

**FOURTH AMENDMENT TO  
CONDOMINIUM DECLARATION FOR  
MIDLAND CENTER LOT 2 CONDOMINIUMS**

THIS FOURTH AMENDMENT TO CONDOMINIUM DECLARATION FOR MIDLAND CENTER LOT 2 CONDOMINIUMS (this “**Amendment**”) is made this 13<sup>th</sup> day of July, 2018 (the “**Effective Date**”), by MIDLAND CENTER LOT 2 CONDOMINIUM ASSOCIATION INC., a Colorado nonprofit corporation (the “**Association**”).

**Recitals**

A. The Association is the “Association” pursuant to that certain Condominium Declaration for Midland Center Lot 2 Condominiums recorded on March 7, 2011, at Reception No. 799749 in the real property records of Garfield County, Colorado (the “**Original Declaration**”), as amended by that certain First Amendment to Condominium Declaration for Midland Center Lot 2 Condominiums recorded on September 15, 2014, at Reception No. 853575 in the real property records of Garfield County, Colorado (the “**First Amendment**”), as amended by that certain Second Amendment to Condominium Declaration for Midland Center Lot 2 Condominiums recorded on August 21, 2017, at Reception No. 896394 in the real property records of Garfield County, Colorado (the “**Second Amendment**”), as amended by that certain Third Amendment to Condominium Declaration for Midland Center Lot 2 Condominiums recorded on September 14, 2017, at Reception No. 897315 in the real property records of Garfield County, Colorado (the “**Third Amendment**,” and collectively with the Original Declaration, the First Amendment and the Second Amendment, the “**Declaration**”). All capitalized terms used, but not defined, herein have the meanings assigned to them in the Declaration.

B. Pursuant to Article 15.2 of the Declaration, the Declaration may be amended by Owners holding not less than 67% of the votes possible to be cast under the Declaration at a meeting called for that purpose.

C. The following Owners (collectively, “**Consenting Owners**”) have each consented to this Amendment:

(1) Tailwaters Properties Limited, a Colorado limited liability company, as the Owner of Unit Nos. 1 and 9;

(2) Urnise Real Estate LLC, a Colorado limited liability company, as the Owner of Unit No. 2;

(3) CBE Enterprises, LLC, a Colorado limited liability company, as the Owner of Unit No. 3;

(4) Midland 8, LLC, a Colorado limited liability company, as the Owner of Unit Nos. 4-8, inclusive;

(5) RMG Midland, LLC, a Colorado limited liability company, as the Owner of Unit Nos. 10, 12 and 13; and

(6) Midland Center #14, LLC, a Colorado limited liability company, as the Owner of Unit No. 14

D. To the extent required pursuant to Section 16.3(a)(iv) of the Declaration, the required percentage of First Mortgagees have consented, or been deemed to consent to this Amendment.

E. The Association now desires to amend the Declaration as more particularly set forth below.

### Amendment

NOW, THEREFORE, the Declaration is amended as set forth below.

1. Reserved Parking Spaces. The parking spaces designated on the parking plan attached to this Amendment as Exhibit E, and hereby incorporated into the Declaration as a new Exhibit E, are hereby designated as Limited Common Elements as follows (collectively, the “**Reserved Parking Spaces**”):

(a) The single parking space designated as a Limited Common Element for the benefit of Condominium Unit 8;

(b) The two parking spaces designated as Limited Common Elements for the benefit of Condominium Unit 9;

(c) The five parking spaces designated as Limited Common Elements for the benefit of Condominium Unit 10;

(d) The two parking spaces designated as Limited Common Elements for the benefit of Condominium Unit 13; and

(e) The three parking spaces designated as Limited Common Elements for the benefit of Condominium Unit 14.

This allocation of the Reserved Parking Spaces as Limited Common Elements shall be subject to the amendment provisions of Article 15.2 of the Declaration.

2. No Further Amendments; Conflicts. Except as set forth above, the Declaration remains unchanged and in full force and effect in accordance with its terms. In the event of any conflict between this Amendment and the Declaration, this Amendment shall control.

*(signature pages follow)*

IN WITNESS WHEREOF, the Association has executed this Amendment, as of the day and year first above written.

Midland Center Lot 2 Condominium Association Inc., a Colorado nonprofit corporation

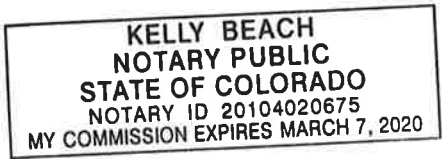
By: Bob Mattucci  
Name: Bob Mattucci  
Title: President

STATE OF Colorado )  
 )ss.  
COUNTY OF Denver )

The foregoing instrument was acknowledged before me this 13 day of July, 2018, by Bob Mattucci, as President of Midland Center Lot 2 Condominium Association Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: 3-7-20



Kelly Beach  
Notary Public

**CERTIFICATION TO FOURTH AMENDMENT TO  
CONDOMINIUM DECLARATION FOR  
MIDLAND CENTER LOT 2 CONDOMINIUMS**

The undersigned, being the Secretary of the Association, hereby certifies on behalf of the Association as follows:

- A. As required by Section 15.2 of the Declaration, Owners to whom at least 67% of the votes possible to be cast under the Declaration and Owner of any Unit(s) affected by such amendment voted in favor of this Amendment at a meeting called for that purpose and held on June 20, 2018.
  
- B. As required by Section 16.3 of the Declaration, 51% of the First Mortgagees have either approved this Amendment, or have been deemed to approve this Amendment in accordance with Section 16.2 of the Declaration.
  
- C. As required by Section 15.6 of the Declaration, the foregoing constitutes evidence of the required approval of the Amendment, and a copy of this Amendment, once recorded, shall be kept in the corporate records of the Association and available for inspection.

IN WITNESS WHEREOF, the undersigned has executed this Certification on behalf of the Association on this 17 day of July, 2018.

Midland Center Lot 2 Condominium Association  
Inc., a Colorado nonprofit corporation

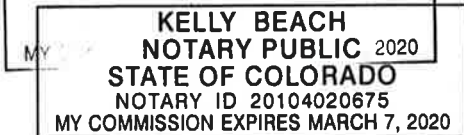
By: [Signature]  
Name: John A. Fox  
Title: Secretary

STATE OF COLORADO )  
) ss.  
COUNTY Denver )

The foregoing Certification was acknowledged before me this 17 day of July, 2018, by John A. Fox, as Secretary of Midland Center Lot 2 Condominium Association Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: 3-7-20



[Signature]  
Notary Public

**EXHIBIT E  
RESERVED PARKING SPACES**

**SHEET INDEX**

- SHEET 1 COVER SHEET
- SHEET 2 UPPER LEVEL FLOOR PLANS
- SHEET 3 LOWER LEVEL FLOOR PLANS
- SHEET 4 SECTION PLANS

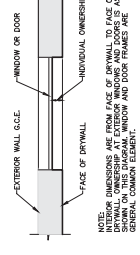
**GRAPHIC SCALE**



**LEGEND**

- ☉ POWER POLE
- ⊕ ELECTRIC MANHOLE
- ⚡ ELECTRIC FREESTAL
- ⊙ LIGHT POLE
- ⊖ FIRE HYDRANT
- ⊖ WATER VALVE BOX
- ⊖ IRRIGATION WALK
- ⊖ IRRIGATION CONTROL BOX
- ⊖ CLEAN OUT
- PVC RISER
- ⊖ HANDICAP PARKING
- ⊖ CURB INLET
- ⊖ MANHOLE
- ⊖ FENCE
- OVERHEAD POWER LINE

CURVE	CURVE DATA			
	RADIUS	DELTA	TANGENT	CHORD BEARING
C1	500.00'	22.023°	84.98'	57.1331° W
C2	750.00'	20.909°	74.99'	58.6337° W



NOTE: INDICATORS FOR FACE OF EXTERIOR WALL, FACE OF DRYWALL, OWNERSHIP AT EXTERIOR WINDOW AND DOOR IS AS GENERAL OWNERSHIP.

**TYPICAL EXTERIOR WINDOW AND DOOR DETAIL**

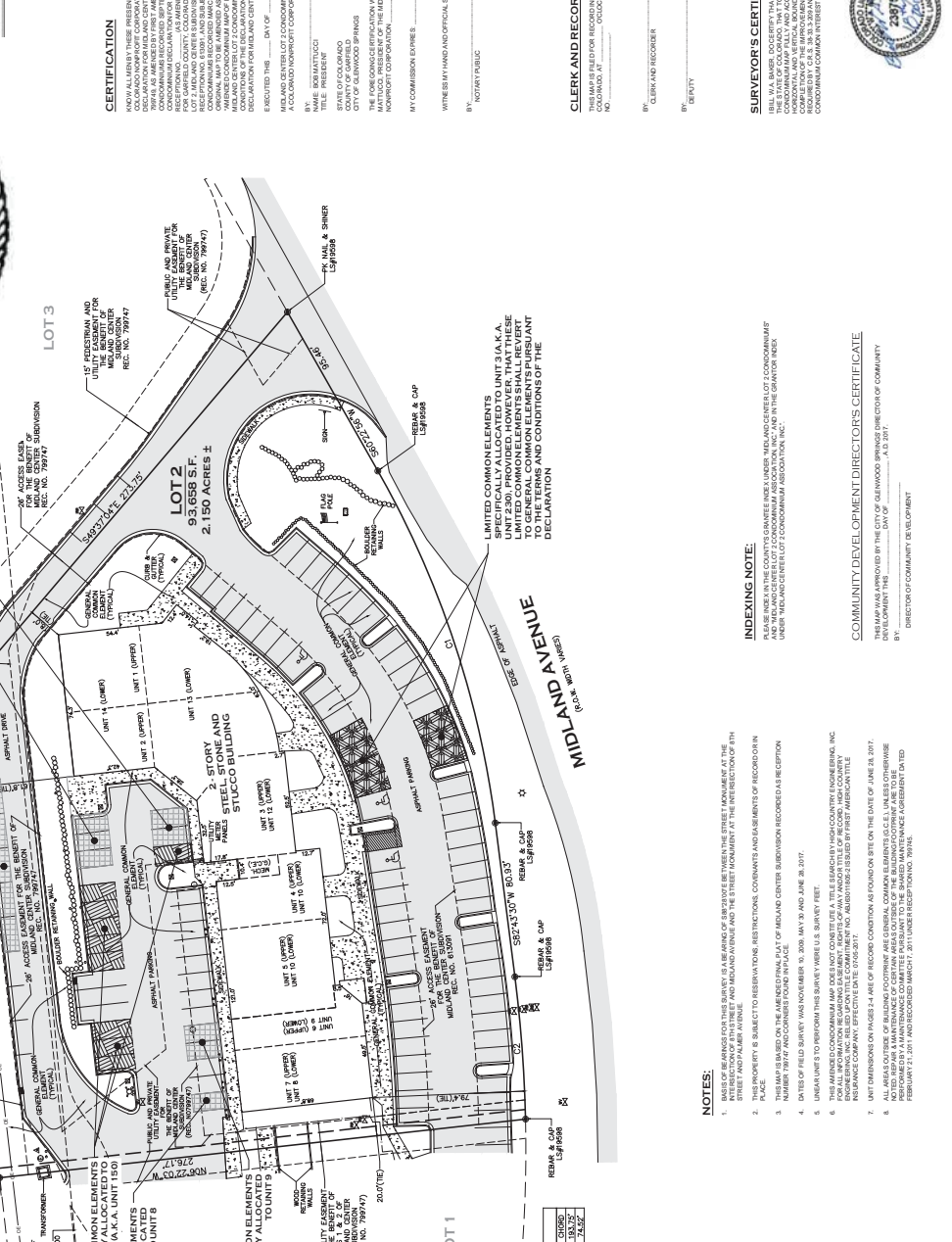
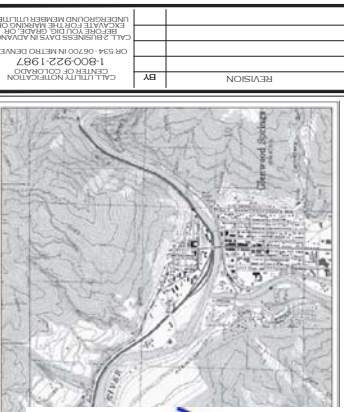
ALL CONSTRUCTION IS SHOWN ON THIS SET UNDER THE SUPERVISION OF THE ARCHITECT. NO PART OF THIS SET IS TO BE CONSIDERED A CONTRACT DOCUMENT UNLESS IT IS PART OF A CONTRACT DOCUMENT. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THIS SET AND TO THE EXTENT OF THE ARCHITECT'S PROFESSIONAL LIABILITY INSURANCE POLICY.

# MIDLAND CENTER LOT 2 CONDOMINIUM

AMENDED CONDOMINIUM MAP OF  
THE MIDLAND CENTER LOT 2 CONDOMINIUMS ACCORDING TO THE CONDO RECORD MARCH 7, 2011 UNDER RECEPTION NO. 799750 AND AS DEFINED IN THE CONDOMINIUM DECLARATION FOR MIDLAND CENTER LOT 2 CONDO RECORD MARCH 7, 2011 UNDER RECEPTION NO. 799749, AS AMENDED, COUNTY OF GARFIELD, STATE OF COLORADO.



**VICINITY MAP**



**NOTES:**

1. THIS MAP IS SUBMITTED FOR RECORD AND REVISIONS TO THIS MAP SHALL BE MADE BY THE ARCHITECT AND THE COUNTY ENGINEER. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THIS SET.
2. THIS MAP IS BASED ON THE AMENDED FINAL PLAT OF MIDLAND CENTER SUBDIVISION RECORDED AS RECEIPTION NO. 799749 AND AMENDED RECEIPTION NO. 799750.
3. THIS MAP IS BASED ON THE AMENDED FINAL PLAT OF MIDLAND CENTER SUBDIVISION RECORDED AS RECEIPTION NO. 799749 AND AMENDED RECEIPTION NO. 799750.
4. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE IN FEET.
5. FOR ALL INFORMATION REGARDING EXISTING RIGHTS OF WAY AND/OR TITLE OF RECORD, HIGH COUNTRY SURVEY COMPANY, EFFECTIVE DATE 10/16/2011. NO ADDITIONS TO THIS SURVEY SHALL BE MADE WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT AND HIGH COUNTRY SURVEY COMPANY.
6. ALL AREAS OUTSIDE OF BUILDING FOOTPRINT ARE GENERAL COMMON ELEMENTS OF LOT 2 UNLESS OTHERWISE NOTED.
7. THIS MAP IS BASED ON THE AMENDED FINAL PLAT OF MIDLAND CENTER SUBDIVISION RECORDED AS RECEIPTION NO. 799749 AND AMENDED RECEIPTION NO. 799750.

**INDEXING NOTE:**

PLEASE NOTE IN THE COUNTY ENGINEER'S FILE UNDER 'MIDLAND CENTER LOT 2 CONDOMINIUM' AND 'MIDLAND CENTER LOT 2 CONDOMINIUM ASSOCIATION, INC.' FOR THE GRANITOR INDEX UNDER 'MIDLAND CENTER LOT 2 CONDOMINIUM ASSOCIATION, INC.'

**DECLARATION**

I, THE COUNTY ENGINEER, HEREBY CERTIFY THAT THIS CONDOMINIUM MAP COMPLIES WITH THE REQUIREMENTS OF THE CONDOMINIUM ACT, C.R.S. 557.05, 557.06, 557.07, 557.08, 557.09, 557.10, 557.11, 557.12, 557.13, 557.14, 557.15, 557.16, 557.17, 557.18, 557.19, 557.20, 557.21, 557.22, 557.23, 557.24, 557.25, 557.26, 557.27, 557.28, 557.29, 557.30, 557.31, 557.32, 557.33, 557.34, 557.35, 557.36, 557.37, 557.38, 557.39, 557.40, 557.41, 557.42, 557.43, 557.44, 557.45, 557.46, 557.47, 557.48, 557.49, 557.50, 557.51, 557.52, 557.53, 557.54, 557.55, 557.56, 557.57, 557.58, 557.59, 557.60, 557.61, 557.62, 557.63, 557.64, 557.65, 557.66, 557.67, 557.68, 557.69, 557.70, 557.71, 557.72, 557.73, 557.74, 557.75, 557.76, 557.77, 557.78, 557.79, 557.80, 557.81, 557.82, 557.83, 557.84, 557.85, 557.86, 557.87, 557.88, 557.89, 557.90, 557.91, 557.92, 557.93, 557.94, 557.95, 557.96, 557.97, 557.98, 557.99, 558.00.

**CLERK AND RECORDER'S CERTIFICATE**

THIS MAP IS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF GARFIELD COUNTY, COLORADO, AT \_\_\_\_\_ M., ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011 AS RECEIVED BY \_\_\_\_\_

BY: \_\_\_\_\_ CLERK AND RECORDER

DEPUTY: \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

I, THE SURVEYOR, HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR AND THAT I AM THE ARCHITECT'S AUTHORIZED REPRESENTATIVE FOR THE PREPARATION AND SUBMISSION OF THIS CONDOMINIUM MAP. I HAVE REVIEWED THE MAP AND AM Satisfied THAT IT COMPLIES WITH THE REQUIREMENTS OF THE CONDOMINIUM ACT, C.R.S. 557.05, 557.06, 557.07, 557.08, 557.09, 557.10, 557.11, 557.12, 557.13, 557.14, 557.15, 557.16, 557.17, 557.18, 557.19, 557.20, 557.21, 557.22, 557.23, 557.24, 557.25, 557.26, 557.27, 557.28, 557.29, 557.30, 557.31, 557.32, 557.33, 557.34, 557.35, 557.36, 557.37, 557.38, 557.39, 557.40, 557.41, 557.42, 557.43, 557.44, 557.45, 557.46, 557.47, 557.48, 557.49, 557.50, 557.51, 557.52, 557.53, 557.54, 557.55, 557.56, 557.57, 557.58, 557.59, 557.60, 557.61, 557.62, 557.63, 557.64, 557.65, 557.66, 557.67, 557.68, 557.69, 557.70, 557.71, 557.72, 557.73, 557.74, 557.75, 557.76, 557.77, 557.78, 557.79, 557.80, 557.81, 557.82, 557.83, 557.84, 557.85, 557.86, 557.87, 557.88, 557.89, 557.90, 557.91, 557.92, 557.93, 557.94, 557.95, 557.96, 557.97, 557.98, 557.99, 558.00.

**CERTIFICATION**

I, \_\_\_\_\_ SURVEYOR, HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR AND THAT I AM THE ARCHITECT'S AUTHORIZED REPRESENTATIVE FOR THE PREPARATION AND SUBMISSION OF THIS CONDOMINIUM MAP. I HAVE REVIEWED THE MAP AND AM Satisfied THAT IT COMPLIES WITH THE REQUIREMENTS OF THE CONDOMINIUM ACT, C.R.S. 557.05, 557.06, 557.07, 557.08, 557.09, 557.10, 557.11, 557.12, 557.13, 557.14, 557.15, 557.16, 557.17, 557.18, 557.19, 557.20, 557.21, 557.22, 557.23, 557.24, 557.25, 557.26, 557.27, 557.28, 557.29, 557.30, 557.31, 557.32, 557.33, 557.34, 557.35, 557.36, 557.37, 557.38, 557.39, 557.40, 557.41, 557.42, 557.43, 557.44, 557.45, 557.46, 557.47, 557.48, 557.49, 557.50, 557.51, 557.52, 557.53, 557.54, 557.55, 557.56, 557.57, 557.58, 557.59, 557.60, 557.61, 557.62, 557.63, 557.64, 557.65, 557.66, 557.67, 557.68, 557.69, 557.70, 557.71, 557.72, 557.73, 557.74, 557.75, 557.76, 557.77, 557.78, 557.79, 557.80, 557.81, 557.82, 557.83, 557.84, 557.85, 557.86, 557.87, 557.88, 557.89, 557.90, 557.91, 557.92, 557.93, 557.94, 557.95, 557.96, 557.97, 557.98, 557.99, 558.00.

**COMMUNITY DEVELOPMENT DIRECTOR'S CERTIFICATE**

I, \_\_\_\_\_ DIRECTOR OF COMMUNITY DEVELOPMENT, HEREBY CERTIFY THAT I HAVE REVIEWED THIS CONDOMINIUM MAP AND THAT IT COMPLIES WITH THE REQUIREMENTS OF THE CONDOMINIUM ACT, C.R.S. 557.05, 557.06, 557.07, 557.08, 557.09, 557.10, 557.11, 557.12, 557.13, 557.14, 557.15, 557.16, 557.17, 557.18, 557.19, 557.20, 557.21, 557.22, 557.23, 557.24, 557.25, 557.26, 557.27, 557.28, 557.29, 557.30, 557.31, 557.32, 557.33, 557.34, 557.35, 557.36, 557.37, 557.38, 557.39, 557.40, 557.41, 557.42, 557.43, 557.44, 557.45, 557.46, 557.47, 557.48, 557.49, 557.50, 557.51, 557.52, 557.53, 557.54, 557.55, 557.56, 557.57, 557.58, 557.59, 557.60, 557.61, 557.62, 557.63, 557.64, 557.65, 557.66, 557.67, 557.68, 557.69, 557.70, 557.71, 557.72, 557.73, 557.74, 557.75, 557.76, 557.77, 557.78, 557.79, 557.80, 557.81, 557.82, 557.83, 557.84, 557.85, 557.86, 557.87, 557.88, 557.89, 557.90, 557.91, 557.92, 557.93, 557.94, 557.95, 557.96, 557.97, 557.98, 557.99, 558.00.

**CITY OF GLENWOOD SPRINGS, COLORADO**

MILAND CENTER LOT 2 CONDOMINIUM ASSOCIATION, INC.

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