditions contained in the Declaration remain in full force and effect unless otherwise amended by a separate amendment.

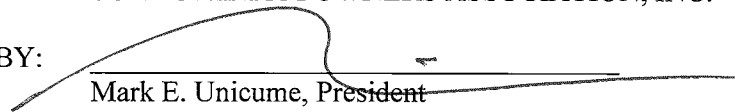
6. All capitalized terms used, but not otherwise defined herein, shall have the same meanings given to them in the Declaration.

7. All challenges to the validity of this amendment must be made within one (1) year after the date of recording of this document. The covenants and restrictions of the Declaration shall run with and bind the property in perpetuity.

IN WITNESS WHEREOF, this First Amendment is executed by the undersigned, who have provided their written consent to this First Amendment.

ASSOCIATION:
CHILL CONDOMINIUM OWNERS ASSOCIATION, INC.

BY:


Mark E. Unicum, President

STATE OF COLORADO)

) ss.

COUNTY OF GRAND)

The foregoing First Amendment to Amended and Restated Condominium Declaration was acknowledged before me this 24th day of October 2019, by Mark E. Unicum, as President of CHILL Condominium Owners Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.

MORTGAGEE'S CONSENT:

The undersigned, being an authorized representative of Washington Trust Bank, the holder of a beneficial interest in and to the property described on this plat, under deeds of trust recorded June 7, 2017 at reception number 2017-004316 and August 8, 2017 at reception number 2017-006274 of the Grand County, Colorado real property records, hereby consents to this First Amendment to the Amended and Restated Declaration and agrees that the liens of the deeds of trust are hereby subordinate hereto.

WASHINGTON TRUST BANK
717 WEST SPRAGUE AVENUE
SPOKANE, WA 99201

By: *Brad Stevens*
Name: *Brad Stevens*
Title: *Vice President*

STATE OF WASHINGTON

COUNTY OF *Spokane*

This document acknowledged before me this *24th* day of *October* 2019 by *Bradley R. Stevens as Vice President* of Washington Trust Bank.

Witness my hand and official seal:

My commission expires: *9-2-21*

(Seal)

Jane M. Carrothers
Notary Public

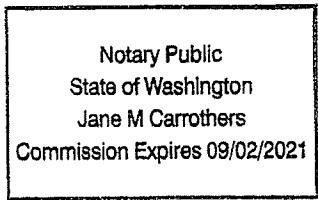
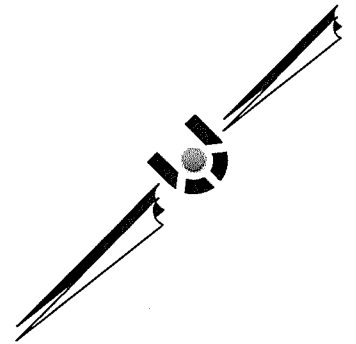
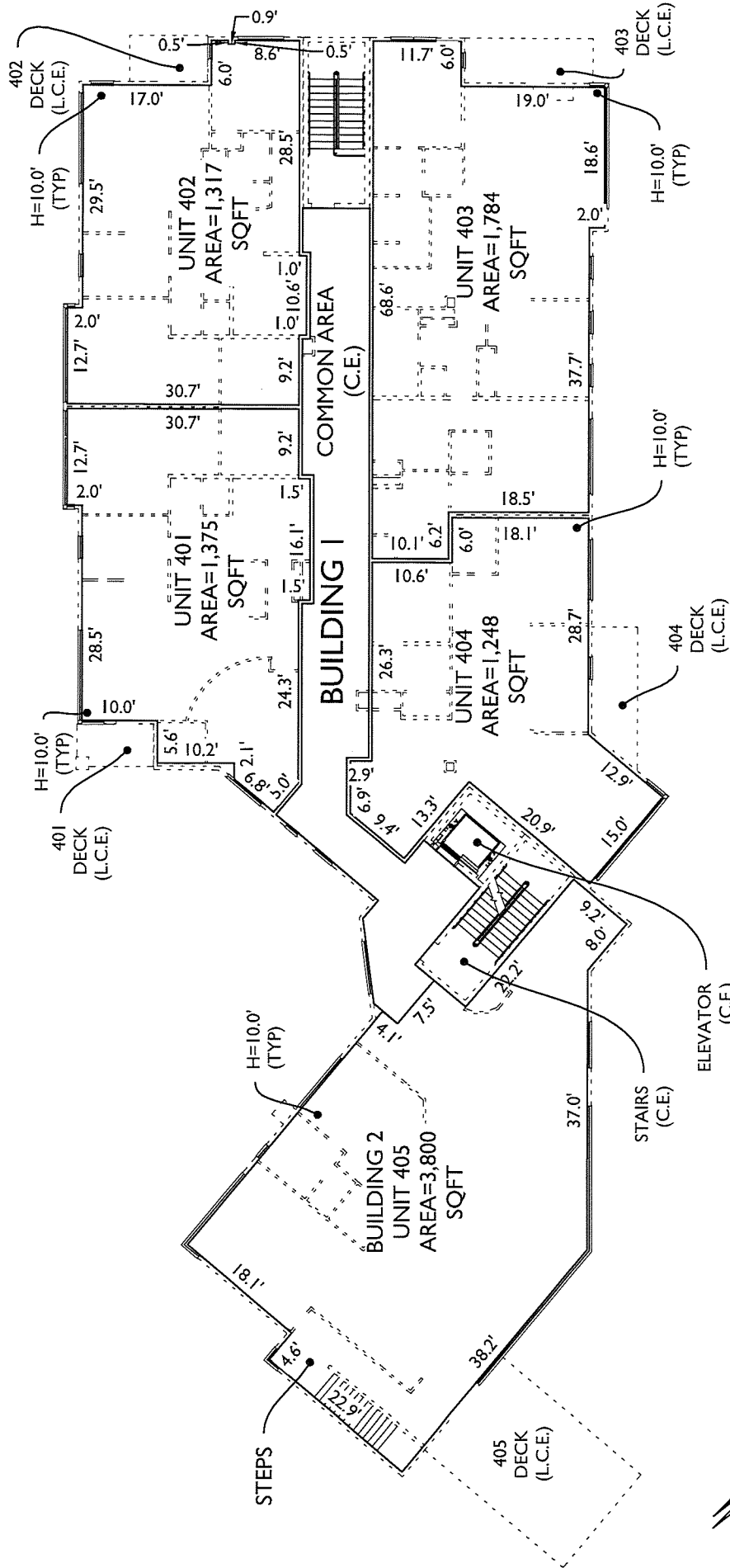


EXHIBIT A
SUPPLEMENTAL MAP AMENDMENTS

EXHIBIT A FOURTH FLOOR



N.T.S.



**CORE
CONSULTANTS**

CIVIL ENGINEERING
DEVELOPMENT CONSULTING
NATURAL RESOURCES
LAND SURVEYING

303.703.4444
1950 W. Littleton Blvd., Ste. 109
Littleton, CO 80120

EXHIBIT B
DESIGNATION OF UNITS,
ALLOCATION OF PERCENTAGE INTEREST IN THE COMMON ELEMENTS
AND ALLOCATION OF ASSESSMENTS *

RESIDENTIAL UNITS				COMMERCIAL UNITS	
Unit	% Interest	Unit	% Interest	Unit	% Interest
1-101	4.288%	1-301	4.288%	2-105	2.222%
1-102	4.160%	1-302	4.160%	2-106	2.470%
1-103	5.100%	1-303	5.185%	2-107	2.490%
1-104	3.732%	1-304	4.009%	2-205	2.817%
1-201	4.288%	1-401	4.288%	2-206	2.297%
1-202	4.160%	1-402	4.160%	2-207	2.523%
1-203	5.185%	1-403	5.185%	2-305	2.828%
1-204	4.009%	1-404	4.009%		
		2-405	12.148%		

* The Allocation of Percentage Interest in the Common Elements and Allocation of Assessments is based on a formula and is not representative of the actual percentage the Unit area bears to the total Project area. The Allocation of Percentage Interest in the Common Elements and Allocation of Assessments is based on a given Unit divided by the total number of all the Units in the Project multiplied by 33% plus the area of a given Unit, as shown on the As Built Condominium Map, divided by total area of all the Units in the Project as shown on the As Built Condominium Map multiplied by 67%, except that (1) the allocation for Unit 2-405 is based on percentages allocated before the combination of Units 306 and 307 with Unit 405 is based on percentages allocated before the combination of Units 306 and 307 with Unit 405. An example of the calculation for Unit 1-101 is 1 Unit divided by 26 Units multiplied by .33 (or 1.269%) plus 1,375 Unit area divided by 30,522 Total Project area multiplied by .67 (or 3.018%) for a total weighted allocation rounded to 4.288%. As used herein the Area of any item is measured and expressed in square feet.

EXHIBIT C

ALLOCATION OF LIMITED COMMON ELEMENTS								
RESIDENTIAL UNITS						COMMERCIAL UNITS		
Unit	Garage # LCE	Uncovered Parking # LCE	Unit	Garage # LCE	Uncovered Parking # LCE	Unit	Garage # LCE	Uncovered Parking # LCE
1-101	G12		1-301	G6		2-105		S6
1-102	G11		1-302	G7		2-106		S5
1-103	G2	S7	1-303	G1	S8	2-107		S4
1-104	G10		1-304	G8		2-205	G13	
1-201	G16		1-401	G3		2-206		S3
1-202	G15		1-402	G4		2-207		S2
1-203	G23,G24		1-403	G21,G22		2-305	G9	
1-204	G14		1-404	G5				
			2-405	G17, G18, G19, G20	S1			

Declarant reserves the right to assign additional Garage or Uncovered parking spaces as LCEs and to revise and reassign same so long as Declarant is the owner of any Unit involved. Any action taken pursuant to this reservation will be documented by an amendment, as set forth in §11.2 hereinabove.