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JEFFERSON COUNTY, Colorado

**THIRD AMENDMENT  
TO THE  
CONDOMINIUM DECLARATION  
FOR  
FOREST PARK ESTATES**

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THIS AMENDMENT is made this 4 day of August, 2018.

**RECITALS**

A. Michael Capra ("Declarant") prepared and recorded the Condominium Declaration for Forest Park Estates in the records of the office of the Clerk and Recorder of Jefferson County, Colorado on August 31, 1978 at Reception No. 78080087, which was revised by the Amendment to Condominium Declaration For Forest Park Estates recorded with the Jefferson County Clerk and Recorder's office on November 10, 1997 at Reception No. F0506300 (collectively, "Original Declaration");

B. The Original Declaration provides for and allows for this Amendment in Section 19, which provides in pertinent part as follows:

This Declaration shall not be amended unless the Owners representing an aggregate ownership of at least seventy-five percent 75% of the common elements and at least seventy-five percent (75%) of the holders of recorded first mortgagees or deeds of trust consent and agree to such amendment . . . provided, however, that the undivided interests in the common elements appurtenant to each Unit. . . shall have a permanent character and shall not be altered without the consent of all the Unit Owners and all of the first mortgagees. . . Further provided that the provisions of Section 38 of this Declaration shall not be amended or modified without the written consent of the Owners of Unit 15.

C. Pursuant to C.R.S. §38-33.3-217, the owner approval requirement is automatically lowered to owners representing 67% of the common elements;

D. This Amendment has been prepared and determined by the Association and by the Owners who have approved this Amendment to be reasonable and not burdensome;

E. The purpose of this Amendment is to clarify and updated responsibilities of Unit 15; and

F. The undersigned, being the President and Secretary of the Association, hereby certify that Owners representing at least 67% of the common elements of the Association and the owner of Unit 15 have consented and agreed to this Amendment.

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Alternatively, the Association has obtained approval of this Amendment pursuant to the terms and conditions of the Colorado Common Interest Ownership Act.

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NOW THEREFORE,

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

(a) **Repeal and Restatement.** Section 38 is hereby repealed in its entirety and the following Section 38 is substituted:

**38. Special Provisions Applicable to Unit 15.**

- a) Notwithstanding any other provisions in this Declaration, Unit 15 is the sole condominium Unit within Building 3 of the Project. Owner of Unit 15 shall be solely responsible for all maintenance, repair, replacements, improvements, and insurance of Unit 15, Building 3, and associated Limited Common Elements (including but not limited to: carport, garage, concrete patio, and deck). The only obligation the Association has pertaining to Unit 15 is to perform landscaping maintenance, snow removal, and provide trash service. All other services, maintenance, repairs, and improvements to Unit 15 and Building 3 shall be the sole responsibility of the Unit 15 Owner.
- b) In the event the Association levies a special assessment for any maintenance or repairs associated with either Building 1 or Building 2, Unit 15 shall not be obligated to pay such assessment. This notwithstanding, Unit 15 shall continue to be liable for paying the special assessment approved and imposed in 2016 until paid in full in 2023.
- c) For the purposes of leasing, Unit 15 is deemed to contain two distinct living spaces and the Owner of Unit 15 shall be entitled to lease the living space not occupied by the Owner.
- d) Owner of Unit 15 shall be obligated to pay Association assessments equal to 27% of the regular assessment rate.

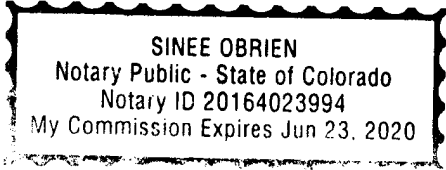
II. No Other Amendments. Except as amended by the terms of this Amendment and previous Amendments, the Declaration shall remain in full force and effect.

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

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**FOREST PARK ESTATES CONDOMINIUM ASSOCIATION, INC.**, a Colorado nonprofit corporation



By: [Signature]  
President

By: [Signature]  
Secretary

STATE OF COLORADO )  
COUNTY OF Jefferson ) ss.

The foregoing was acknowledged before me this 4 day of August, 2018, by Shane Coffey, as President, and Sarah A Cauby, as Secretary of Forest Park Estates Condominium Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.  
My commission expires: Jun 23, 2020.

[Signature]  
Notary Public

