SCOTT DOYLE, RECORDER, LARIMER COUNTY CO
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SECOND AMENDMENT TO CONDOMINIUM DECLARATION FOR SUMMIT COMMERCIAL CENTER CONDOMINIUMS

(a Common Interest Community)

WHEREAS, the Declarant filed the Condominium Declaration for Summit Commercial Center Condominiums on March 6, 2000, under Reception No. 2000014706 of the Larimer County Records (the "Declarant") and a First Amendment thereto on March 23, 2000, under Reception No. 2000018976 of the Larimer County Records (collectively, the Declaration);

WHEREAS, the said Declaration can be amended in accordance with Section 3 of Article XIV by Unit Owners owning two-thirds (2/3) of the Units; and

WHEREAS, two-thirds (2/3) of the Unit Owner of all Units described in the Declaration have joined in and executed this Second Amendment;

NOW, THEREFORE, the Declaration is amended as follows:

1. Section 7 of Article III of the Declaration is amended to read in its entirety as follows:

"Section 7: Division of Property into Condominium Units. The Real Estate, including the improvements thereon, shall be divided into twenty (20) fee simple estate Units consisting of twenty (20) office-warehouse Units to be constructed upon Building B. In addition, a second Building to be known as "Building A" (Accessory) to be constructed by Declarant after the removal of the Existing Building A (the Existing House) may be added to the Common Interest Community by the Declarant executing and filing a Supplement to this Map and this Declaration adding such Unit. Each Unit shall consist of a separately designated Unit and an undivided interest in and to the Common Elements appurtenant to such Unit. The undivided interest in the Common Elements appurtenant to each Unit for the initial twenty (20) Units to be located within Building B constructed upon the Real Estate are as set forth on **Exhibit "B"** attached hereto and incorporated herein by reference. Declarant expressly reserves the right to add Building A as an additional Unit or to convert such Unit into Common Elements into such Unit. If Building A (Accessory) is added, it shall have a design, exterior materials and elevation generally consistent with the existing Units, and shall be allocated a proportionate share of Common Elements and applicable assessments. Further, such Unit may be used as an accessory Unit to any other existing condominium Units pursuant to a designation on the Supplemental Plat."

2. Section 11 of Article III is amended to read in its entirety as follows:

CLERKS NOTE: LEGIBILITY OF WRITING, TYPING OR PRINTING UNSATISFACTORY IN PORTIONS OF THIS DOCUMENT WHEN RECEIVED

AFTER RECORDING, PLEASE RETURN TO:
THE OSBORN LAW FIRM, LLC
217 West Olive
P.O. Box 2003
Fort Collins, CO 80522

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"Section 1: Description of Condominium Unit. After the Condominium Map and this Declaration have been recorded in the Office of the County Clerk and Recorder of Larimer County, Colorado, every contract, deed, lease, Security Interest, trust deed, will or other instrument may legally describe a Condominium Unit as follows:

> Condominium Unit _____, Building B, SUMMIT COMMERCIAL CENTER CONDOMINIUMS, in accordance with the Condominium Map of Summit Commercial Center Condominiums recorded on _____, 2000, at Reception No. _____ and subject to the Condominium Declaration for Summit Commercial Center Condominiums recorded on _____, _____, at Reception No. _____ of the Larimer County, Colorado records.

After and if Building A (Accessory) is added, the foregoing reference may include Building A (Accessory) in lieu of Building B, when applicable. Every such description shall be good and sufficient for all purposes to sell, convey, transfer, encumber, or otherwise affect not only the Unit, but also the undivided interest in the Common Elements appurtenant to said Unit and all other appurtenant properties and property rights, and incorporate all of the rights and burdens incident to ownership of a Condominium Unit and all of the limitations thereon as described in this Declaration and the Condominium Map. Each such description shall be construed to include a non-exclusive easement for use of all of the Limited Common Elements appurtenant to said Unit as well as all the General Common Elements. The reference to the Condominium Map and Declaration in any instrument shall be deemed to include any amendment to the Condominium Map or Declaration, without specific reference(s) thereto."

3. Section 14.1.1 of Article XIV is amended by adding an additional subparagraph which reads as follows:

"Insurance coverage on the furnishings, inventory, equipment, and other items of personal property belonging to an Owner, casualty and public liability insurance coverage for each Unit and the Limited Common Elements associated therewith and workman's compensation insurance covering work within each Unit or on the Limited Common Elements associated therewith shall be the responsibility of the Owner of the Unit."

4. To Article XIII shall be added Section 6 which reads in its entirety as follows:

"Section 6. Unit Owner Liability. If damage occurs to owner's Unit or to the other Units as a result of causes or events occurring within or from a Unit, and such loss/damages to such Unit or Units are not covered by insurance or, if covered by insurance, a deductible has to

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be paid, the owner of the Unit where the cause or event leading to such damages or loss is responsible for the loss, damages, and/or payment of any deductible relating to such loss or damage."

5. For purposes of this Amendment, there may be any number of counterparts, each of which shall be deemed as originals. Facsimile signatures, for purposes of this Amendment, shall be deemed as original signatures.

Dated this 7th day of July, 2003.

SUMMIT COMMERCIAL CENTER
CONDOMINIUMS, LLC
a Colorado Limited Liability Company

By: Carl L Brunswig
Carl Brunswig, Manager

By: Julie Brunswig
Julie Brunswig, Manager

STATE OF COLORADO,)
) ss.
COUNTY OF LARIMER,)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 7th day of July, 2003, by Carl Brunswig and Julie Brunswig as Managers of Summit Commercial Center Condominiums, LLC.

WITNESS my hand and official seal.

My commission expires: 6/14/07.

Patricia A. Shaffer
Notary Public

PATRICIA A. SHAFFER
NOTARY
PUBLIC
STATE OF COLORADO

OWNER OF UNITS 1 AND 4: MASTER METAL WORKS, LLC

By: Monica Stains

STATE OF COLORADO,)
) ss.
COUNTY OF LARIMER,)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 13th day of ~~July~~ Nov 2003, by Monica Stains, as MANAGER of Master Metal Works, LLC.

WITNESS my hand and official seal.

My commission expires: _____.

Melissa A. Grimm
Notary Public

MELISSA A. GRIMM NOTARY PUBLIC STATE OF COLORADO

My Commission Expires 10/26/2005

OWNER OF UNIT 2: T E B ENTERPRISES, INC.

By: Thomas E Brennen
President

STATE OF COLORADO,)
) ss.
COUNTY OF LARIMER,)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 8 day of ~~July~~ OCTOBER 2003, by THOMAS E. BRENNEN, as PRESIDENT of T E B Enterprises, Inc.

WITNESS my hand and official seal.

My commission expires: JUNE 12, 2006.

Vicki Freedman
Notary Public

OFFICIAL SEAL
VICKI FREEDMAN
NOTARY PUBLIC - State of Arizona
YAVAPAI COUNTY
My Comm. Expires June 12, 2006

OWNER OF UNITS 3 AND 20:

Eddie Mill

Eddie Mill

STATE OF COLORADO,)
) ss.
COUNTY OF LARIMER,)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 14th day of ~~July~~ OCT, 2003, by Eddie Mill.

WITNESS my hand and official seal.

My commission expires: 01-13-04.

Tracy Spelman

Notary Public

OWNER OF UNIT 5 Lynette G Stanton

By: _____

STATE OF COLORADO,)
) ss.
COUNTY OF LARIMER,)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 10th day of Nov 2003, by Lynette G. Stanton, as _____ of _____

WITNESS my hand and official seal.

My commission expires: 6/24/05.

MARY E. SABAS
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 6/24/05

Notary Public

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OWNER OF UNIT #6 :

By:

STATE OF COLORADO,)
) ss.
COUNTY OF LARIMER,)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 17th day of October 2003, by R. R. Thomas Gordon, as NA of NA

WITNESS my hand and official seal.

My commission expires: 12/27/06.

Notary Public

CARLA A. SENTER
NOTARY PUBLIC
STATE OF COLORADO

My Commission Expires 12-27-06

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OWNERS OF UNIT 7:

Robert E. Ross

Robert E. Ross

Cheryl A. Ross

Cheryl A. Ross

STATE OF COLORADO,)
) ss.
COUNTY OF LARIMER,)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 31st day of July, 2003, by Robert E. Ross and Cheryl A. Ross.

WITNESS my hand and official seal.

My commission expires: 06/26/04.

Pamela D. Clarke

Notary Public

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OWNER OF UNITS 9 AND 14:

David B. George

STATE OF COLORADO,)
) ss.
COUNTY OF LARIMER,)

NOTARY PUBLIC
BRANDON J. TOMPKINS
STATE OF COLORADO

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 22 day of ~~July~~ September, 2003, by David B. George.

WITNESS my hand and official seal.

My commission expires: 5/6/07.

Notary Public

OWNER OF UNIT 13:

Gary D. Hale

STATE OF COLORADO,)
) ss.
COUNTY OF LARIMER,)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 12th day of ~~July~~ August, 2003, by Gary D. Hale.

WITNESS my hand and official seal.

My commission expires: 6/26/2006.

NOTARY PUBLIC
DEBBIE L. RICE
STATE OF COLORADO

Notary Public

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OWNER OF UNIT 15: BMW JOINT VENTURE, LLP

By: Marla W. Larned, Partner

STATE OF COLORADO,)
) ss.
COUNTY OF LARIMER,)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 31 day of July, 2003, by Marla W. Larned, as Partner of BMW Joint Venture, LLP.

WITNESS my hand and official seal.

My commission expires: My Commission Expires 10/14/2003

Notary Public

17/13

OWNER OF UNITS 17 AND 19: KEITHA R. VESTERMARK TRUST

By: Keitha R Vestermark, Trustee

STATE OF COLORADO,)
) ss.
COUNTY OF LARIMER,)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 9th day of ~~July~~ October, 2003, by Keitha R. Vestermark, as trustee of the Keitha R. Vestermark Trust.

WITNESS my hand and official seal.

My commission expires: October 1, 2004.

HOLLY C. REID NOTARY PUBLIC STATE OF COLORADO

Holly C. Reid
Notary Public