

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

THIS FIFTH AMENDMENT TO CONDOMINIUM DECLARATION FOR MIDLAND CENTER LOT 2 CONDOMINIUMS (the "Fifth Amendment") made this 25th day of April, 2022, (the "Effective Date") shall be effective upon recordation in accordance with the terms of the Condominium Declaration for Midland Center Lot 2 Condominium Association Inc. a Colorado nonprofit corporation (the "Association").

THIS FIFTH AMENDMENT IS A RESTATEMENT OF THE DOCUMENT INCORRECTLY TITLED "FOURTH AMENDMENT TO CONDOMINIUM DECLARATION FOR MIDLAND CENTER LOT 2 CONDOMINIUMS" dated March 30, 2022 Reception Number 972835.

RECITALS:

- A. The Association is the "Association" pursuant to the 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**"), and 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**"), and collectively with the Original Declaration, the "**Declaration**", and by that certain Third Amendment to Condominium Declaration for Midland Center Lot 2 Condominiums recorded on September, at Reception No. 897315 in the real property records of Garfield County, Colorado (the "**Third Amendment**"). All capitalized terms used, but not defined, herein have the meanings assigned to them in the Declaration, and by that certain Fourth Amendment to Condominium Declaration for Midland Center Lot 2 Condominiums recorded on August 24, 2018, at Reception No. 910909 in the real property records of Garfield County, Colorado (the "**Fourth Amendment**"),
- B. The Condominium Map for the Project was recorded on March 7, 2011, at Reception No. 799750 in the real property records of Garfield County, Colorado (the "**Original Condominium Map**").
- C. Pursuant to Article 15.2 of the Declaration, the Declaration may be amended including without limitation amended to change the boundaries of any Unit or the Allocated Interests of a Unit, by Owners holding not less than 67% of the votes possible to be cast under the Declaration and the consent of the Owner of any Unit(s) affected by such amendment.
- D. The following Owners (collectively, the "**Consenting Owners**") have each consented to this Fifth Amendment:
 - 1) CBE Enterprises LLC, as the Owner of Unit number 03;
 - 2) JG Housing Solutions LLC, as the Owner of Unit numbers 10 and 12;
 - 3) Midland 8 LLC, as the Owner of Unit numbers 04, 05, 06, 07, and 08;

